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01 March 2023

Dear Alex,

Re: Outline application with all matters reserved for a proposed development at land south and east of Sittingbourne, Kent [application reference: 21/503914/EIOUT]

Thank you for consulting Kent County Council (KCC) on the outline planning application for the phased development of up to 577.48 hectares at Highsted Park, Land to the South and East of Sittingbourne, Kent, comprising of up to 7,150 residential dwellings including sheltered / extra care accommodation (Use Class C2 and Use Class C3). Up to 170,000 sq m / 34 hectares of commercial, business and service / employment floorspace (Use Class B2, Use Class B8 and Use Class E), and including up to 2,800 sq m of hotel (Use Class C1) floorspace. Up to 15,000 sq m / 1.5 hectares for a household waste recycling centre. Mixed use local centre and neighbourhood facilities including commercial, business and employment floorspace (Use Class E), non-residential institutions (Use Class F1) and local community uses (Use Class F2) floorspace, and Public Houses (Sui Generis). Learning institutions including primary and secondary schools (Use Class F1(a)). Open space, green infrastructure, woodland, and community and sports provision (Use Class F2(c)). Highways and infrastructure works including the provision of a new motorway junction to the M2, a Highsted Park Sustainable Movement Corridor (inc. a Sittingbourne Southern Relief Road), and new vehicular access points to the existing network; and associated groundworks, engineering, utilities, and demolition works.

The County Council notes that this application has been submitted alongside a related proposal for land to the west of Teynham Road (reference 21/503906). A separate response is made in respect of that application, and where appropriate, the cumulative impact of these two applications is considered. The County Council draws reference within this response to the prior response submitted in respect of this, and the related west of Teynham Road application – this response was provided on 30 November 2021 and is available on the application portal for reference.

In summary, and in considering the application as it currently stands, the County Council raises a **holding objection** on the following grounds:

- The proposal fails to provide appropriate modelling or sufficient information to provide KCC as the Local Highway Authority with an adequate understanding of the impact of the development in respect of highways and transportation. As such, KCC is not in a position to properly assess whether proposed mitigation measures are acceptable. Furthermore, as Local Highway Authority, the County Council would also raise the following issues with this application which are required to be resolved ahead of determination of this application:
 - Inappropriate modelling and a requirement for additional information.
 - Insufficient facilities at proposed junctions and existing infrastructure to promote the reported objectives for modal shift.
 - Junction performance analysis for the development accesses are required.
 - Inappropriate volumes of traffic along the Woodstock Road approach to Sittingbourne Town Centre.
 - Insufficient information on impacts or mitigation for routes through the AONB towards the M20.
 - Merge/Diverge analysis is required for proposed on/off slips to the Southern Relief Road .
 - Lack of information on treatment of Public Rights of Way .
 - Lack of cycling connectivity to Teynham station.
 - Unacceptable location of the proposed co-located Secondary/Primary school.
- As submitted, the proposal provides insufficient information to fully assess the impact of the development on the Public Rights of Way Network (PRoW) network, including its management and incorporation into the development. The County Council has received no contact with the applicant in respect of PRoW since the previous County Council response. It is not considered acceptable for the PRoW strategy for the site to be determined at a later stage, as currently proposed. The proposed development would both sever and fragment the existing network over a considerable area and considerable period. There is a clear need for discussions and contributions towards the incorporation, improvement and management of the PRoW network given the scale of the development proposed. The application shows incorrect alignments of PRoW routes on plans which must be corrected.
- Further discussions are required with the County Council in respect of the provision of education, waste and community infrastructure. The proposal does not provide the necessary and appropriately located primary education sites, and a site is required to be identified for the provision of a new Household Waste and Recycling Centre. The County Council would welcome engagement with the applicant and the Local Planning Authority in respect of the contributions required as detailed within Chapter 3 (Provision and Delivery of County Council Community Infrastructure and Services).
- There is insufficient information to demonstrate there would not be needless sterilisation of safeguarded mineral deposits. The proposal therefore fails to provide sufficient information to KCC as Minerals and Waste Planning Authority to fully assess whether the proposed development can invoke any exemption criterion of Policy DM 7: Safeguarding of Land-won Minerals (Kent Minerals and Waste Local Plan 2013-30).

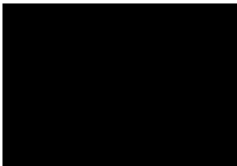
- The proposal has not addressed matters that were raised within previous County Council response in respect of the County Council's role as Lead Local Flood Authority. These matters relate to greenfield run off rates and where flows that leave the site will be connected. Furthermore, the referenced addendum to the Flood Risk Assessment was not locatable to clarify the land parcel in relation to overland flow paths.

The County Council has reviewed the application in its entirety and has an extensive commentary to raise in response to the proposal, set out clearly below, in a subject chapter format.

The County Council will continue to work closely with the Borough Council to help ensure the delivery of new housing and infrastructure in response to local needs – delivering sustainable growth for the Swale Borough. The County Council will welcome engagement with the applicant and the Borough Council as Local Planning Authority in addressing the matters raised in this response.

If you require any further information or clarification on any matter, please do not hesitate to contact me.

Yours sincerely,



Simon Jones
Corporate Director – Growth, Environment and Transport

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1. Highways and Transportation

The County Council's previous consultation response was submitted on 30 November 2021. The amended submission details from November 2022 relate to a number of documents that were referred to in that response. The actions within this chapter require resolution ahead of determination of the application. The previous response had commented on the following Transport Assessment documents:

- Transport Assessment Volume 2 – Policy Context & Strategic Justification
- Transport Assessment Volume 3 – Site Context
- Transport Assessment Volume 4 – Development Proposals
- Transport Assessment Volume 5 – Sustainable Transport Strategy
- Transport Assessment Volume 6 – Highway Infrastructure Proposals
- Transport Assessment Volume 7 – Traffic Impact Appraisal
- Transport Assessment Volume 8 – Mitigation Proposals

The latest submission documents only supersede volumes 3, 5 and 7, so the comments already provided in respect of volumes 2, 4, 6 and 8 remain applicable and the actions required will still be outstanding. For clarity, those comments included within the November 2021 response are replicated within the highway comments below, which should also be read in conjunction with the previously included WSP report (available within the 30 November 2021 response).

However, the submitted volume 7 appears to be corrupt as it is missing pages and the bulk of text is either omitted or illegible and therefore cannot be read. No comments can be provided at this time on volume 7, and assessment of that will only be able to commence when the appropriate document is available from the planning portal and accessible for public viewing. Given volume 7 contains the Traffic Impact Appraisal, this is of course one of the most relevant documents for consideration by the Local Highway Authority.

Action – An uncorrupted version of Transport Assessment Volume 7 must be submitted in order for consultees and the public to access it.

Updated Comments

In reviewing the amended documents, volumes 3 and 5, the following comments are now provided regarding the actions requested relating to these:

Transport Assessment (TA) Document 3: Site Context

Bus Services

Previous comment – *A 30min service is now operating along the A2 known as routes X3 and X4.*

Table 3.2 still omits acknowledgement of the X3 and X4 routes.

Action – Update the TA to include the current level of bus services.

Local Highway Network.

Previous comment – *Park Road – Demand for on street parking is very high, often resulting in single carriageway operation.*

The description of the Gore Court Road/Park Road corridor has not been amended to include any context for the single carriageway working.

Action – Update the TA to include the current level of bus services.

Baseline Operation

Previous comment – *The 2017 Base data as shown in table 4.1 taken from the Swale (STM) has been checked and all flows other than the AM flows on the A249 north of the A2 and the PM flows between M2 J6 and J7 have are agreed as accurate.*

Table 4.1 in the latest version the queried AM flow on the A249 north of the A2 has remained as previously indicated. Whilst it is noted that the PM flow between M2 J6 and J7 has been amended, it is also noted that the agreed AM flow for this link has now also been amended.

Action - Clarity is still required for the figures mentioned above that KCC is unable to replicate.

Previous comment – *It is noted that there are a number of highways that would be impacted by the development that have been omitted from the baseline assessment.*

Other local adopted roads affected by the development that have not been mentioned but should be included are as follows:

In an assessment for this application only:

Ufton Road, Tunstall Road, Rectory Road, Cromer Road, Highsted Valley, Highsted Road, Stockers Hill, Bottom Pond Road, Green Lane, Panteny Lane, School Lane, Church Street, Dully Road, Bexon Lane, Lynsted Lane, Swanton Street.

Additional highways in an assessment for the cumulative impact of both Highsted Park applications:

Lomas Road, Lower Road (Teynham) Station Road (Teynham), Hempstead Lane.

Without being able to access Volume 7 it cannot be confirmed whether the action requested has been completed.

Action – Traffic flow details and highway safety assessments to be added for the above-mentioned affected highways.

Highways Safety

Previous comment – *The Highways safety section is presented in a summary form only without any details of the incidents that have occurred, It is therefore not possible to review whether or not there are any patterns. Greater detail of the incidents reviewed should be presented along with any specific clustering alongside a justification for each assessment. This assessment will enable us to confirm or otherwise the conclusions made by the applicant.*

Without being able to access Volume 7 it cannot be confirmed whether the action requested has been completed and contained elsewhere within that document. Nonetheless, Table 4.3 in Volume 3 has not been updated to provide a summary of the accident data for those highways listed.

Action - In addition to the links presented, any highways not mentioned from the list above should be included in the assessment .

Action - Greater detail of the incidents reviewed should be presented along with any specific clustering with a justification for each assessment.

Traffic Conditions

Previous comment – *The statement in 4.2.6 and 4.2.7 was out of date at the point of submission with consent being granted by the Planning Inspectorate to proceed with delivery of the M2 J5 (RIS) scheme.*

Statements 4.2.6 and 4.2.7 remain out of date. In addition to consent being granted by the Planning Inspectorate to proceed with the delivery of the M2/J5 RIS scheme, work has commenced with completion due winter 2024.

Action – Update the TA to reflect status of the M2/J5 scheme.

TA document 5: Sustainable Transport Strategy

Objectives

Previous comment – *The proposed strategy, and development as a whole seeks to adopt similar objectives to those contained within the Swale Draft Transport Strategy, as mentioned above. There are, however, objectives set within the application’s own strategy that do not accord with the Borough’s.*

Objective 4. Encourage and facilitate, through a flexible framework, innovation in transport technology that place the Proposed Development and Swale at the cutting edge of sustainable transport solutions and a 'net exporter' of ideas;

There is a distinctive emphasis on transport innovation yet untested. Whilst an admirable objective there will need to be far greater detail on the proposals and whether or not they can be sufficiently legislated and approved on a public highway.

Objective 5. Present clear, demonstrably deliverable and tangible measures to achieve the objectives that learn from past experiences and respond to the shortcomings of historic strategies (and those emerging in draft) which set aspirational objectives but fail to secure effective and deliverable solutions.

The Borough's draft strategy is clearly marked as such, has a list of deliverable measures interventions and includes a stated flexibility for evolution to respond to emerging technologies and changes to travel patterns. The first part of the objective would therefore be in accord with the draft policy, the second part is not supported, being as it is a derogatory and unnecessary comment which neither adds anything to the objective nor conducive to positive engagement between the Highway and Planning Authorities.

The comments above still apply. Disappointingly, the text of stated objective 5 has not been amended.

Public Transport Strategy

Previous comment – *The proposals seek to initially make use and extend the existing bus services along the A2 making sure that all development lies within the required 400m threshold but also to ensure that the maximum headway would be 30 mins between services.*

It is proposed that the SMC would be built in the earlier stages of development so that a route can be provided.

Two routes have been initially assumed that would operate between the Oakwood and Highsted Villages and the centre of Sittingbourne and train station. The routes use a combination of internal development roads, the SMC and make use of a proposed bus gate at the Northern end of Highsted Road. A further inter development route is shown in figure 5.1 operating along the SMC between Kent Science Park and Teynham station.

There is no evidence seen that demonstrates that discussions have taken place with bus operators to justify the statements.

Action - To ensure public transport is available from the outset a costed public transport phasing strategy will be required to demonstrate the feasibility and an approach that is compliant with national and local policy.

Action – Applicant to engage with KCC’s Public Transport team and bus operators to discuss the feasibility of the proposals .

No amendments have been made to the document, or information provided within this section of the TA to address the above, so the actions remain outstanding.

Development Rail Access

Previous comment – It is assumed that there is a typographical error in paragraph 5.3.1 where it mentions connectivity to the Chartham main line, which KCC has taken to mean the Chatham main line.

Train services along this line are relatively frequent offering an hourly service in both directions during the inter-peak. A very good early morning and PM peak service is offered with increased frequency of between two to three services in the hour.

High speed services are mentioned as operating along the line but it should be clarified that high speed services are not available from Teynham station.

The TA mentions that the development seeks to maximise opportunities to access rail through various modes. Little detail is provided other than mention of walking, cycling and bus connecting routes and an intended community travel plan.

Action – Further indication on how rail travel is proposed to be maximised is requested.

The revised document has corrected the reference to the Chartham main line and now includes details on how rail travel and connectivity to Sittingbourne and Teynham Stations will be promoted.

The Local Highway Authority welcomes the proposed implementation of coordinated ticketing for combined bus and rail trips. The scale of the development does provide the opportunity to procure these tickets at favourable rates, although no details have been given on whether service providers have expressed a willingness to facilitate this.

Paragraph 5.3.10 only commits to exploring the scope for development of sustainable travel hubs. It is considered that more priority should be given to this.

The use of real-time information systems is supported, and this is considered to be a good tool to encourage public transport use. While it is commonplace for this information to be displayed at bus shelters and travel hubs, the strategy does not indicate whether the

information will also be easily available elsewhere, such as in homes and businesses to help people plan when to set off for their journeys.

Action – Greater emphasis should be given on the intention to provide sustainable travel hubs, and more details regarding the accessibility to real-time information within the development.

Framework Community Travel Plan

Previous comment – *The Highway Authority welcomes the inclusion of a framework travel plan. The applicant is expecting a condition to any permission to ensure delivery of a Community Travel Plan to cover both the Highsted applications. KCC would agree and recommend that a combined Travel Plan is a conditional requirement.*

The Travel Plan would need to be monitored by the Highway Authority and a financial contribution would be required to ensure our costs for this are covered.

The Framework Travel Plan includes a number of potential measures that are agreeable, these being;

- *Defined targets to increase use of Public Transport, Walking and Cycling. Increase up-take of EV cars and car sharing*
- *Integration of parking to facilitate EV and/or car sharing and appropriately located cycle parking hubs*
- *An electric bike hire scheme with associated infrastructure*
- *Public Transport services*
- *Provision of a 5m+ NMU corridor to facilitate any emergent autonomous technology*
- *Free or discounted public transport passes*
- *Vouchers for cycling equipment*
- *Promotional material to support the travel plan*
- *A central web-based framework for tailoring bespoke individual travel plan services*
- *Cycle Training*

Action - *Additional measures that the Highway Authority also considers to be appropriate for this development would be bus shelters and waiting facilities and central community collection points such as Amazon lockers. Also the provision of public seating at regular intervals along the SMC and on other key walking corridors to accommodate elderly and mobility impaired persons they may need to rest along the route. These should be demonstrated.*

No measures for employment staff travel plans have been included in the application which as above undermines the portrayed sustainability of the proposals.

Action – Inclusion of a framework employment staff travel plans should also be provided.

Whilst mentioning many agreeable options the Framework Travel Plan has given no consideration to the cost of each incentive.

Action - KCC will require a full cost plan demonstrating the expected outlay being provided towards each of the individual incentives to a level that can be fully considered by the Planning Authority in the review of viability assessment and for consideration of any Section 106 financial contributions.

No targets or objectives could also be found which are fundamental to any TP.

Action - Guidance should be sought from KCC on the required inclusions of the TP.

This section of the revised document has not been amended to from the original version, so it is considered that the same actions remain as per the previous response.

Previous KCC Comments on Remaining Volumes

Transport Assessment (TA) Document 2: Policy

The National Planning Policy Framework (NPPF) references made in chapter 3 are out of date, following an update to the NPPF in July 2021. The changes however predominantly relate to numbering and the correct numbering being paragraphs 104 to 113 within chapters 9 and 10. The element not referenced in the TA is in regard to paragraph 110 (c) which requires developments to meet “the design of streets, parking areas, other transport elements and the content of the National Design Guide and National Model Design Code”.

In assessing the application and this policy, KCC’s attention is drawn to paragraph 110 of the TA Document 2: Policy:

- The application and infrastructure therein provide opportunities to promote sustainable transport modes. This is delivered through the applications ability to internalise movements and design in sustainable options from the outset. It is however considered that the application will be required to follow through its sustainable intentions into the junction designs. This is covered latterly in our response.*
- Safe and suitable access is yet to be demonstrated due to incomplete modelling and assessments on its impacts on highway safety. In its current form the application does not comply with this policy.*

- *The streets, parking areas, other transport elements have not been demonstrated to show compliance to the National Design Guide and National Model Design Code. In its current form it is unclear as to how the application complies with this policy.*
- *Significant impacts from the development on the transport network have not been demonstrated to be cost effectively mitigated to an acceptable degree due to incomplete modelling evidence. In its current form the application does not comply with this policy.*

Action – Updated NPPF policy reference and evidence required.

Reference to KCC’s LTP4 remains current and includes reference to page 39 and the identified improvement labelled as an “extension to the Northern Relief Road to the A2 and then M2”. As proposed this development application includes the infrastructure as referenced. Importantly though this should be put into context of the content of page 25 which reflects that the schemes are identified from individual districts Local Plans and Transport Strategies, it is noted that this infrastructure no longer appears to be a priority for Swale Borough Council as the current Reg 19 draft plan places the majority of its housing in other areas.

In the longer term it remains the view of the Local Highway Authority that the modelling presented through the various stages of the Local Plan Review that infrastructure of this nature would be required to facilitate any growth occurring in the area between Sittingbourne and Faversham due to pre-existing congestion, junction capacity and air quality.

Swale Draft Transport Strategy.

The Transport Strategy is designed to respond the emerging local plan review, and it is envisaged that the six stated objectives of the Swale Borough Council Transport Strategy will remain the same; these being:

- Objective 1** *To promote active and sustainable travel enabling residents to take up these modes*
- Objective 2** *To reduce and mitigate the impact of poor air quality related to transport whilst striving for net zero*
- Objective 3** *To improve the journey time reliability and resilience across the transport network*
- Objective 4** *To support the economic growth and development projected in the Local Plan Review*
- Objective 5** *To consider the needs of all users across the transport network*

Objective 6 *To substantially reduce all road casualties and progress towards zero killed and seriously injured (KSI) casualties*

Objective 1

The application includes measures to support this objective through the following proposals:

- Reduction in Sittingbourne Town Centre Traffic*
- Additional Non Motorised Users (NMU) routes provided connecting with Teynham Station*
- New highway infrastructure that creates opportunities for improvements to Bus Services*
- Opportunities for internalisation of movement through accessible local amenities*

Objective 2

The application includes measures to support this objective through the following proposals

- Reported reductions in traffic through existing AQMA's*
- Improved opportunities for modal shift*

Objective 3

The application modelling needs to be updated to demonstrate that it is compliant with this objective.

Objective 4

The application duplicates the economic growth and development required by the Draft Local Plan Review and has not been demonstrated to support the growth strategy proposed by the Borough Council.

Objective 5

The application includes measures to support this objective through the provision of new internal walking and cycling routes and a proposed NMU corridor. It however fails to meet this objective with a lack of crossing provision or appropriate facilities being provided across and along the proposed link road infrastructure.

Objective 6

Highway safety assessments are incomplete and as such the application fails to demonstrate compliance with this objective.

TA Document 4: Development Proposals

This element of the application includes the following components.

- 8,000 residential units including Extra Care Sheltered Accommodation
- 170,000 sqm of commercial Class B2, B8 and E including a 2,000 sqm Hotel Class C1
- Mixed use neighbourhood amenities Classes E F1 and F2.
- 3x Primary School 3FE & 1 Secondary School 8FE
- New highway access points including a Sittingbourne Southern Relief Road and new motorway junction to the M2.

The applicant has submitted a cumulative impact of both this application and that of 21/503904 only. Unusually, it is not therefore possible to assess this application on its own merits from a highway perspective. KCC has dealt with the cumulative assessment latterly in this response; this section therefore deals with the individual elements of this development.

The proposed development is formed of two new garden village communities known as Oakwood Village (South East of Bapchild and surrounding Rodmersham) and Highsted Village (Between Highsted and the M2 and surrounding the Kent Science Park).

Development proposals are understood to be separated between the villages in the following way:

Oakwood Village

| Land Use | Sub Land Use | Units | Quantum |
|-----------------|------------------------|----------------|---------|
| Residential | - | dwellings | 4,073 |
| Commercial | B2/E | m ² | 4,140 |
| Local Centre(s) | Medical Centre | m ² | 1,250 |
| | Pharmacy | m ² | 200 |
| | Retail | m ² | 2,100 |
| | Foodstore | m ² | 1,670 |
| | Professional/Financial | m ² | 400 |
| | Nursery | m ² | 400 |
| | Gym/Fitness | m ² | 200 |
| | Community Centre | m ² | 1,000 |
| | Pub/Restaurant | m ² | 1,200 |
| Education | Primary | FE | 3 |
| Leisure | Sports Pavilion | m ² | 1,500 |

The development has an excellent ratio of employment space to residential, community facilities and appropriate primary school provision. As proposed it is agreed that there would be good potential for internalisation of movement within the proposed Oakwood Village. There would also be good accessibility to wider services, bus, train services and internal access provided to the strategic highway network.

Highsted Village

| Land Use | Sub Land Use | Units | Quantum |
|-----------------|------------------------|----------------|--------------------------|
| Residential | - | dwellings | 3,927 |
| Commercial | B2/B8/E | m ² | 165,860 |
| Local Centre(s) | Medical Centre | m ² | 1,000 |
| | Pharmacy | m ² | 250 |
| | Retail | m ² | 2,660 |
| | Foodstore | m ² | 1,950 |
| | Professional/Financial | m ² | 400 |
| | Nursery | m ² | 430 |
| | Gym/Fitness | m ² | 200 |
| | Community Centre | m ² | 2,000 |
| | Pub/Restaurant | m ² | 1,200 |
| Education | Primary | FE | 3 |
| | Primary | FE | 3 |
| | Secondary | FE | 8 + 6 th Form |
| Leisure | Sports Pavilion | m ² | 2,450 |

The development has a significantly higher level of employment space to residential, however it is well located with direct access to the strategic highway. There is a good range of community facilities and appropriate primary school provision. As proposed it is agreed that there would be good potential for internalisation of movement within the proposed Highsted Village. Access to bus services is likely to be good, access to train services may require interchanging modes.

The secondary school and primary school proposed locations immediately adjacent to the M2 are poorly located and would be detrimental to independent or sustainable access. This would be a matter of objection on highway grounds for the above-mentioned reasons.

Action – Relocation of the collocated secondary and primary schools to a more sustainable site within Highsted Village to the satisfaction of the highway and education authorities .

Proposed new infrastructure

M2 Junction 5a

A proposed all movement motorway junction located between the existing Ruins Barn Road and Bottom Pond Road to the south of the application site.

The design of the junction will be a matter for the consideration of National Highways. From a local highway perspective the junction has the potential to provide much needed resilience.

Sustainable Movement Corridor (SMC) incorporating the Southern Relief Road

The proposal includes a strategic highway connection between the A2 and the M2 with a sustainable movement corridor alongside. The new road would also act as access to the development.

The road is a combination of dual and single carriageway. Higher flows are demonstrated at the southern end of the proposed relief road and this has therefore been designed with a combination of grade separated and at grade junctions. The northern end has been designed with at grade junctions similar to those of the existing Swale Way.

Heading south to north, the relief roads starts as a dual carriageway serving vehicular use only to the first junction providing access to employment sites. This is agreed as appropriate.

Continuing north the route retains its dual carriageway status but transitions into a tree lined semi-rural corridor. The route continues through a grade separated junction with Broadoak Road. Broadoak Road itself crosses the relief road over a widened green bridge providing good pedestrian, cycle and public transport priority. North of this junction the road changes to a single carriageway. This is also the point at which the proposed Sustainable Movement Corridor (SMC) appears on the western flank of the relief road.

The next junctions is with the existing Highsted Road and Cromer Road and is proposed as a four arm signalised arrangement. It is mentioned that the signalisation would give priority to Public Transport and sustainable modes using the SMC.

Action - *The applicant is requested to demonstrate how the reported SMC priority been modelled.*

Beyond the signalised junction the road crosses three Public Rights of Way (PRoW).

The area to the South of Bapchild is mentioned to have been “designed to respond to masterplan and placemaking evolution”. This appears to result in greater connectivity with Bapchild through the existing highway network. An at grade roundabout junction connects with Church Street acting as access to the proposed Oakwood villages North and South of the relief road. A similar junction is then proposed a little further north, again providing access to the proposed Oakwood villages. The SMC finishes at the Church Street junction where it is proposed to be integrated into the existing highway. Footway/Cycleway provision continues on the southern side of the road.

Paragraph 4.3.25 of TA document 4 appears to suggest that there is limited access to the relief road and no general vehicle connectivity to the wider villages to ensure that traffic is focussed on the Key gateway junctions.

Action – Clarification on this paragraph is sought. SATURN plans suggest that development connects only to the relief road and no vehicular connection is achievable from the development to School Lane and Panteny Lane.

Beyond the Northern roundabout to the Oakwood villages the road returns to being a dual carriageway up to the point of a new roundabout on the A2 and the commencement of a proposed Bypass of Bapchild.

Action – Clarification is required as to the start and finish point of each of the Highsted applications. As demonstrated in this part 4 of the TA there would only appear to be a half built Bapchild bypass in this application which clearly could not operate. Whilst the TA has not made any presentation of stand-alone modelling the application must be assessed as such. It is advised that either an alternative option of junction G must be presented in this application, or that it presents the inclusion of the completed link road around Bapchild from proposed Junctions R to G, inclusive of X and Y.

Junction B (Employment land access)

A four-arm roundabout on the proposed Southern Relief Road (SRR) dualled on the North and South Arms and single carriageway on the east and west. The roundabout has a three lane 12m circulatory with an 80m diameter, a three-lane entry on the Northern arm and 2 lanes for all others. The applicant has advised on a departure from standards on the centre line radii. This relates to a need to avoid veteran trees in close proximity and the matter will need to be discussed through appropriate assessments to ensure there are no safety implications of this departure.

CD377 requires vehicle restraint systems (VRS) to be in place for all-purpose trunk roads with a speed limit of over 50MPH. Whilst technically not a trunk road the dualled section of SRR

between the M2 and a point just beyond the Broadoak Road junction is designed as such, hence the requirement for VRS. VRS is provided but stops short of the junction on the southbound approach by 1.5 times the stopping sight distance from the give way entry to the roundabout. The applicant has suggested an appropriate assessment on this be carried out through a Road Restraint Risk Assessment Process to be conducted prior to a Stage 1 Road Safety Assessment. The approach is generally agreed, and the matter will be raised with our structural engineers at an early stage for their consideration on the most appropriate design.

Action – *Drawings to demonstrate approach lane width, inscribed circle diameter (ICD) for roundabout and all visibility splays .*

Side roads have an accepted 30MPH speed, the SRR has a 50MPH speed also accepted for this section of the road.

Cross sections of the SRR show two 7.3m carriageways in either direction with a 5.1m central reservation, area agreed as appropriate.

The Northern arm of the link has a 3m footway/cycleway facility which continues to the Eastern employment arm of the roundabout. A crossing and ongoing shared facility provides access to the Western arm. It is unclear as to how this is controlled.

Action – *Applicant to clarify NMU crossing facilities between employment parcels.*

Junction C (Garden Bridge with Broadoak Road)

The junction provides grade separated access to the existing Kent Science Park through Broadoak Road and is made up of the following arrangements:

- Access off and on to the SRR is provided via on and off slip road facilities*
- A green bridge carrying Broadoak Road over the SRR*
- A priority bus only junction access to the start of a Northbound Sustainable Movement Corridor to the West of the SRR with Broadoak Road being the major arm.*
- A priority junction between Broadoak Road and the southern off/on slip road with the slip being the major arm.*
- A signalised junction to control Broadoak Road West and East, the northern on/off slip and central avenue.*

A speed transition from 50 to 30MPH is noted on both exits of the SRR and is agreed.

The access off the 50MPH SRR is designed with merge, diverge tapers for all connections other than the southbound exit. The arrangements will need to conform with DMRB standards within CD123. Given the high employment use of the proposed development there is a likelihood for significant HGV movements and the lack of diverge on the southbound entry is of concern. Notwithstanding that CD123 does not allow for diverge facilities on the inside of a corner, the SRR at this location would appear to be near straight and the likelihood of obstruction of visibility of southbound merging vehicles potentially not of concern. No merge/diverge analysis has been presented for this arrangement and noting that flows appear to indicate around 140 left turn movements in the AM peak into this junction, with 50MPH mainline flows of over 1000, this analysis must be presented.

Junction modelling appears to be combined for Junction C and it is unclear which are the corresponding assessments.

***Action** – It is requested that the 4 “c” junctions be identified as “C (1-4)” to assist with junction location.*

***Action** - Merge/Diverge analysis to be presented for the exits off/on to the proposed SRR at junction C. Discussion and review necessary to consider as to whether or not the CD123 inside of bend criteria is applicable. SSD visibility splays to be presented on the drawings.*

Broadoak Road/SRR NB off slip

A short section of Broadoak Road is retained from its junction with Ruins Barn Road before giving way to the proposed the SRR north bound off-slip. No ghost right turn lane facilities are provided and visibility splays do not appear to have been demonstrated.

It is unclear which of the junction assessments relates to this location.

***Action** – Visibility splays to be demonstrated on the drawing. Clarity is sought on the location of this junction assessment.*

Green Bridge

No design details have been presented and these would be required to be fully assessed by our structural engineers. The TA reports that part of the decision making for inclusion of a green bridge was to prioritise NMU East/West movements however the design drawing appears to indicate only vehicle priority. No detail is demonstrated as to how pedestrians/cyclists are expected to negotiate the proposed arrangements or how the two existing public footpaths are to be dealt with. The masterplan submitted with the application appears to indicate that PRoW ZR155 would serve as a ped/cycle green link into the

development. Public Bridleway ZR151 is not shown on the drawing but would provide a vital link to Tunstall Village.

Action – Priority Walking/cycling and PRow arrangements to be presented in the design drawing. Cycling connection to Tunstall Village via PRow ZR151 to be demonstrated. Indicative design details to be discussed with KCC structural engineers.

Bus only junction to Broadoak Road

The intention of this facility is welcomed. Further details will be required on its proposed operation and enforcement.

Action – Applicant to provide information on the proposed operation and enforcement of the bus gate .

Signalised control of Broadoak Road

A proposed four arm signalised cross roads with Broadoak Road, the SRR southbound off slip and access to Kent Science Park via Central Road. SSD's have not been demonstrated on the plans and will be required.

Action – Add visibility splays to drawings.

Junction D – Access to Highsted Road

The junction has been designed in accordance with CD123 and is in the form of a signalised junction between the SRR and Highsted Road. All lanes are stated to have a 3.5m width. Both approaches of the SRR have two straight ahead lanes and separate right turn lanes. The Northbound approach also has a separated left turn lane. The left turn lane is included to provide for priority crossing of the Sustainable Movement Corridor situated on the North side of the SRR. Controlled pedestrian/cycle crossing facilities are provided on the Eastern arm of the SRR and Highsted road Northern arm.

The Northern arm of Highsted Road provides access to new development and has two entry lanes into the signalised junction but does not continue Northbound to Sittingbourne Town Centre. A proposed sustainable gateway through the northern end of Highsted Road is proposed and welcomed.

Cromer Road is proposed to be diverted to a priority junction arrangement with Highsted Road. Highsted Road being the major arm with a ghost right turn lane facility being provided

into Cromer Road. The above mentioned Highsted Road removal of vehicular access to Sittingbourne results in Cromer Road being used for vehicular access to the Town Centre.

The Southern arm serves as access to the proposed development and has a two lane entry to the signalised junction.

Stockers Hill joins the proposed development access road via a priority junction being the minor arm of that arrangement. The road continues to serve access to Rodmersham Green and rural areas to the East.

Highsted Road south joins Stockers Hill as a minor arm at a priority junction being a reversal of the existing layout. The road continues to serve as access to the Highsted Valley to the South.

Public Bridleway ZU38 appear largely untouched by the proposals other than its termination being onto Stockers Hill rather than Highsted Road. There would appear to be an opportunity within the masterplan layout for this route to be continued North to connect with existing bridleway ZU35. This could provide a valuable addition for recreation and should be discussed further with the County Council PRow and Access Service.

***Action** – Strategic approach to PRow to be discussed with KCC PRow & Access Service and opportunities for network development included in the application proposals.*

Heading North on drawing 16-023/2014D, a development access is demonstrated. This is not shown on the SATURN plan, does not appear to be modelled and its layout is unclear.

***Action** – Clarity on the layout, modelling and design required for the demonstrated development access to the North of proposed Junction D.*

Drawing 16-023/2015D demonstrates three crossings of public rights of way. These routes would play a vital component for provision of sustainable access routes and recreation, careful consideration needs to be applied to crossing treatments to ensure priority for NMU uses and suitability for equestrians.

***Action** - The treatment of PRow crossings should be discussed with KCC's PRow & Access Service & KCC Highways .*

The section has a two lane single carriageway with the SMC on the Northern side and a 3m shared footway/cycleway on the southern side. The stretch is designed as a 50MPH section with 7.3m wide carriageway.

Junction E (Access to Oakwood Village South)

A four arm roundabout with single carriageway approaches on each arm. Transition from 50MPH to 30MPH occurs on the western approach arm. Church Lane Northern arm is diverted into the proposed development with no vehicular through access to Bapchild. Church Lane Southern arm is shown as being retained but has a different configuration to that depicted in the Masterplan in which Church Lane becomes a minor arm of a new access road to development.

The SMC diverts into the Northern Oakwood village where it connects back into running with other traffic.

The Footway/Cycleway is also removed between junctions E & F and the ongoing provision to access Teynham Station does not appear to have not been demonstrated. Indirect on street routes with multiple junctions is demonstrated on the Framework Walking and Cycling plans which would again be in direct contradiction to the proposed objectives of the Sustainability section of the TA.

Action – *Clarification is sought on how NMU routes are provided to connect with Teynham station.*

Two lane approach flares are demonstrated on all but the southern arm. At grade uncontrolled crossings are shown for pedestrians and cyclists across the Southern and Eastern Arm of the roundabout which would be detrimental to the proposed strategy to prioritise those modes. This is unsuitable for access towards Bapchild and local amenities proposed to the South of the SRR.

Action – *Applicant to demonstrate a consistent approach in the Masterplan and proposed junction layouts with appropriate modelling - when.*

Action – *Suitable NMU crossing of the SRR to be proposed and shown in submitted plans.*

No details are provided as to the ICD, lane width, radii or visibility splays.

Action – *Geometric layout details to be provided on the drawings.*

The layout between the two Oakwood village access roundabouts includes a large central reservation verge with 6.75m carriageway. Cross section P does not appear to be representative of the layout and a cross section of the different layout further South near to Dully Road has not been demonstrated.

Action – Additional cross sections on the section between Junction E and F to be provided and should correspond with the link sectional drawing provided.

Junction F (Access to Oakwood village North)

A four arm roundabout with single carriageway approaches on all arms except the Northern arm which reverts to a dual carriageway with two 6.75m lanes in each direction. At grade uncontrolled crossings are shown for pedestrians and cyclists across the Eastern Arm of the roundabout which would be detrimental to the proposed strategy to prioritise those modes.

Action – Suitable NMU crossing of the development access to be proposed.

No details are provided as to the ICD, lane width, radii or visibility splays.

Action – Geometric layout details to be provided on the drawings .

A 3m shared footway/cycleway is demonstrated to be located on the Eastern side of the road.

Heading North the proposed SRR connects to junction G on which KCC has made comments in our response to the other Highsted application 21/503906.

Framework Pedestrian and Cycle Routes

The Framework Plan for walking and cycling routes demonstrates existing PRow facilities and use of internal development roads. The only specifically new feature demonstrated appears to be that of a proposed route following a similar alignment to that of the proposed SRR but not at its northern end and critically it does not connect to Teynham or the train station.

PRows are largely retained along their existing alignments and within wider green corridors to retain their ability to serve recreational need. KCC could find no mention as to how these would be enhanced within the development to promote mode shift nor does there appear to be any additional PRows proposed. A notable omission is the missed opportunity to connect existing bridleways.

Whilst stating that there would be priority crossing facilities, most have been demonstrated on the highway layout drawings as at grade uncontrolled with no priority. Furthermore, there is no indication as to how the existing PRows are to cross the road infrastructure and appear to be severed and incomplete which would be significantly detrimental to promoting mode shift.

It is however acknowledged that much of the development is within a cyclable distance and that internal streets to Kent Design standards could provide opportunities within a garden village settlement for high levels of internal walking and cycling. As presented the Framework Walking and Cycling routes appear indirect, have limited separation from internal highways and no priority over vehicular modes. This would fail to be compliant with national or local policy.

No details of where local services, schools and amenities is shown on the Framework Walking and Cycling Framework and as such it is impossible to tell whether routes are serving them.

Action – *Greater detail of pedestrian and cycling crossings are required to demonstrate that the proposed mode share can be achieved.*

Action – *Walking and cycling connectivity to Teynham to be improved and demonstrated.*

Action – *Framework walking and cycling route to demonstrate a more convenient and direct network of routes through development parcels and how they connect to schools, local amenities and transport hubs.*

Action – *Improvements to PRoW network to be discussed with KCC PRoW and Access Service including the filling of gaps within the current Public Bridleway network.*

Ruins Barn Road -South

A proposed shared footway/cycleway is demonstrated along Ruins Barn Road. The route is shown on the western side of the road but terminates without completing. No visibility splays have been demonstrated at the crossing point and it would appear that provision for the existing on street parking is reduced. Existing highway boundaries have not been shown. In light of the above it is at this stage unclear as to the value or deliverability of the proposal.

Action – *Proposal to be discussed further with the Local Highway Authority.*

Highsted Road Sustainable Gateway

The junction between Highsted Road and Swanstree Avenue is proposed to operate as a bus, pedestrian/cycling only gateway. Highway boundaries are depicted in the drawing and it would appear to be deliverable within the application and highway land. The proposal is in general welcomed, however further detail will be required on the proposed enforcement mechanism and ongoing management.

Action – Proposal to be discussed further with the Local Highway Authority.

Cycling

Segregated cycling routes are proposed along the primary roads and these would be required to comply with the [Department for Transport LTN 1/20](#).

Improvements to cycle parking convenience are welcomed with easier accessibility integrated into proposed dwellings. These would need to be both secured and sheltered.

An electric bike hire scheme within the development is proposed and welcomed. This would be served from the transport hub with supporting infrastructure provided throughout the development. It is proposed that the developments electric bike scheme could be expanded to cover wider areas of the Borough.

Parking.

The applicant proposes to adopt the Swale Borough Council standards and as such is agreed.

TA Document 7: Traffic Impact Assessment

This section of our response is repeated for both applications 21/503906 and 21/503914. The applicant has, rather unusually, submitted two separate applications however only assessed the impacts as a cumulative of the two. It is therefore technically impossible for the applications to be assessed independently on highway grounds. This response is therefore on the cumulative impact only.

Should the determining authority choose to approve these applications, KCC's position would have to be that one application could not be approved without the other, due to insufficient analysis of the individual applications being provided.

In preparation of the Swale Local Plan Review, it was determined at an earlier stage in Pre-application discussions that Borough Council, County Council and applicant would commission the build of a Strategic Highway model to be jointly paid for. This provides economic efficiencies for all parties whilst also ensuring that any forthcoming development applications can use the same modal structure and distribution. The base highway model is therefore the same for both this application and the Local Plan and has been validated appropriately and approved by the County Council, Borough Council and National Highways. Reference Case modelling was also completed as a joint approach but has subsequently been independently updated to meet the requirements of the Local Plan test and build brief of National Highways.

Highway Infrastructure assumptions.

There have been some revisions to the Local Plan reference case model in terms of Highway Assumptions that would also be required for the modelling tests for this application.

The additional junction improvements that have occurred since the Borough Council's earlier 2019 reference case model run are as follows;

- *A2/Love Lane signalisation*
- *A249/Bobbing junction signalisation*
- *Lower Road/Cowstead Corner capacity improvements*
- *B2006/Sonora Way roundabout capacity improvements*
- *Borden Lane/Homewood Avenue mini roundabout*
- *Quinton Road mini roundabouts*
- *Halfway Road Traffic lights*
- *M2/J5*
- *SW Sittingbourne link road between Chestnut St and Boden Lane*
- *NW Sittingbourne Access roundabout and internal link road between Quinton Road and Grovehurst Road*
- *Crown Quay Lane Access to Eurolink Way*
- *Iwade Expansion roundabout to Grovehurst Road*
- *Preston Field link road*
- *Perry Court link between Brogdale Road and the A251.*

***Action** – Reference case modelling needs to be updated, before the application is determined in order to properly assess the developments impact. The Local Highway Authority will be able to provide the applicant with the updated reference case model.*

Model Updates

The changes at Park Road and Swale Way are noted.

***Action** - KCC requests the detail of this is shared with KCC before the applications are determined in order for the Swale model to be appropriately amended.*

Trip Rates

KCC's response to trip rates is contained within our appended consultant's report.

Highway Infrastructure Assumptions

Paragraph 3.4.8 and 3.4.9 mentions the highway connections added including the following:

- M2 J5A
- Completion of the SNRR Bapchild link
- A SSRR connecting between the A2 and M2

Links from the development and new road to the following have also been added;

- Ruins Barn Road
- Broadoak Road
- Highsted Road
- Church Road
- A2

It is noted that Lower Road is not mentioned despite application 21/503906 creating a link to it. Neither are the flows shown in Appendix C for Froggnal Lane, Station Road or whatever connection is to be made back to the A2 through the eastern side of that application.

Action – The impact on the traffic flows for the abovementioned streets should be demonstrated as it would be likely that the new links created to connect them to a strategic network would have an impact, before the application is determined.

A review of the SATURN layout has identified that the proposed link to Lower Road is not included.

Ruins Barn Road and access to the South of the A2. Paragraph 3.4.11 identifies that Ruins Barn Road modelling capacity was limited to avoid unrealistic routing of traffic on rural roads. The assumption from this therefore is that the application is generating a demand for use of rural roads through the AONB and along an existing popular rural route using Ruins Barn Road through Swanton Street and Hollingbourne to get to the M20 or Maidstone.

Further to the above the diagrammatic traffic flow charts at Appendix C do not demonstrate what traffic is flowing South of the M2 on Ruins Barn Road but show a significant increase above the reference case provided.

Action - Further evidence is required as to the traffic impact upon the AONB and in particular towards the route mentioned above.

Trip Distribution

The trip distribution beyond the development zones uses the same zonal pattern as the Swale Base and Reference cases and as such is agreeable.

Land use assumptions

The demand modelling for application 21/503906 is advised to be using the following KSP development Summary V27 8000. The numbers presented neither matched the application for 1250 dwellings or a cumulative test of 9250 dwellings stated at the outset of Section 7 of the TA. **The modelling evidence is therefore not matching that of the application.**

Table 4.1: Land Uses

| Land Use Category | Land Use Sub-category | Units |
|-------------------|--------------------------------|------------|
| Residential | Private | 6400 dwel. |
| | Affordable | 1600 dwel. |
| Commercial | Light Industrial (Ind. Estate) | 66400 sqm |
| | Research units | 66400 sqm |
| | Warehouse | 199200 sqm |
| Leisure | Leisure Centre + Sports | 3950 sqm |
| Education | Primary | 9 FE |
| | Secondary | 8 FE |
| Local Centre | Nursery | 790 sqm |
| | Medical Centre | 2250 sqm |
| | Pharmacy | 450 sqm |
| | Retail | 5200 sqm |
| | Foodstore | 3620 sqm |
| | Professional/ Financial | 800 sqm |
| | Community Centre | 3000 sqm |
| | Pub/ Restaurant | 2400 sqm |

When checking the application 21/503914 this shows the same referenced KSP development Summary V27 8000 however the land uses table is different and does show cumulative Land

Use assessment figures. This raises significant concerns as to what is included in the modelling completed.

***Action** - The TAs need to be appropriately amended and to provide the correct Land Use assumptions demonstrating the impacts of both applications independently and as a cumulative test. Modelling will need to be re-run to demonstrate the applications on their own merits and as a cumulative of the two. It is recommended that section 7 for each application is updated to show the impacts of the above mentioned scenarios.*

Net Traffic Impacts

As has been mentioned earlier the Local Highway Authority are not accepting that the reference case and with development tests provided are appropriate. Notwithstanding this and KCC's comments on the necessary modelling amendments, the information provided demonstrates the cumulative application as an indicative option against Local Plan required growth required in the Borough. Indicatively this shows a reduction of traffic through Sittingbourne Town Centre, the A249 and the A2. Increases are however then shown on Bell Road/Gore Court Road/Woodstock Road, routes to the South to Hollingbourne, Swale Way and the M2.

Junction Assessments

The applicant includes assessments for 36 junctions however as the modelling is in need of updating these will be inaccurate. As a consequence no detailed review has been completed by the Local Highway Authority or its consultants until such a time as the applicant has re-assessed them.

***Action** - The Applicant should append scale drawings of the existing junctions modelled. Base model calibration and validation should be carried out for all modelled junctions plus those identified earlier in this response. Subsequently, forecast models should be revised and junctions identified for mitigation should be updated based on capacity assessment results.*

21/503906

The TA provides no information on the performance of the proposed development accesses for application 21/503906 other than Junction G.

Without an ongoing connection to Lower Road this junction assessment will be incorrect.

Action – The applicant to update SATURN with the correct links and provide details of how development traffic has been apportioned to each of the access points for the proposed new development area.

The Bapchild A2 access at Junction G also appears to operate over capacity in the AM peak, this therefore bears doubt into the output of Junction R as traffic is likely to re-assign to that. Junction R already suffers on its A2 Western arm with a 17 PCU queue in the AM and a 25 PCU Queue in the PM although this may be able to be balanced out through signal timings.

TA Document 8: Mitigation Proposals

As for the section above KCC's comments for this section are in respect of a cumulative test only and only for the mitigation presented by the applicant at this point in time.

Junction 21 – Swale Way/Barge Way

The junction is currently a three arm roundabout serving industrial employment to the North including the large waste to energy facility.

The mitigation proposed increases the two lane entry length on the Southern and Western arms of the roundabout. The circulatory width will need to be demonstrated on the drawing along with updated modelling evidence. Modelling for the mitigation proposed halves the difference between the AM queue to 7.4 PCU. The RFCs remain over 0.85 in the AM and PM and the gain appears disproportionate to the mitigation, as such further work may be required to ensure it operates within effective capacity.

Action – Disproportionate modelling results to be explained.

Junction 22 – Swale Way/Ridham Avenue

The junction is currently a three arm roundabout serving industrial employment to the East. Increases in development traffic results in the junction becoming over capacity on the Swale Way arms.

The mitigation proposed increases the two lane entry length on the Southern and Northern arms of the roundabout. The circulatory width will need to be demonstrated on the drawing along with updated modelling evidence. Subject to the above the principle of the mitigation proposed is generally agreed as acceptable.

Junction 24 – Swale Way/Bingham Road

The junction is currently a three arm roundabout serving industrial employment to the South. As above the increases in development traffic results in the junction becoming over capacity on the Swale Way arms.

The mitigation proposed increases the two lane entry length on the Southern and Northern arms of the roundabout. The circulatory width will need to be demonstrated on the drawing along with updated modelling evidence. Modelling for the mitigation proposed reduces the AM queue by 11 PCUs. The RFCs remain over 0.85 in the AM and PM and the gain appears disproportionate to the mitigation, as such further work may be required to ensure it operates within effective capacity.

Action – Disproportionate modelling results to be explained.

Junction 32 – Woodstock Rd/Cromer Rd/Ruins Barn Rd/Tunstall Rd

The existing arrangement is a staggered cross roads giving priority to the Woodstock/Ruins Barn Road arms.

The proposal is for the junction to be signalised however there remains queues of 80 PCU's on Woodstock Road in the AM and 48 on Ruins Barn Road in the PM. Three of the 4 arms are operating above 100% DOS. It is noted that the reference case also operates with severe congestion and any development strategy is therefore likely to require some kind of congestion control at this junction. The proposal remains with severe highway impacts and is not accepted by the Local Highway Authority.

Action - Further work is clearly required that would control movements from the application site and this would need to be discussed with the Local Highway Authority with through traffic from either Cromer Road or Ruins Barn Road likely to need some restriction to vehicular movement.

Junction 58 – Woodstock Rd/Bell Rd/Gore Ct Rd/Park Ave

The existing arrangement is a four arm mini roundabout. The proposal retains the roundabout geometry but proposes two lane entry on approaches. Both the exit lanes and circulatory would remain single lanes. The design is sub-standard and not accepted by the Local Highway Authority.

Although not demonstrated it is anticipated that further mitigation would be required for this application on its own merits. Subject to appropriate modelling evidence, the Local

Highway Authority anticipates that there may be a necessity for mitigation for ongoing access to the East of the application's residential development on Lower Road, Station Road and for accessing to the A2 East of the proposed roundabout. Further to that is the earlier mentioned consideration for measures to include bus priority, direct and appropriate facilities for cycling and walking along and across the proposed new link roads and physical measures to improve conditions to support sustainable transport choice along Lomas Road.

Summary

As it has not been possible to review Volume 7 of the revised TA due to the corrupted document available, the previously stated summary is therefore still applicable:

It is technically impossible for the applications to be assessed independently on highway grounds due to the approach taken by the applicant. The TA's need to be appropriately amended providing the correct Land Use assumptions in order to demonstrate the impacts of both applications independently and as a cumulative test. Modelling must be re-run to demonstrate the applications on their own merits and as a cumulative of the two and against the updated Local Plan Reference Case. Once that is completed a reflection of the impact of the development can be both tested on its own merits and against alternative growth strategies sufficient to deliver the Boroughs housing needs.

As portrayed, it would appear that there is a general benefit of traffic re-routing away from existing AQMA's, Sittingbourne Town Centre and many congestion hot spots within the Borough. However there remains unacceptable impacts on the highway as currently demonstrated. Traffic flows amounting to similar levels of the new Local Distributor 7.3m wide Southern Relief Road are found on the Woodstock Road approach to Sittingbourne Town Centre. The flow diagrams at Appendix C show a two way PM flow of 2166 on the existing constrained highway compared to a flow of 1978 at the Southern end of the appropriately designed wide development distributor road. This is clearly unacceptable and undermines the value of the new link.

Summary of issues relating to this application –

- 1. Inappropriate modelling and a requirement for additional information.*
- 2. Insufficient facilities at proposed junctions and existing infrastructure to promote the reported objectives for modal shift.*
- 3. Junction performance analysis for the development accesses to be provided.*
- 4. Inappropriate volumes of traffic along the Woodstock Road approach to Sittingbourne Town Centre.*
- 5. Insufficient information on impacts or mitigation for routes through the AONB towards the M20.*

6. *Merge/Diverge analysis required for proposed on/off slips to SRR*
7. *Lack of information on treatment of Public Rights of Way*
8. *Lack of cycling connectivity to Teynham station*
9. *Unacceptable location of the proposed co-located Secondary/Primary school.*

Summary of issues relating to the cumulative applications –

1. *Inappropriate modelling and a requirement for additional information.*
2. *Insufficient facilities at proposed junctions and exiting infrastructure to promote the reported benefits to modal shift.*
3. *SATURN modelling links need to include the proposed connection to Lower Road and A2.*
4. *Inappropriate volumes of traffic along the Woodstock Road approach to Sittingbourne Town Centre.*
5. *Insufficient information on impacts or mitigation for routes through the AONB towards the M20.*

On the basis of the above the County Council as Local Highway Authority would raise a holding objection until such a time as further evidence is provided.

2. Public Rights of Way

The County Council, in respect of Public Rights of Way (PRoW) is keen to ensure that its interests are represented with respect to KCC's statutory duty to protect and improve PRoW in the County. KCC is committed to working in partnership with the applicant to achieve the aims contained within the Rights of Way Improvement Plan (ROWIP) and Strategic Statement for Kent. Specifically, these relate to quality of life, supporting the rural economy, tackling disadvantage and safety issues, and providing sustainable transport choices.

The following Public Footpaths are located within the site and would be directly affected by the proposed development.

- ZR194
- ZR682
- ZR196
- ZR197
- ZR199
- ZR208
- ZR209
- ZU31
- ZU30
- ZR147
- ZR155
- ZR158
- ZR156
- ZR157
- ZR150
- ZR185
- ZR49

Restricted Byways ZU34A, ZU35 and ZR151 are also located within the site and would be directly affected by the proposed development.

The locations of these paths are indicated on the attached extract from the Definitive Map (Appendix A). The existence of the Rights of Way are a material consideration.

In respect of Public Rights of Way, the County Council as Local Highway Authority raises a holding objection on the above application for the following reasons:

- Despite reference to conversations with stakeholders, the County Council, in respect of Public Rights of Way has received no contact from the applicant.
- Incorrect alignments of PRoW routes on plans.
- PRoW strategy only to be determined at Tier 2, and all matters of access not considered at outline stage. For a development of this scale, this is considered to be too late to allow timely discussions and contributions and therefore avoid potential conflict and oversights.
- Insufficient detail provided to fully assess the management and incorporation of the PRoW network both during construction and in operation, particularly given the significant impact on the area over the timescales quoted. The proposed development would both sever and fragment the existing network over a considerable area and considerable period. Our response reflects the cumulative effect on the Borough from this Application and Application 21/503906.
- Various significant Transport Assessments not on the Swale Planning Portal, Vols.4,6,8, including re mitigation. Mitigation cannot therefore be addressed; it is expected that many elements relating to the mitigation of adverse impacts on PRoW and their improvement in support of active travel, amenity and leisure benefits will be subject to TCPA 1990 section 106 agreements and/or conditions.

The County Council retains the commentary raised in its previous response dated 30 November 2021 and would draw attention to the following matters raised within this original response, of which there is **no** mention within the documents provided:

*The County Council requires that a **PRoW Management scheme** is provided to include **each** Public Right of Way affected, to cover pre-construction, construction and completion over the prolonged phasing schedule. A separate scheme should be provided and agreed as **each** Phase comes forward for approval in the described Tier process. All details to be approved by KCC PRoW and Access Service prior to commencement of any works if permission is granted.*

Landscape and Open Space Strategy Addendum

Section 1.4, Changes to the Linkages Framework – The proposed diversions are not clear and PRoW references are required on the plans alongside the differentiation between Footpath and Bridleway to give full context. Also, PRoW ZR208 is omitted which provides link to ZI34A Restricted Byway; ZR196 route is incorrect; ZR150 route is incorrect and ZR151 must be improved for strategic cycle link.

Section 1.6, Landscape Changes to Highsted Village East – There is PRoW a need to show references to demonstrate clarity. At present, there are a number of incorrect routes and some are not show in full and/or have stretches omitted.

Section 1.7, Landscape Changes to Central Country Park – The County Council notes that a number of PRoWs are not included within this plan, and those that are, are not clear.

Section 1.8, Landscape Changes to Oakwood Village North and West – Option 1 will affect PROW AR682 and for Option 2 – the PRoW requires referencing.

Section 2.1, Update to Greenspace – Household Waste would appear to conflict with the PRoW network near Bexon Lane/M2 crossing and the links from Bredgar.

Section 2.3, Update to Food Production Strategy – The County Council requests that walking and cycling access should include PRoW routes.

Section 2.4, Update to Sports and Fitness Strategy – This section should ensure links with and direct access from PRoW.

KCC would ask that all these details are provided before the application is determined.

Transport Assessment

It was noted by the County Council that the Transport Assessment Volume 1, 2, 4, 6 and 8 were not updated on the application portal so the County Council has not been able to provide a full response in respect of this application.

Volume 3, Site Context – Section 3.2 Walking and Section 2.3 Cycling – The County Council requests further information and evidence to support these sections. The PRoW network is

the area also connects to Bapchild, Teynham and villages east and south, not just those mentioned and southeast Sittingbourne. At present, these sections contain no consideration of Non-Motorised-Users and there are potential conflicts on rural lanes which are not, as considered within the application documents, “lightly trafficked”. The County Council notes that the cycling proposals do not mention the opportunities given by improving Bridleways for Active Travel as well as leisure routes.

Volume 5, Sustainable Transport Strategy – In respect of paragraphs 2.5.12-13, the County Council does not support the matter of access and phasing not being determined at this outline stage. Matters relating to Active Travel and the PRow network must be determined earlier in the planning process.

In respect of Section 3.4, Holistic View of Transport Network – the County Council was interested to see this included given the previous County Council comments, but again no real hard evidence as to proposals are provided and all references are brief with lack of detail – this must be evidenced and detail must be provided as part of the planning application.

In respect of paragraph 5.3.17 regarding Teynham Station access, as per the previous County Council response, the access is currently congested. The access has a PRow running over the at grade level crossing, has very limited parking, narrow and congested highway access, and limited space for bus drop off, all of which requires discussion with the rail operators. The County Council would expect the applicant to go further than evaluating “opportunities to enhance cycle parking”.

In respect of Sections 6.3, Walking between Villages and 6.4, Leisure Walking Pedestrian, and as stated within the County Council previous response - PRow are not just leisure routes and must be seen for the opportunities presented for Active Travel routes; this shift in mindset is essential for any Sustainable Transport policy for future development.

In respect of Section 6.5, Walking Beyond the development, all three corridors must link to the PRow network.

Section 7.1, The Role of Cycling - the County Council is disappointed to see no reference of PRow routes with cycle rights and again the opportunities presented (Bridleways, Restricted Byways). These routes can form strategic links both on and off site. There is also no consideration of on-site upgrades to create new links on existing routes.

With regards to the Framework Community Travel Plan – the Travel Plan must include positive incorporation of PRow network – for example, within packs/ website information for new residents. The applicant should engage with Explore Kent, the County Council’s marketing and promotional partners.

In respect of Section 9.4, Wider Promotion of Walking and Cycling – reference to the PRow network must be included and contact is recommended with Explore Kent.

The County Council would advise that a financial contribution, in the form of Section 106 Agreement funding should be allocated to mitigate the loss of amenity, increased use and

subsequent improvements that will be required in the wider network as the area is developed. The County Council is unable to provide figures for such funding with the information currently provided in this application. However, significant measures will need to be taken to help mitigate the impact and to future proof sustainable Active Travel across the wider area of the Borough. The increase in investment and policy from both central and local government towards a modal shift away from short car journeys should focus this project to provide a sustainable development for the future.

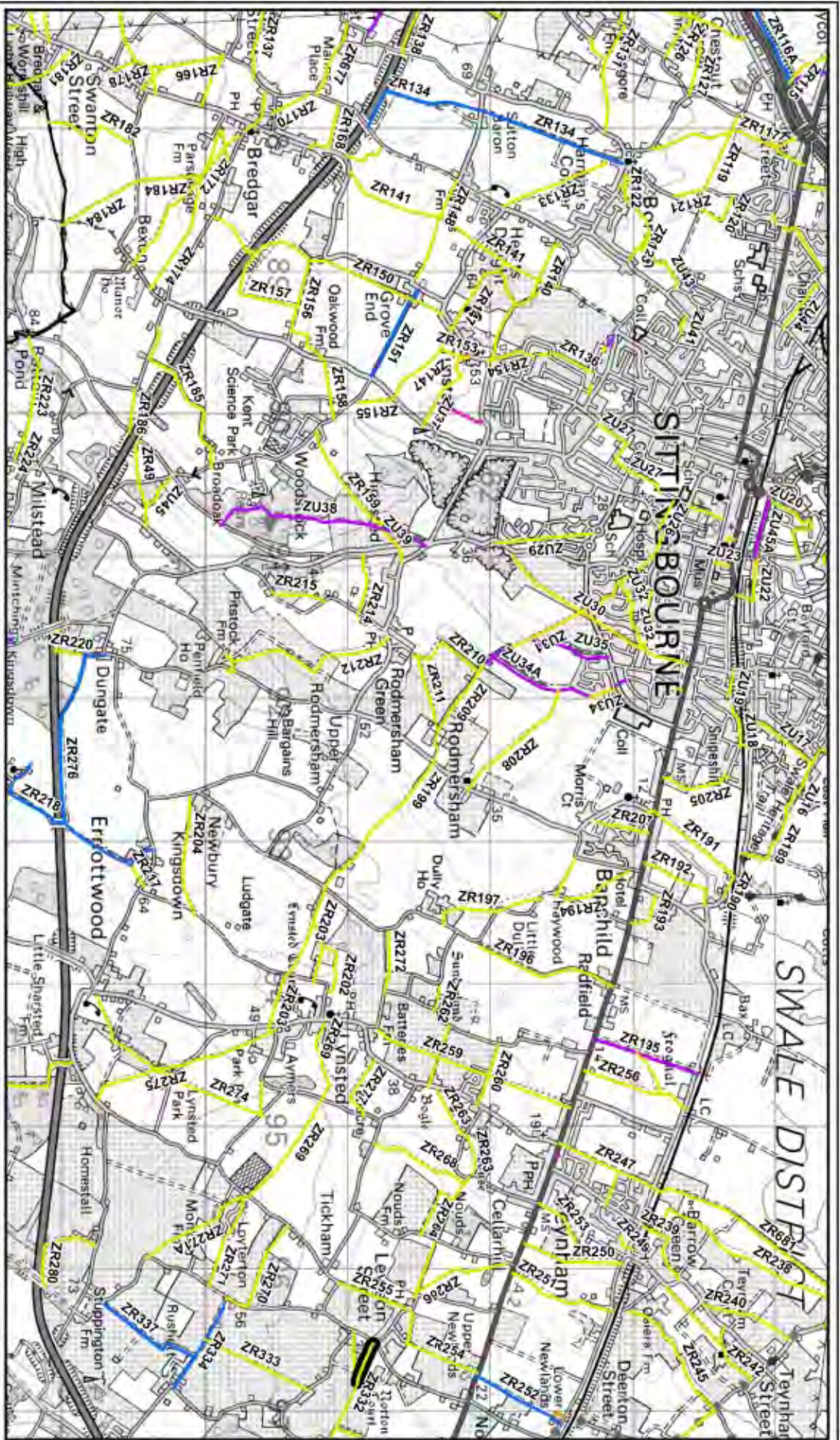
Active Travel access is essential from the outset of any work commencing to enable both new and existing users to access amenities both within and off site (schools and community facilities). There can be no disruption or potential danger to public use of the network; any delay to the upgrading and/or construction of Rights of Way, cycle routes and other related works to the PRow networks, would only increase the already significant impact on new and existing residents. All of these require commitment to Active Travel, connectivity of developments, sustainable transport, and the protection of and enhancement of the local area rural character.

The following points from the County Council's previous correspondence at Scoping stage are also reiterated below and should be picked up as part of this application:

- *The likely usage and visual impact on users participating in recreational activity on the above-mentioned footpaths and restricted byways.*
- *The likely loss of recreational walks within open countryside.*
- *The viability of upgrading existing PRow, as a means of providing Active Travel walking and cycling between residential dwellings, education facilities, employment hubs and local amenities, to encourage active travel.*
- *The creation of new walking, cycling and equestrian routes that connect the site with the surrounding countryside, providing opportunities for outdoor recreation.*
- *The provision of safe crossings points over the A2 for non-motorised PRow users, to address safety concerns and improve network connectivity.*

In consideration of Kent Design standards and Police guidance, any forthcoming master plan should keep PRow within overlooked areas of Open Space, to facilitate a safer environment for path users. Path extinguishments and long term severance of routes should also be avoided, to prevent fragmentation of the PRow network. KCC would ask that this information be provided before the application is determined.

Appendix A – Extract of the Network Map



- Key**
- Public Footpath
 - Public Bridleway
 - Restricted Byway
 - Byway Open to All Traffic

17/506551/EIASCO - Public Rights of Way Map

Please note: this map extract is not a legal record of the alignment or existence of a public right of way. No measurements should be taken from it.



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| | |
|-------------|------------------|
| Created by: | TK |
| Checked by: | TK |
| Issue Date: | 10.01.2018 |
| Reference: | 17/506551/EIASCO |



3. Provision and Delivery of County Council Community Infrastructure and Services

The County Council has assessed the implications of this proposal in terms of the delivery of its community services and is of the opinion that it will have an additional impact on the delivery of its services, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

1. Necessary,
2. Related to the development, and
3. Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements (the evidence supporting these requirements is set out in the attached Appendices).

KCC notes that this application has been submitted concurrently with Highsted Park North application SW/21/503906, and indeed provisions have been proposed for the joint sites, particularly Secondary education. However, the applications are separate and will be reviewed independently. KCC would therefore wish to draw the Local Planning Authority's attention to particularly the Secondary and Special Education need requirements, and how these matters should be dealt with if the applications proceed independently.

Request Summary

| | Per 'Applicable' House (5984)* | Per 'Applicable' flat (427.5)* | Total | Project |
|--------------------------|--|---------------------------------------|-----------------|--|
| Nursery | 26 place Nursery at each new Primary School – Provided as part of each Primary School | | | |
| Primary Education | £6,800.00 | £1,700.00 | £41,417,950.00* | Towards new on-site primary schools serving the development |
| Primary Land | 2No. New primary school sites of 3Ha each and 1No site of 2.05Ha, provided at 'nil' cost to the County Council (transferred as per KCC's General Site Transfer Requirements) | | | |
| Special Education | £559.83 | £139.96 | £3,409,855.62* | Contribution towards a new special needs school serving this development and SRP provided within |

| | | | | |
|----------------------------|---|-----------|-----------------|--|
| | | | | the Mainstream Education Schools on-site and within the Borough |
| Secondary Education | £5,176.00 | £1,294.00 | £31,526,369.00* | Towards a new secondary school to serve this and the adjoining Highsted Park (North) development |
| Secondary Land** | 10Ha New 8FE Secondary School site to be provided as part of the combined Highsted Park (North & South) proposals. Sites provided at 'nil' cost to the County Council (transferred as per KCC's General Site Transfer Requirements) | | | |

Please Note:

'Applicable' excludes: 1 bed units of less than 56 sqm GIA, and any sheltered/extra care accommodation. The applicant has advised in correspondence that all proposed 1-bed flats are below this size and therefore not applicable. Should this change, KCC will reassess the requirement for education places.

* The County Council has used the housing mix referenced in the October 2022 Planning Statement Addendum Para 3.4 Table 3.1). The applicant has advised in correspondence that 10% of 2 bed flats/houses will be restricted to occupancy for over 70s. KCC has applied this mix and removed the age restricted dwellings as non-applicable for education assessment, subject to a legal Agreement restricting occupancy age in the age restricted dwellings in perpetuity.

Should either the mix or age restricted unit numbers change, the County Council reserves the right to reassess the requirement for education places.

** Secondary land & SEN – Irrespective of whether the Highsted Park North and South sites proceed jointly or independently, KCC Education has confirmed that there is a significant deficit in places locally, even allowing for a new Secondary school in Northwest Sittingbourne. *Consequently, new standalone Secondary and SEN provision will be required for this Highsted South application if it proceeds independently from Highsted Park North.* Alternatively, the combined Highsted Park North & South sites will require a new on-site Secondary School and contributions towards SEN School land and build costs. As Highsted Park is a split site and if the Secondary is located on the South site, a *Development Equalisation Agreement* will be required between the North and South sites (if they are in separate ownerships) with this North site contributing proportionately towards the Secondary School site on the South site.

| | Per Dwelling (x7150) | Total | On Site Community Buildings | Project |
|---------------------------|---------------------------------|---------------|---|--|
| Community Learning | £16.42 | £117,403.00 | Free use of on-site Community facilities for classes, plus provision of secure storage for equipment | Towards additional resources (including portable teaching and mobile IT equipment), and additional sessions and venues for the delivery of additional Adult Education courses locally. |
| Youth Service | £65.50 | £468,325.00 | Free use of on-site Community facilities for youth sessions, plus provision of secure storage for equipment | Towards additional resources and upgrade of existing youth facilities including the New House Sports and Youth Centre in Sittingbourne to accommodate the additional attendees, as well as resources and equipment to enable outreach services in the vicinity of the development. |
| Library Service | £55.45 | £396,467.50 | Free use of on-site Community facilities for library purposes, plus provision of secure storage for equipment | Towards additional resources, services and stock, the local mobile Library service and works to Sittingbourne Library to increase capacity to meet the needs of the development. |
| Social Care | £146.88 | £1,050,192.00 | Free use of new Community facilities on-site for meetings, group, and therapy sessions, | Towards Specialist care accommodation, assistive technology and home adaptation equipment, adapting existing community |

| | | | | |
|---|--|---------------|--|---|
| | | | plus provision of secure storage for equipment | facilities, sensory facilities, and Changing Places Facilities within the Borough |
| | All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2) | | | |
| Community Buildings specification: | <p>*Design that is Dementia friendly with dementia friendly decoration and signage.</p> <p>*A catering area which is compliant with the Equality Duty 2010, such as adjustable height work surfaces, wash areas, cupboards etc.</p> <p>*Toilets and changing facilities for the profoundly disabled which are Equality Duty 2010 Compliant and delivered in accordance with Changing Places Toilets (changing-places.org)</p> <p>* <u>Provision of secure storage for KCC Social Care, Community Learning, Libraries and Youth Service.</u></p> | | | |
| Waste | £183.67 | £1,313,240.50 | Towards a new Household Waste Recycling Centre on-site and increases in capacity at the Waste Transfer Station in Sittingbourne. | |
| Waste Site | A new Household Waste Recycling Centre site of 1.5ha is required at no cost to the County Council - transferred as per KCC's General Transfer Terms, should either the South proceed independently, or the combined Highsted Park North and South proceed. If the new HWRC is ultimately located on the South site and the North site is in separate ownership, any land cost should be dealt with by the applicants through a <i>Development Land Equalisation Agreement</i> with the North site contributing its proportionate share. | | | |
| <i>Highways</i> | <i>Kent Highway Services will respond separately</i> | | | |

Please note that these figures:

- are subject to review and are currently index linked by the BCIS General Building Cost Index from April 2020 to the date of payment (April 20 Index 360.3)
- are valid for 3 months from the date of this letter after which recalculation may be required due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.
- Bonds will be required by KCC for the Education contributions if the applicant wishes to pay the contribution in instalments. If the contributions are paid in instalments, the applicant will also be required to cover KCC's borrowing costs for the construction of the schools.

Justification for infrastructure provision/development contributions requested

The County Council has modelled the impact of this proposal on the provision of its existing services and the outcomes of this process are set out below and in the accompanying appendices.

Primary Education

The impact of this proposal on the delivery of the County Council's services is assessed in **Appendix B**. The indicative housing mix provided by the applicant has been used to calculate the Primary Education need created by the development. Based on this –which must be subject to regular review of all Reserved Matters final mix– the proposed South development is estimated to generate up to 1,705 primary pupils, equivalent to 8.12 Forms of Entry (FE). KCC commissions new primary schools as either two or three forms of entry, and therefore 2No 3 Form Entry Primary and 1No 2 For Entry schools will be required to support the (South) development. The site requirements for each 3FE primary school is 3Ha of for a 2FE primary it is 2.05ha, transferred in accordance with KCC general Site Transfer terms (attached). The location of each site is to be agreed with KCC as the Statutory Education Authority.

The County Council requires a financial contribution towards construction of the new schools at £6800.00 per 'applicable' house and £1700.00 per 'applicable' flat ('applicable' means: all dwellings, except: 1 bed of less than 56sqm GIA and any sheltered/extra care accommodation).

Please note this process will be kept under review and may be subject to change (including possible locational change) as the Local Education Authority has to ensure provision of sufficient pupil spaces at an appropriate time and location to meet its statutory obligation under the Education Act 1996 and as the Strategic Commissioner of Education provision in the County under the Education Act 2011.

Applicant's Proposal – Primary School Sites/Indicative Locations/Phasing

Whilst the application is showing 3 x 3FE Primary School Sites, the site sizes for the Highsted East Primary is inadequate for 3FE. The Masterplan and supporting documentation is showing 3ha for Highsted West and Oakwood East schools and 2.05ha for the Highsted East school site. As a result of the expected pupil demand it is requested that the Highsted East school would be a 2FE school which, given the current demand projections, would be acceptable to the County Council.

The above figures have been taken from page 35 “Revised Parameters and Strategies” in the Design and Access Addendum which are assumed as correct.

Highsted West Primary School Location

The proposal is showing the primary school located on 3Ha of land as required.

The location of the primary is at the edge of the built area of development and appears well located in terms of accessibility and is generally agreeable.

Greater detail of the proposed Primary School site is however required to ensure it meets County Council General Site Transfer requirements, including any detailed study information upon: ground conditions, noise, air pollution, topography, public rights of way, flooding etc; and confirmation the land transfer will be freehold without any encumbrances at no cost to the County Council. To assist with our suitability assessments KCC will require 4 corner point co-ordinates of the site so that a thorough site inspection can take place before the County Council is able to confirm it is agreeable.

It is expected that all school sites will be served by vehicular and pedestrian/cycle routes prior to their opening, connecting not only the new communities to these schools, but also existing neighbourhoods in the locality.

Highsted East Primary School Location

The proposal is showing the primary school located on 2.05Ha of land which would only be sufficient for a 2FE school.

KCC welcomes school locations close to market centres, which aids in the creation of community and supporting footfall to other services.

It is unclear from the plans whether a PRow crosses this proposed school site. Please note KCC’s transfer terms and advise accordingly.

Greater detail of the proposed Primary School site is however required to ensure it meets County Council General Site Transfer requirements, including any detailed study information upon: ground conditions, noise, air pollution, topography, public rights of way, flooding etc; and confirmation the land transfer will be freehold without any encumbrances at no cost to the County Council. To assist with our suitability assessments KCC will require 4 corner point co-ordinates of the site so that a thorough site inspection can take place before the County Council is able to confirm it is agreeable ahead of determination of this application.

Oakwood East Primary School Location

The proposal is showing the primary school located on 3Ha of land as required.

The location of the primary is at the edge of the built area of development and appears well located in terms of accessibility to sports and open space land use. It is however detached

deo the local centre and residential areas and would benefit from being better integrated to these areas.

Greater detail of the proposed Primary School site is however required to ensure it meets County Council General Site Transfer requirements, including any detailed study information upon: ground conditions, noise, air pollution, topography, public rights of way, flooding etc; and confirmation the land transfer will be freehold without any encumbrances at no cost to the County Council. To assist with our suitability assessments KCC will require 4 corner point co-ordinates of the site so that a thorough site inspection can take place. KCC would welcome a further discussion on the locations suitability ahead of determination of this application.

Anticipated Phasing of School Builds

Table 1 below sets out KCC's anticipated delivery triggers for schools. This will be subject to appropriate monitoring and review mechanisms within the S106 Agreement to reflect build-out rates and pupil demand, to ensure timely delivery and sufficient capacity to meet demand.

Table 1

| | <u>Number of Dwellings Occupied</u> |
|-------------------------|---|
| <u>Primary School 1</u> | <u>350</u> |
| <u>Primary School 2</u> | <u>2600</u> |
| <u>Primary School 3</u> | <u>5200</u> |
| <u>Secondary School</u> | <u>1st phase delivered at 600 occupations***</u> |

***600 occupations combined across both the North and South Developments if built out jointly. (The Primary School triggers are occupations on Highsted South ONLY.)

It is expected that all school sites will be served by vehicular and pedestrian/cycle routes prior to their opening, connecting not only the new communities to these schools, but also the existing developments in the locality.

Nursery and Pre-School Provision

KCC has a duty to ensure early years childcare provision within the terms set out in the Childcare Acts 2006 and 2016. Whilst KCC is seeking the provision of pre-school facilities within the new primary schools, it also expects to see the delivery of infrastructure on-site for use by the private/voluntary/independent (PVI) sector at affordable rents. Currently, approximately 40% of two-year old children are entitled to free early education (15 hours per week), while all three and four-year olds are entitled to 15 hours per week, increasing to 30 hours for those with working parents. Take-up for these places has been high. KCC supports the provision of PVI nurseries on new developments (especially extended hours and provision for babies/under two-year olds) and will work with the applicant to advise on the appropriate method of delivery.

Special Education Needs provision

The Children's and Families Act 2014 and accompanying Code of Practice sets out the system for children and young people with special educational needs and disability (SEND) aged 0-25 years. KCC's SEND Strategy sets out its vision and priorities in respect of this area of its service.

The number of children and young people with SEND in Kent is 13.4% of the total school population (January 2019). The majority are educated in mainstream school environments. However, children with more complex needs are supported through an Education, Health and Care Plan (EHCP) which sets out the provision they are entitled to. As of January 2019, 3.4% of the total school population were subject to an EHCP. The proportions have been rising both in Kent and nationally and this trend is set to continue. In particular, the change in legislation in 2014 placed a duty on Local Authorities to maintain an EHCP until a young person reaches the age of 25 years, in appropriate cases.

Current data indicates that the proposal will give rise to additional pupils with Education and Health Care Plans (EHCP's), requiring extra support through specialist SEN provision. This new demand will need to be met through a new SEN School and SRPs in the new mainstream schools. This new SEN school will also serve the needs of the proposed Bobbing West Development.

Whilst the request for SEND contributions is emerging policy for KCC (with adoption expected mid-2023), the anticipated timeframe for the potential approval of this planning application is expected to be post adoption of KCC's new Developer Contributions Guide. The County Council, therefore, concludes that it is reasonable to include a request for SEND provision contributions at £559.83 per 'applicable' house and £139.96 per 'applicable' flat towards construction of a new SEN School building and provision of SRP facilities in the new mainstream schools and provision at schools in the Borough.

Secondary School Provision

The impact of this proposal on the delivery of the County Council's services has been assessed using indicative housing mix provided by the applicant has been used to calculate the Secondary Education need created by the development.

A contribution is sought based upon the additional need required, where the forecast secondary pupil product from new developments in the locality results in the maximum capacity of local secondary schools being exceeded.

The Highsted South development is projected to produce up to 1,218 secondary pupils equating to 6.85 Forms of Entry. To accommodate this additional demand, along with the demand from the Highsted North development, a new, on-site 8FE Secondary school is required on a site of 10ha at nil cost to the County Council, in a location to be agreed by the County Council and transferred in accordance with KCC's General Site Transfer Terms.

The County Council requires a financial contribution towards construction of the new Secondary school at £5176.00 per 'applicable' house and £1294.00 per 'applicable' flat ('applicable' means: all dwellings, except: 1 bed of less than 56sqm GIA and any sheltered/extra care accommodation).

Secondary Education provision in the Borough is already at a critical point with a significant deficit in places. Places within the proposed new Northwest Sittingbourne Secondary school are already taken by extant permissions as they are built out and furthermore, to meet the current Local Plan. Consequently, this application will place additional pressures on education provision and a new, on-site Secondary school is required. Should this application not provide this infrastructure, the County Council will be unable to meet the needs of the new population for secondary education places and the application will be unsustainable on educational grounds.

Greater detail of any proposed Secondary School site is required to ensure it meets County Council General Site Transfer requirements, including any detailed study information upon: ground conditions, noise, air pollution, topography, public rights of way, flooding etc; and confirmation the land transfer will be freehold without any encumbrances at no cost to the County Council. It is expected that the majority of pupils and their carers will reside in the proposed development. KCC will require 4 corner point co-ordinates of the site so that a thorough site inspection can take place before the County Council will be able to confirm its suitability – this confirmation must be secured ahead of determination of this application.

The secondary school site will need to be served by vehicular, public transport and pedestrian/cycle routes prior to its opening, connecting not only the new community to this school, but also the existing developments in the locality and further afield in the Borough.

KCC notes that a site size of 9ha has been offered and not the 10ha requested. KCC would be prepared to negotiate this point such that an additional adjoining 1ha be safeguarded for Education purposes immediately adjacent to any proposed secondary school 9ha site offered and that it is provided at nil cost to the County Council, should the Pupil Product Rate from the development be as, or above that currently calculated.

If Highsted Park (North and South) proceeds concurrently then proportionate contributions towards the Secondary School land at Highsted Park South of £2635.73 per 'applicable' house and £658.93 per 'applicable' flat will be required through a Development Equalisation Agreement.

The site acquisition cost is based upon current local land prices and any section 106 agreement would include a refund clause should all or any of the contribution not be used or required. The school site contribution will need to be reassessed immediately prior to KCC taking the freehold transfer of the site to reflect the price actually paid for the land.

Please note this process will be kept under review and may be subject to change as the Local Education Authority will need to ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

KCC will commission additional pupil places required to mitigate the forecast impact of new residential development on local education infrastructure generally in accordance with its Commissioning Plan for Education Provision 2021-25 and Children, Young People and Education Vision and Priorities for Improvement 2018-2021.

Anticipated Delivery of Secondary School

KCC's assessment of secondary education places in the planning groups shows that there is a significant deficit of places. Whilst the school will be built out in phases, it is anticipated that the first phase will be required to open by 600 occupations (combined across both the North and South Developments if built out jointly). This will be subject to appropriate monitoring and review mechanisms within the S106 Agreement to reflect build-out rates and pupil demand, to ensure timely delivery and sufficient capacity to meet demand.

Community Learning

There is an assessed shortfall in provision for this service: the current adult participation in both District Centres and Outreach facilities is in excess of current service capacity, as shown in **Appendix C**, along with cost of mitigation.

To accommodate the increased demand on KCC Adult Education service, the County Council requests £16.42 per dwelling towards the cost of providing additional resources (including portable teaching and mobile IT equipment), and additional sessions and venues for the delivery of additional Adult Education courses locally. Adult Education will also require free use of on-site Community facilities for classes, as well as provision of secure storage for equipment.

Youth Service

To accommodate the increased demand on KCC services the County Council requests £65.50 per dwelling towards additional resources and upgrade of existing youth facilities including the New House Sports and Youth Centre in Sittingbourne to accommodate the additional attendees along with free use of on-site Community Facilities for meetings & sessions locally, as well as secure storage within the new facilities for equipment.

Libraries

KCC is the statutory library authority. The library authority's statutory duty in the Public Libraries and Museums Act 1964 is to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires KCC to take proper care of its libraries and archives.

Borrower numbers are in excess of capacity, and bookstock in Sittingbourne at 654 items per 1000 population is below the County average of 1134 and both the England and total UK figures of 1399 and 1492, respectively.

To mitigate the impact of this development, the County Council will need to provide additional services and stock to meet the additional demand which will be generated by the people residing in these dwellings.

The County Council therefore requests £55.45 per household to address the direct impact of this development, and the additional resources, services, and stock will be made available locally through free use of on-site community facilities for Library purposes (including secure storage within these facilities for equipment), towards the local mobile Library service, and towards works at Sittingbourne Library, as and when the monies are received.

Adult Social Care

The impact of this proposal on the delivery of the County Council's services is assessed in **Appendix D**.

KCC is the Statutory Authority for Adult Social Care. The proposed development will result in additional demand upon Social Care (SC) (older people, and also adults with Learning or Physical Disabilities) services. However, all available care capacity is fully allocated already, and there is no spare capacity to meet additional demand arising from this and other new developments which SC are under a statutory obligation to meet. In addition, the Social Care budgets are fully allocated, with no spare funding available to address additional capital costs for social care clients generated from new developments.

To mitigate the impact of this development, KCC Social Care requires:

- a proportionate monetary contribution of £146.88 per household (as set out in Appendix D) towards specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting Community facilities, sensory facilities, and Changing Places locally in the Borough.
- Free use of new Community Facilities on-site for meetings, group and therapy sessions
- Community Buildings to contain:
 - Toilets and changing facilities for the profoundly disabled which are Equality Duty 2010 Compliant and delivered in accordance with [Changing Places Toilets \(changing-places.org\)](http://changing-places.org).
 - [Provision of secure storage for KCC Social Care, Community Learning, Libraries and Youth Service.](#)
 - Community Buildings design that is Dementia friendly with dementia friendly decoration and signage.
 - Community Buildings' catering areas to be compliant with the Equality Duty 2010, including adjustable height work surfaces, wash areas, cupboards etc.

- The Department for Levelling Up, Housing & Communities (LUHC) identified in June 2019 guidance *Housing for older and disabled people* the need to provide housing for older & disabled people is critical. Accessible and adaptable housing enables people to live more independently and safely. Accessible and adaptable housing provides safe and convenient homes with suitable circulation space and suitable bathroom and kitchens. Kent Social Care request these dwellings are built to Building Reg Part M4(2) standard to ensure they remain accessible throughout the lifetime of the occupants to meet any changes in the occupant's requirements.

Potential provision of care homes/extra care

Concerning the provision of older person care homes in Kent, the County Council has seen a steady decline in overall numbers in the past five years, with the situation further exacerbated by Covid-19. In addition, the number of people wishing to access purely older person care homes is reducing. Consequently, there are specific types of care home delivery models which, the County Council would wish to support. For example, there is a significant demand for residential and nursing care homes that can meet the needs of people with challenging and complex needs, including dementia. KCC would encourage any new residential care home provider to join the KCC Care Home Contract and to operate a mixed economy of both local authority funded and private funded residents. As such, KCC recommends that the applicant works with KCC Adult Social Services to develop the most appropriate form of care delivery ahead of determination of this application.

Advisory on Supported Living Accommodation

The demand for supported-living accommodation (especially within the working-age population) has increased significantly. KCC would wish to see the dwelling mix of this development to include a proportion of this type of accommodation. As such, KCC recommends that the applicant works with KCC Adult Social Services to develop the most appropriate forms of care delivery ahead of determination of this application.

Waste

Recycling and Waste Management Strategy

Section 2.4 Regional and Local Waste Policy does not include reference to the following KCC documents which are relevant to the assessment.

- The [Kent Waste Disposal Strategy](#); a key document in setting out KCC's current position, identifying the future pressures and outlining how KCC will maintain a sustainable waste management service.
- The [Kent Design Guide](#) should also be referenced, in particular the section on waste minimisation and recycling.

Section 4 Management of Operational Waste

This section describes in detail the anticipated waste volumes that will be generated by the development and how it will be designed to provide the required bin infrastructure. It does not go into detail regarding what happens to that waste once it is collected and the impact upon KCC's Waste Disposal Service. The only reference to what happens after it is collected comes in Section 5, Summary and Conclusion.

"5.1.11 Residential waste generated by the development will be collected by Swale Borough Council and is designed to be recovered or disposed of in accordance with the Kent Resource Partnership's Joint Municipal Waste Management Strategy."

Currently all kerbside collected waste in Swale is taken to a single KCC owned Waste Transfer Station (WTS) in Sittingbourne, where it is bulked up before being sent on for final disposal. The addition of some 421 tonnes per week as stated in para 4.2.4 will place significant demand on the WTS facility, which is already at capacity.

Environmental Statement: Vol 3 Non-Technical Summary

Unlike the Recycling and Waste Management Strategy, the ES does consider the impact on KCC's Waste Disposal Service. KCC suggests this is added to the Strategy document for completeness.

KCC is pleased to see the demand on the WTS recognised and fully supports the proposed mitigation. KCC would like to see the wording in section 14.17 strengthened to provide a firmer commitment to the provision of developer contributions towards the new HWRC and WTS redevelopment. Suggested text below for consideration:

~~"It is likely that Developer contributions are necessary and will be used to support the construction of a new Household Waste Recycling Centre (HWRC) on 1 Hectare of land on the Highsted Park development to the south of Sittingbourne Town Centre and contribute towards the redevelopment of . This would allow the existing waste transfer station at Sittingbourne. This will allow it to expand onto land already occupied by a HWRC and therefore increase the sites operational capacity."~~

To accommodate the increased waste throughput and mitigate the impact arising from this development, a contribution of £183.67 per household is required towards a new Household Waste Recycling Centre within Highsted Park and increases in capacity at the existing Waste Transfer Station in Sittingbourne.

A new Household Waste Recycling Centre site of 1.5ha is also required at no cost to the County Council. This may be within Highsted Park South, if Highsted Park South proceeds concurrently with this application, otherwise the new Household Waste Recycling Centre site will be required independently.

Implementation

The County Council is of the view that the above contributions comply with the provisions of CIL Regulation 122 and are necessary to mitigate the impacts of the proposal on the provision of those services for which the County Council has a statutory responsibility. Accordingly, it is requested that the Local Planning Authority seek a section 106 obligation with the developer/interested parties prior to the grant of planning permission. The obligation should also include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the Agreement, and County monitoring fee of £500 for each trigger within the Agreement. KCC would be grateful if you could share at your earliest convenience a draft copy of any section 106 agreement or UU prior to its finalisation.

Would you please confirm when this application will be considered and provide us with a draft copy of the Committee report prior to it being made publicly available? If you do not consider the contributions requested to be fair, reasonable, and compliant with CIL Regulation 122, it is requested that you notify us immediately and allow us at least 10 working days to provide such additional supplementary information as may be necessary to assist your decision-making process in advance of the Committee report being prepared and the application being determined.

Appendix B - Education Land Assessment

Education

| | |
|---------------|--|
| Site Name | Land to the South and East of Sittingbourne (Highsted Park North) |
| Reference No. | SW/21/503914 |
| District | Swale |

| | | | |
|---------------------|---------------|--------------|---------------|
| | Houses | Flats | Total |
| Unit Numbers | 5984 | 427.5 | 6411.5 |

| Primary Education | | | |
|--|------------------|------------------|-----------------------|
| | | Per house | Per flat |
| <i>Primary pupil generation rate</i> | | 0.28 | 0.07 |
| New Primary Pupils generated from this development | | | 1,705 |
| New Primary School build contribution | | | |
| | per Pupil | per House | per Flat |
| <i>New Build Rate</i> | £24,286 | £6,800 | £1,700 |
| Contribution requested towards New Primary School Build | | | £41,417,950.00 |

| Secondary Education | | | |
|--|------------------|------------------|-----------------------|
| | | Per house | Per flat |
| <i>Secondary pupil generation rate</i> | | 0.20 | 0.05 |
| New Secondary Pupils generated from this development | | | 1,218 |
| New Secondary School build contribution | | | |
| | per Pupil | per House | per Flat |
| <i>New Build Rate</i> | £25,880 | £5,176 | £1,294 |
| Contribution requested towards New Secondary School Build | | | £31,526,369.00 |

Education

| | |
|---------------|--|
| Site Name | Land to the South and East of Sittingbourne (Highsted Park North) |
| Reference No. | SW/21/503914 |
| District | Swale |

| | | | |
|---------------------|---------------|--------------|---------------|
| | Houses | Flats | Total |
| Unit Numbers | 5984 | 427.5 | 6411.5 |

| Special Education Needs | | | |
|--|------------------|------------------|----------------------|
| | Per house | Per flat | |
| <i>SEN pupil generation rate</i> | <i>0.016</i> | <i>0.004</i> | |
| New SEN Pupils generated from this development | | 97 | |
| New Special Educational Needs contribution | | | |
| | per Pupil | per House | per Flat |
| <i>Blended Rate</i> | <i>£50,893</i> | <i>£560</i> | <i>£140</i> |
| Contribution requested towards New SEN School Build | | | £3,409,855.62 |

Notes

Costs above will vary dependant upon land price at the date of transfer of the school site to KCC

Totals above will vary if development mix changes and land prices change

Appendix C - Communities' Assessment

KCC Communities

Development Contributions Assessment

| | |
|------------------|---|
| Site Name | Land South and East of Sittingbourne (Highsted Park South) Kent |
| Reference No. | SW/21/503914 |
| District | Swale |
| Assessment Date | 13/01/2023 |
| Development Size | 7,150 |

| COMMUNITY LEARNING & SKILLS | |
|--|----------------------------|
| | Services |
| Current Service Capacity | 2,108 |
| LESS Current adult participation in Swale district | 2,214 |
| Initial capacity shortfall/surplus (Year ending 2019) | -105 |
| New adult participation from this development | 256.61 clients |
| Will service capacity be exceeded? | YES |
| Contributions requested from this development | £16.42 per dwelling |
| <i>7150 dwellings from this proposal</i> | £117,403.00 |
| <i>Towards additional resources (including portable teaching and mobile IT equipment), and additional sessions and venues for the delivery of additional Adult Education courses locally</i> | |

| YOUTH SERVICE | | |
|---|-------------------------------|--------------------------------|
| | Centre and Hub based Services | Outreach and Targeted Services |
| Current Service Capacity | 1,811 | 975 |
| LESS Current youth participation in Swale district | 1,901 | 1,024 |
| Initial capacity shortfall/surplus (Year ending 2019) | -91 | -49 |
| New youth participation from this development | | 357.5 clients |
| Will service capacity be exceeded? | | YES |
| Contributions requested from this development | | £65.50 per dwelling |
| <i>7150 dwellings from this proposal</i> | | £468,325.00 |
| <i>Towards additional resources and upgrade of existing youth facilities including the New House Sports and Youth Centre in Sittingbourne to accommodate the additional attendees, as well as resources and equipment to enable outreach services in the vicinity of the development.</i> | | |

| LIBRARIES | |
|---|-----------------------------------|
| Libraries assessed for this development | Library Stock and Services |
| Current Service Capacity | 17,288 |
| LESS Current library participation in Swale district | 18,152 |
| Initial capacity shortfall/surplus (Year ending 2019) | -864 |
| New borrowers from this development | 2084.94 borrowers |
| Will service capacity be exceeded? | YES |
| Contributions requested from this development | £55.45 per dwelling |
| <i>7150 dwellings from this proposal</i> | £396,467.50 |
| <i>Towards additional resources, services and stock, the local mobile Library service and works to Sittingbourne Library to increase capacity to meet the needs of the development.</i> | |

Net contributions requested for KCC Communities' Services

£982,195.50

Appendix D - Social Care Requirement

KCC Social Care, Health and Wellbeing

Development Contributions Assessment over the planning period 1/1/2019 to 31/12/2039

| | |
|------------------|---|
| Site Name | Land to the South and East of Sittingbourne (Highsted Park South) |
| Reference No. | 21/503914 |
| District | Swale |
| Assessment Date | 13/01/2023 |
| Development Size | 7,150 |

Net Social Care contributions requested:

Social Care and Health Services

£1,050,192.00

Kent County Council has statutory* responsibilities to provide a variety of services that support and care for vulnerable adults and children across the county. In line with KCC Strategy**, the modern focus of the service is to support adults to live fulfilling and independent lives at home and in their community, ensuring adults receive the right care when they need it, and are also supported to get back on their feet when it is appropriate and possible.

To support this strategy, KCC seeks contributions toward five priority areas and may choose to apply the whole contribution to a single project, or proportionately between projects. The contribution from the development is the same. The result is greater certainty of project delivery and benefit to new communities to put together workable projects for the community and clients.

Proposed new housing development results in additional demands upon Adult Social Care (ASC) services from increases in older people and also adults with Learning, Physical and/or Mental Health Disabilities. Available care capacity is fully allocated already, with no spare capacity to meet additional demand arising from this and other new developments.

The focus of Adult Social Care is currently on the five areas listed below, offering a preventative approach to providing care. Based on an agreed set of service delivery models, an annual assessment of the impact of new and existing housing on these services has been carried out. Only the financial impacts relating to new housing are displayed.

Note: Client numbers are rounded for display purposes, but costs are based on unrounded figures

* Under the Care Act 2014, Mental Health Act 1993 and Mental Capacity Act 2005

**<https://www.kent.gov.uk/about-the-council/strategies-and-policies/adult-social-care-policies/your-life-your-wellbeing>

| | |
|--|---|
| A. ASSISTIVE TECHNOLOGY & HOME ADAPTATION EQUIPMENT | <i>Assistive Technology systems and Home Adaptation Equipment are delivered to vulnerable adults in their own homes, enabling them to: live with the confidence that help is available when they urgently need it and to remain independent in their own homes.</i> |
| B. ADAPTING COMMUNITY FACILITIES | <i>Adapting Community Facilities to be accessible for those with both mental and physical disabilities means vulnerable adults can access other support services and facilities safely and comfortably.</i> |
| C. SENSORY FACILITIES | <i>Sensory facilities use innovative technology to provide a relaxing or stimulating environment for people of all ages with sensory impairment conditions. The facilities may be used to calm stress and anxiety, or to encourage sensory development and social engagement.</i> |
| D. CHANGING PLACE | <i>Changing Places have additional features than standard accessible toilets to meet the needs of people with a range of disabilities and their carers. These toilets are usually located in or near a popular public area to ensure suitable facilities are available for use by vulnerable adults when necessary.</i> |
| E. SPECIALIST CARE HOUSING | <i>Specialist care housing includes extra care accommodation and other care living accommodation for those clients with special requirements. These requirements include but are not limited to, the elderly and those with physical and learning requirements.</i> |

New Social Care Clients generated from this development:

1438 client(s)

Forecast SC clients generated from ALL proposed developments within the District (up to 2039)

3,296 clients

Contributions requested from this development

£1,050,192.00

Contributions requested towards Specialist Housing in the District, Assistive Technology & Home Adaptation Equipment, Adapting Community Facilities, Sensory Facilities and Changing Places in the vicinity of the development.

Note: These projects will be delivered once the money is collected except where the implementation of the proposed project(s) relies upon pooled funds, then the project will commence as soon as practicable once the funding target has been reached.

Appendix E - Waste Assessment

KCC Waste Services

Development Contributions Assessment over the planning period 1/1/2021 to 31/12/2030

| | |
|------------------|--|
| Site Name | Land to the South and East of Sittingbourne (Highsted South) |
| Reference No. | 21/503914 |
| District/Area | Swale |
| Assessment Date | 13/01/2023 |
| Development Size | 7,150 |

Net Waste contributions requested:

Kent County Council is the statutory 'Waste Disposal Authority' for Kent, meaning that it is responsible for the receipt and onward processing/disposal of household waste, providing Waste Transfer Stations (WTS), Household Waste Recycling Centre Services (HWRC) and monitoring closed landfills. Kent residents make approximately 3.5 million visits to HWRCs per year and each household produces an average of a 1/4 tonne of waste to be processed at HWRCs, and 1/2 tonne to be processed at WTSs annually. Kent's Waste Management services are under growing pressure with several HWRCs and WTSs over operational capacity (as of 2020).

In accordance with the Kent Waste Disposal Strategy 2017-2035, contributions may be sought towards the extension or upgrading of existing Waste facilities, or towards the creation of new facilities where a proposed development is likely to result in additional demand for Waste services. Existing Waste services will be assessed to determine the available capacity to accommodate the anticipated new service demands before developers are requested to contribute to additional provision. The proportionate costs of providing additional services for households generated from the proposed development are set out below:

A. WASTE TRANSFER STATIONS (WTS)

Additional waste generated by new households increase the throughput of waste and reduce speed of waste processing at Waste Transfer Stations.

| | |
|---|---------------|
| 1. Applicable dwellings from this development | 7,150 |
| 2. Applicable dwellings from ALL proposed developments for County-wide projects (up to 2030)* | 70,100 |
| 3. Overall cost of increasing capacity for 70,100 new dwellings by 2030 | £9,056,920.00 |
| 4. Cost per new dwelling (£9,056,920 / 70,100 new homes) | £129.20 |

| | |
|--|-----------------------------|
| Contributions requested from this development | £129.20 per dwelling |
| 7,150 dwellings from this proposal | £923,780.00 |

Contributions requested towards Sittingbourne WTS

B. HOUSEHOLD WASTE RECYCLING CENTRES (HWRC)

Additional households increase queuing times and congestion at HWRC's and increase throughput of HWRC waste.

| | |
|---|---------------|
| 1. Applicable dwellings from this development | 7,150 |
| 2. Applicable dwellings from ALL proposed developments for County-wide projects (up to 2030)* | 64,200 |
| 3. Overall cost of increasing capacity for 64,200 new dwellings by 2030 | £3,496,974.00 |
| 4. Cost per new dwelling (£3,496,974 / 64,200 new homes) | £54.47 |

| | |
|--|----------------------------|
| Contributions requested from this development | £54.47 per dwelling |
| 7,150 dwellings from this proposal | £389,460.50 |

Contributions towards on site HWRC

| | |
|--|----------------------|
| Net Contributions requested for KCC Waste from this development | £1,313,240.50 |
|--|----------------------|

* Estimated

Note: These projects will be delivered once the money is collected except where the implementation of the proposed project(s) relies upon pooled funds, then the project will commence as soon as practicable once the funding target has been reached.

4. **Minerals and Waste**

The County Council as Minerals and Waste Planning Authority provided the following commentary direct to the Borough Council on 9 December 2022 (Appendix F).

Appendix F – Minerals and Waste Planning Authority Response

From: Bryan Geake - GT GC
Sent: 09 December 2022 12:56
To: planningsupport@midkent.gov.uk

Subject: Application Reference: 21/503914/EIOUT Proposal: Southern Site. Outline Planning Application for the phased development of up to 577.48 hectares at Highsted Park, Land to the South and East of Sittingbourne, Kent, comprising of up to 7,150 residential dwe

Dear Andrew Lainton

Application Reference: 21/503914/EIOUT Proposal: Southern Site. Outline Planning Application for the phased development of up to 577.48 hectares at Highsted Park, Land to the South and East of Sittingbourne, Kent, comprising of up to 7,150 residential dwellings including sheltered / extra care accommodation (Use Class C2 and Use Class C3). Up to 170,000 sq m / 34 hectares of commercial, business and service / employment floorspace (Use Class B2, Use Class B8 and Use Class E), and including up to 2,800 sq m of hotel (Use Class C1) floorspace. Up to 15,000 sq m / 1.5 hectares for a household waste recycling centre. Mixed use local centre and neighbourhood facilities including commercial, business and employment floorspace (Use Class E), non-residential institutions (Use Class F1) and local community uses (Use Class F2) floorspace, and Public Houses (Sui Generis). Learning institutions including primary and secondary schools (Use Class F1(a)). Open space, green infrastructure, woodland, and community and sports provision (Use Class F2(c)). Highways and infrastructure works including the provision of a new motorway junction to the M2, a Highsted Park Sustainable Movement Corridor (inc. a Sittingbourne Southern Relief Road), and new vehicular access points to the existing network; and associated groundworks, engineering, utilities, and demolition works. Location: Land South And East Of Sittingbourne Kent

Thank you for consulting the County Council's Minerals and Waste Planning Policy Team on the above planning application.

The applicant has produced an 'Outline Mineral Assessment' (MA) prepared by Ecologia Environmental Solutions Ltd, given the presence of a safeguarded mineral deposit on the site, that being Brickearth (Faversham – Sittingbourne Area) as shown on the Swale Borough Council- Mineral Safeguarding Areas proposals maps of the Kent Minerals and Waste Local Plan 2013-30 (Early Partial Review) (2020). The concluding section of the document states (emphasis added):

A review of the superficial geology of the site of the proposed development at Highsted Park, near Sittingbourne has been completed to ascertain the potential for the presence of brickearth deposits. Geological mapping and ground investigation data provided by the client have indicated the presence of brickearth deposits within the proposed area of the development. Seven unconstrained areas mapped by the BGS as containing head deposits have been identified, with two having a moderate likelihood of viable brickearth deposits (areas H.B and H.C). The remaining five areas are deemed as unviable for brickearth extraction on the basis of either the deposit being absent, too thin to warrant extraction, or having too high a gravel content for use as a brick clay.

In order to address the requirements of KMWLP Policy DM7 further assessment of areas H.B and H.C is required to determine the following:

- The quality of the brickearth deposits. This would be achieved by further sampling and ceramic testing of the deposits by a suitable laboratory and/or a brick manufacturer.*
- The quantity of the brickearth. This would be achieved by further trial pitting across the assessment area, to measure the depth and lateral extent of the deposits.*

It is recommended that the further assessment of the potentially viable areas is completed prior to the detailed planning application for the development. The full design of the proposed development will further inform the consideration of potential sterilisation and prior extraction of mineral resources.

Should a deposit of sufficient quality be identified that would be at risk of sterilisation by the proposed development, engagement with local brick manufacturers should be pursued to ascertain the demand, and therefore value of the mineral. Options for prior extraction can be explored as part of the detailed design process for the proposed development. Given the large scale of the proposed development, it is likely that significant earthworks may be required, with areas of cut and fill for transportation routes and creation of development platforms. The consideration of the potential mineral deposits should be included in the design process, whereby the extraction of the potential mineral deposits could create void space for storage of other site derived materials

Essentially, the process of mineral safeguarding is incomplete at this stage of the application. It is recommended that the applicant determine if prior extraction of a viable mineral deposit is possible with advice from an operator who could correctly assess viability. The somewhat arbitrary recommended use of 100m standoffs to existing residential properties is questioned. As this is a superficial mineral deposit that would not be significantly impactful to such receptors, especially when topsoil storage bunding could be used as acoustic mitigation measures at sensitive location. The use of arbitrary distanced standoffs can artificially reduce the quantity of available mineral resources to below viability, when simple mitigation could render such standoff distances unwarranted.

Moreover, it is not considered that the consideration of landwon mineral safeguarding of an area (combined areas of Area H.B and H.C and amount to 404,769 square meters) represented in the application can be left as a detailed reserve matter at a later planning application stage. As the combined areas could easily represent the quantity of what is generally considered the viability break point by Wienerberger UK Ltd (this being 50,000 m cubed), as only 1.0m in dept of usable mineral resources could yield 404,769 metres cubed in volume and thus apply a density factor of 1.6 tonnes per cubic metre the potentially sterilised mineral resource could be 647,630 tonnes of Brickearth resources (and more if smaller stand-off distances are applied and/or the depth of the useable mineral is greater). A prior extraction of minerals at this scale could have significant implications for the deliverability of the development proposed. The matter is, it is considered, too fundamental to the determination of the acceptability of the development, even at an outline stage, to be adequately addresses as a reserved matter later on.

Therefore, the County Council raises a holding objection to the above application until the MA process, in accordance with Policy DM 7: Safeguarding Mineral Resources has been concluded.

Yours sincerely

Bryan Geake BSc Hons (Geol), MSc, MRTPI

Bryan Geake | Principal Planning Officer | Minerals and Waste Planning Policy | Growth, Environment and Transport | Kent County Council First Floor, Invicta House, County Hall, Maidstone, Kent ME14 1XX | Telephone: 03000 413376 | www.kent.gov.uk/planning

5. Sustainable Urban Drainage Systems

The County Council as Lead Local Flood Authority Planning Authority provided the following commentary direct to the Borough Council on 31 January 2023 (Appendix G).

Appendix G – Lead Local Flood Authority Response

Andrew Lainton
Swale Borough Council
Swale House
East Street
Sittingbourne
Kent
ME10 3HT

Flood and Water Management
Invicta House
Maidstone
Kent
ME14 1XX
Website: www.kent.gov.uk/flooding
Email: suds@kent.gov.uk
Tel: 03000 41 41 41
Our Ref: SBC/2021/086050
Date: 30 January 2023

Application No: 21/503914/EIOUT

Location: Land South And East Of Sittingbourne Kent

Proposal: Southern Site. Outline Planning Application for the phased development of up to 577.48 hectares at Highsted Park, Land to the South and East of Sittingbourne, Kent, comprising of up to 7,150 residential dwellings including sheltered / extra care accommodation (Use Class C2 and Use Class C3). Up to 170,000 sq m / 34 hectares of commercial, business and service / employment floorpace (Use Class B2, Use Class B8 and Use Class E), and including up to 2,800 sq m of hotel (Use Class C1) floorpace. Up to 15,000 sq m / 1.5 hectares for a household waste recycling centre. Mixed use local centre and neighbourhood facilities including commercial, business and employment floorpace (Use Class E), non-residential institutions (Use Class F1) and local community uses (Use Class F2) floorpace, and Public Houses (Sui Generis). Learning institutions including primary and secondary schools (Use Class F1(a)). Open space, green infrastructure, woodland, and community and sports provision (Use Class F2(c)). Highways and infrastructure works including the provision of a new motorway junction to the M2, a Highsted Park Sustainable Movement Corridor (inc. a Sittingbourne Southern Relief Road), and new vehicular access points to the existing network; and associated groundworks, engineering, utilities, and demolition works

Thank you for your consultation on the above referenced planning application.

Kent County Council as Lead Local Flood Authority have the following comments:

As part of the KCC combined response dated 30th November 2021 it was stated: "The Water Cycle Strategy by C&A Consulting (ES Volume 2 Appendix 12.1 WSC Volume 1 page 7) states that 1 in 100 year greenfield runoff rate has been calculated as 3.1 l/s/ha. We would note that it is usual that any surface flows are controlled to QBAR or the 1 in 2.5 year rainfall event which would be less than the stated rated."

This does not appear to have been addressed within Entran's response dated 10th November 2022

Similarly we also stated "Control structures with flow rates are indicated at a small number of locations e.g. R01, R06, R02, R42 etc. The site does not currently connect to watercourses or sewers and therefore there is a question in relation to

where flows which leave the site (R42 and CG02) will be connected which also appear to have not been addressed.

The cover letter supplied by Entrans referenced above also states that an "addendum to appendix 12.1 will be prepared to clarify land parcel location in relation to overland flow paths." We have been unable to locate any such addendum or amended drainage within the Flood Risk Assessment.

Further to the above we also now note the recent comments submitted by Southern Water with regards to the protected aquifer and the requirement for additional works and evidence to be submitted prior to the acceptance for infiltration to be used. Without Southern Water's sign off it will not be possible to drain the development as proposed and as such we will require evidence of their acceptance to the principle of infiltration before we can recommend approval given that without it the site may not be able to manage surface water without increasing flood risk.

In light of the above issues we would ask that a holding objection to the application be put in place.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

Yours faithfully,

Neil Clarke
Sustainable Drainage Team Leader
Flood and Water Management

6. Heritage Conservation

Heritage Conservation Comments will be provided direct to Swale Borough Council in due course.

7. Biodiversity

The County Council, in respect of Biodiversity matters provided the following commentary direct to the Borough Council on 9 December 2022 (Appendix H).

Appendix H – Biodiversity Response



ECOLOGICAL ADVICE SERVICE

TO: *Andrew Lainton*

FROM: *Helen Forster*

DATE: *13 January 2023*

SUBJECT: *21/503914/EIOUT Land South And East Of Sittingbourne*

The following is provided by Kent County Council's Ecological Advice Service (EAS) for Local Planning Authorities. It is independent, professional advice and is not a comment/position on the application from the County Council. It is intended to advise the relevant planning officer(s) on the potential ecological impacts of the planning application; and whether sufficient and appropriate ecological information has been provided to assist in its determination.

Any additional information, queries or comments on this advice that the applicant or other interested parties may have must be directed in every instance to the Planning Officer, who will seek input from the EAS where appropriate and necessary.

We have reviewed the ecological information submitted with the planning application and we advise the following:

The following ecological surveys have been carried out:

- NVC surveys of the LWS and Ancient Woodland
- Bat emergence surveys
- Bat Hibernation surveys
- Bat activity/automated surveys
- Badger survey
- Dormouse surveys
- Breeding bird surveys
- Wintering bird surveys
- GCN HSI and eDNA surveys
- Reptile Surveys
- Invertebrate surveys

The surveys have detailed the following:

- The Swale SPA, SSSI and Ramsar site within 2km of the proposed development
- Local Wildlife Site and Ancient Woodland within or adjacent to the proposed development boundary
- A number of International/National/Locally designated sites within 5-10km of the proposed development site.

- Lowland mixed deciduous woodland, lowland meadow and open mosaic habitat on previously development land (all priority habitats) within the Highstead Quarry LWS
- The woodland within and adjacent to the site (including the ancient woodland and Corner's Wood LWS) has been assessed as lowland mixed deciduous woodland (a priority habitat)
- The parkland within the site has been assessed as Wood-pasture and Parkland (a priority habitat).
- Hedgerows throughout the site – hedgerows are a priority habitat and some hedgerows are considered important under the regulations.
- Building 4 (as per the Ecological Appraisal) recorded a brown long eared bat roost.
- Building 6 (as per the Ecological Appraisal) recorded a soprano pipistrelle bat roost and a brown long eared maternity roost.
- The quarry tunnels in the LWS considered to be used by brown long eared bats as a hibernation roost.
- Confirmed noctule bat roost within a tree in the LWS
- Possible common and soprano pipistrelle roosts within the trees in the parkland/Highstead wood AW.
- At least 6 species for bats recorded foraging/commuting within the site.
- 20 active badger setts recorded (including 3 main setts)
- Dormouse (population may have expanded since the 2017 survey)
- Brown hare (priority species)
- Potential for hedgehog (priority species)
- GCN recorded within a pond to the south of the site
- 71 species of bird during the breeding bird survey (35 species confirmed/probable breeders). Including barn owl a schedule 1 species (Wildlife and countryside Act 1981 (as amended).
- 50 species of birds recorded during the wintering bird survey (including farmland bird and priority species)
- Slow worm and common lizards
- At least 247 species of invertebrate – including species of notable conservation status.

The submitted ecological information provides a good understanding of the ecological interest of the site. However an updated site visit/ecological appraisal has not been carried out since the 2021 ecological reports were produced and the surveys are now at least 2 years old. When we previously commented we highlighted that it is likely/possible that the dormouse population may have increased since 2017 particularly within the Highstead Quarry's Local Wildlife Site as at the time of the initial survey the vegetation had only recently established on site. This point has not been addressed within the updated mitigation strategy. As dormouse have been recorded within the wider site we advise it must be presumed that dormouse have established within the Highstead Quarry LWS.

Mitigation

The 'mitigation hierarchy' described in British Standard BS 42020:2013, which involves the following step-wise process:

- Avoidance – avoiding adverse effects through good design;
- Mitigation – where it is unavoidable, mitigation measures should be employed to minimise adverse effects;
- Compensation – where residual effects remain after mitigation it may be necessary to provide compensation to offset any harm;
- Enhancement – planning decisions often present the opportunity to deliver benefits for biodiversity, which can also be explored alongside the above measures to resolve potential adverse effects.

We advise that the proposed development is not following the steps of the mitigation hierarchy as the proposal will result in the direct loss of Local Wildlife Site and Ancient Woodland through the creation of the road and housing which are of at least county importance. A large number of the protected species records were recorded within the LWS and the AW proposed to be directly impacted and therefore we question if the whole of the LWS/AW can be retained rather than proposing the development of quarry C and adjacent orchard in to housing and losing AW to create the access road.

The National Planning Policy Framework (NPPF) (2021) paragraph 180 states “*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists*” We note that a detailed compensation strategy for the loss of the AW has not been provided as part of this application but information has been provided confirming at least 8.1ha of replacement woodland will be created within the site. We highlight that the compensation planting also incorporates the AW buffer for the area of ancient woodland in the south of the site. We highlight that part of the woodland planting would have had to be carried out to mitigate the impact on the area of AW in the south of the site and therefore the whole area can't be considered compensation for the loss of AW. We advise that the creation of the woodland planting can be considered as compensation under the NPPF but advice that SBC must be satisfied that there are wholly exceptional reasons for the proposal

An overarching mitigation strategy has been submitted as part of this application and mitigation largely relies on the creation of the proposed country park. We acknowledge that, theoretically, for the majority of species there is capacity within the site to support the species recorded within the site. However the ecological mitigation areas will also be used for other purposes such as the provision of SUDS and recreation – in particular we are concerned with the impact of recreation. The report has tried to address this point by detailing that that dedicated amenity areas and informal recreation zones will be created to try and manage visitors/residents to the site. The majority of the open space areas are either minimal access or provide information recreation and from an ecology perspective we are supportive of this but due to the numbers of dwellings proposed and adjacent to the site we query if the impact from recreation will be greater than anticipated within the assessment.

There is a need to ensure the proposed habitat creation can be implemented and retained on site to ensure the proposed species and habitat mitigation can be achieved. Currently we are concerned that the proposed mitigation will not be achievable and we advise that SBC must take advice on that point internally / organisations with experience of managing open space.

A skylark mitigation strategy has been proposed for the adjacent habitat to the site to provide skylark mitigation as skylarks required open areas for breeding. We advise that we welcome this proposal and highlight that if planning permission is granted this agreed via a S106 agreement.

A biodiversity net gain assessment has been submitted and it has assessed that an anticipated net gain of up to 21% for habitats is proposed. The results of the BNG metric is largely based on the proposal to improve the condition of the retained habitats within the site. As detailed above we have concerns that the recreational pressure will not enable the habitats to establish as intended and therefore the resulting in the development not achieving the anticipated net gain.

To enable connectivity across the road culverts/hop-overs and one green bridge is proposed. However we note that the green bridge is within the urban area which doesn't

appear to be the best location to support wildlife connectivity – we would expect it to be located in areas where it links habitat – such as two sections of the country parks. We recommend that a green bridge is created to link sections of the country park. Details of the green bridge must be provided to enable SBC to consider if it is appropriate.

The lighting design principal plans provides details of where there will be avoidance of lighting spill or restrictions on lighting spills – this includes areas directly adjacent to the main road. We query why the lighting plan does not demonstrate that the intention is to minimise light spill within all areas where roads are adjacent to green space – for example the proposed/existing road through the LWS. As the lighting plan will impact the proposed road we advise that SBC will need to be satisfied that restricted lighting within those areas is achievable.

If you have any queries regarding our comments, please do not hesitate to get in touch.

Helen Forster MCIEEM
Biodiversity Officer

This response was submitted following consideration of the following documents:

Base Line Ecological Appraisal; June 2021

Ecological Mitigation Strategy; Aspect Ecology; October 2022

Report to Inform HRA; Aspect Ecology

8. Sport and Recreation

The County Council notes that the application states that Green areas are to be used for informal and formal open spaces which may include sport and recreation with associated lighting, all weather pitches, multi use games areas, play spaces, including imaginative play, biodiversity areas, community gardens and allotments.

There is a need and demand for all weather pitches in the area as those in the area are hugely over subscribed and based on school sites. An All weather pitch would be a significant asset to this community. Football Foundation and F.A are working jointly on Local Football Facility Plans (LFFP's) that show their targeted investment over the next 10 years. In Swale they could benefit with a large financial contribution to an all weather pitch as a result.