

SECTION D  
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents: the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

**Item D1**

**Construction of a roundabout with single carriageway approach roads at junction of Swale Way and Ridham Avenue, Kemsley, Sittingbourne – SW/07/1032**

A report by Head of Planning Applications Group to Planning Applications Committee on 15 January 2008.

Application by Kent Highway Services on behalf of Kent County Council for the construction of a roundabout with single carriageway approach roads including surface water drainage system, environmental mitigation measures, highway lighting, footways and combined cycleway, together with any necessary diversion of statutory orders at land in the vicinity of roundabout at junction of Swale Way and Ridham Avenue, Kemsley, Sittingbourne (Ref: SW/07/1032)

Recommendation: Permission be granted subject to conditions.

Local Member(s): Mrs B. Simpson & Mr R. Truelove

Classification: Unrestricted

**Site and background**

1. Sittingbourne is at the eastern end of the Kent element of the Thames Gateway growth initiative. It is an area of commercial and housing growth and essential town centre regeneration. Sittingbourne is based around a linear development, straddling the A2 that runs east-west. The A2 High Street is pedestrianised and traffic is diverted onto two parallel routes to the north of the High Street.
2. Sittingbourne Northern Relief Road (SNRR) was granted planning permission in September 2006, following the application being recommended for permission at Planning Application Committee in July 2006 (under ref: SW/04/1453). The approved section of the Relief Road runs from the Ridham Avenue roundabout in Kemsley, to the Castle Road roundabout on the Eurolink Industrial Estate in Sittingbourne. The road would form a link between developer funded sections, and ultimately could result in a road that stretches from the A249 Trunk Road, around the eastern outskirts of Sittingbourne, to join the A2 near Bapchild. The section of the SNRR from the A249 to Ridham Avenue has been completed as part of the Kemsley Fields development and opened in Spring 2005. A short section from Castle Road, in Eurolink, was constructed in 2000, and has been continued eastwards in 2005 as part of the East Hall Farm development. The remaining middle section from Ridham Avenue, across Milton Creek, to Castle Road, is being promoted by Kent County Council and forms the section of the SNRR approved in September 2006.
3. The original planning application (SW/04/1453) was amended from its original alignment following expressions of concern, particularly from residents closest to the route alignment. Two alternative routes were identified, known as Route A and Route B. Route A shifted the route to the boundary of Church Marshes Country Park and Route B was similar but also relocated the roundabout at Ridham Avenue to give benefits to residents of Recreation Way in addition to those on the Church Milton Estate. Following

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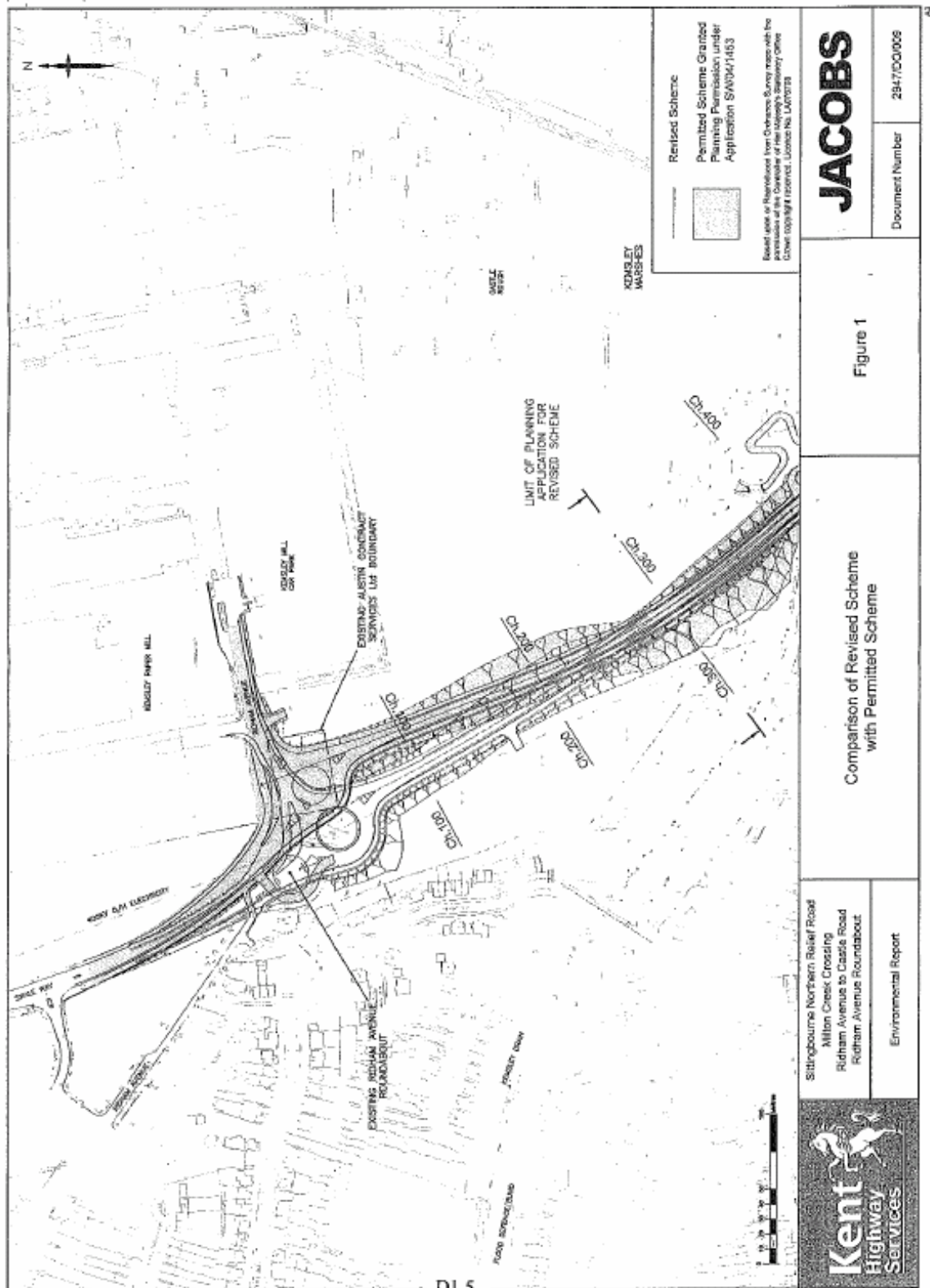
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consultation, the local and statutory environmental organisations were generally neutral on either of the two alternative routes. However, the public response was in favour of Route B, whereas the private sector land interests were in favour of Route A. On consideration of all the factors, the County Council sought approval for Route B.

4. Route B was therefore granted permission in September 2006. The 1.5 km single carriageway road from Ridham Avenue to Castle Way would be 7.3 m wide with 1.0 m wide margin strips. The carriageway would be kerbed, with a combined footway and cycleway along the full length of the western side, and a verge along the eastern side. The road would have a 40mph speed limit, bituminous low noise surfacing, street lighting, a drainage system, and a 40m single span bridge which would take the road across the Sittingbourne and Kemsley Light Railway with a clearance of 4m above the sleepers, and a three span curved bridge 101m long which would cross Milton Creek. An existing business adjacent to Ridham Avenue would be required to relocate to new premises. Earth mounding, a physical noise barrier and planting would be used to mitigate the traffic noise and visual impacts on properties closest to the road. The development was subject to Environmental Impact Assessment and therefore an Environment Statement accompanied the original application.
5. It is predicted that the scheme would reduce traffic flows in central Sittingbourne by 15% (and by about 30% when the SNRR is connected through to the A2), thus enabling town centre improvements to occur. Heavy lorry traffic in residential tracts of Sittingbourne would be reduced, and access to new housing developments, environmental and leisure facilities, and employment sites would be improved.

**Proposal**

6. This application has been submitted by Kent Highway Services on behalf of Kent County Council, and proposes an amendment to the approved Route B. The application proposes the construction of a roundabout, with single carriageway approach roads, including surface water drainage system, environmental mitigation measures, highway lighting, footways and combined cycleway together with any necessary diversion of statutory undertakers apparatus. The key aspect of the proposal is the relocation of the roundabout at the junction of Ridham Avenue and Swale Way, which in turn necessitates a minor realignment of the carriageway for a stretch of approximately 500m.
7. The amended application proposes the relocation of the roundabout so that it would be centred upon an overhead electricity pylon. The applicant advises that this alignment would avoid critical land take from Kemsley Paper Mill, minimise the loss of stacking space for HGV's entering the Mill, lessen the impact upon internal access arrangements and reduce land take from potential development land to the south. A segregated bypass lane to the roundabout is proposed, which would further assist HGV's entering the Mill, and in particular aid the free and safe traffic operation of the roundabout.
8. The currently approved layout of the roundabout was strongly opposed by Kemsley Mill and other commercial landowners as they considered that their current and future operational and development aspirations were being prejudiced. The objections were maintained throughout the determination of the previous planning application, and have been made in response to the Statutory Orders that were published in February 2007. The normal process would now be for the Secretary of State to instruct a Public Inquiry to be held. At the Inquiry the County Council would present evidence to try and

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convince the Inspector appointed by the Secretary of State of the merits of the Scheme. Whilst that could be pursued, the applicant states that there are several aspects that have been considered in view of the continued and sustained objections. The applicant summarises these as follows:

- Kemsley Mill is a long standing, major employer and contributor to the economy of the town;
- A key purpose of the scheme is to support existing businesses and future regeneration;
- The scheme (as approved) reduces the length of storage available for in-bound HGV's on the approach to the entrance to the mill;
- The scheme (as approved) takes land from that designated in the Local Plan for possible future paper making;
- The scheme (as approved) encroaches onto land that the owner is seeking to have designated in the Local Plan for commercial development;
- The route of the Relief Road in this area particularly is long established and pre-dates residential development in the immediate area and particularly Recreation Way;
- Owners of the adjacent houses would have acquired the properties in the knowledge of the proposals for the Relief Road;

The availability of compulsory powers of acquisition is a powerful facility available to local authorities. Compulsory Purchase Orders are not confirmed lightly and there is stringent scrutiny where there are statutory objections. As part of this process at Inquiry, an inspector would be expected to explore with the County Council and objectors if there was an alternative solution. In view of the sustained objections from the commercial and industrial landowners, the applicant has developed a 'compromise' solution, which is the subject of this application.

9. The applicant advises that the amended application layout:
  - Avoids landtake from the site identified for a future paper making mill;
  - Maximises the length of road available for the storage of HGV's entering the Mill;
  - Keeps the basic alignment of the Relief Road route on the east side of the overhead electric power line to try and maintain distance from the houses in Recreation Way (a key reason for the basic route choice);
  - Reduces the landtake where the Mill has commercial development aspirations;
10. The amended scheme would commence with a realignment of the last 120metre section of the Milton and Kemsley Distributor Road (opened Spring 2005) as it approaches the new roundabout on Ridham Avenue. The existing roundabout would be removed and a new roundabout constructed to the south east, centred around an existing overhead electricity pylon. Compared to the permitted scheme, the revision proposed would relocate the Ridham Avenue roundabout 35metres south-westwards, closer to residential properties. The land required from the Old Dairy Site, occupied by a haulage business, would be reduced although demolition of the main building would still be required. The alignment of the road would be similarly shifted by 35m south-westwards at the roundabout, which then reduces in distance until it rejoins the alignment of the permitted scheme. The proposed amendment would affect approximately a 500metre stretch of the Relief Road.
11. To mitigate the noise and visual effects of traffic, an earth bund would be provided along the west side of the Relief Road, continuing around the back of the roundabout. A noise fence would be placed along the top of the bund, and the area between the bund/noise

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fence and properties in Recreation Way, immediately behind the roundabout, would be planted to give an enhanced visual and softer screen. The Relief Road would introduce a source of noise for local residents that does not currently exist. However, predicted noise levels would be below the 68 dB(A) noise level, the level set by legislation at which noise insulation would be offered, and the increase that would result from relocation of the roundabout would be 3dB(A), which is the minimum increase that it is considered can be discerned.

12. This application was not subject to Environmental Impact Assessment. However, the application was accompanied by an Environmental Report (which references the original Environmental Statement submitted with the full SNRR application, a copy of which was provided on CD Rom), a Flood Risk Assessment, a Supporting Statement and a Design and Access Statement.

*Reduced copies of the submitted drawings showing the site layout and access are attached.*

**Planning Policy**

13. The Development Plan Policies summarised below are relevant to the consideration of the application:

(i) **The Kent & Medway Structure Plan: Adopted 2006:**

**Policy SS1** - The strategic development requirements of this plan should be met in a manner that provides for balanced and timely residential employment, retail and leisure development, and brings forward community facilities and infrastructure when they are needed, whilst at the same time conserving and enhancing the quality of Kent's environment.

**Policy SW1** - Within the Thames Gateway part of the Swale measures to support economic regeneration and diversification at Sittingbourne and Sheerness/Queenborough will be pursued. Provision of the A249 Second Swale Crossing and the Sittingbourne Northern Relief Road (linking the A249 to the S2 to the east) are prime requirements for this.

**Policy SP1** - Seeks to conserve and enhance Kent's environment and ensure a sustainable pattern of development.

**Policy EN1** - Kent's countryside will be protected, conserved and enhanced for its own sake. Development in the countryside should seek to maintain or enhance it.

**Policy EN3** - Kent's landscape and wildlife habitats will be protected, conserved and enhanced. Where a need for development in the countryside is justified, important features and characteristics will be retained. Proposals should reflect the need for conservation, reinforcement, restoration or creation of



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countryside character and provide for the appropriate management of important features and the wider landscape.

- Policy EN5** – The primary objective of designating Special Landscape Areas is the protection, conservation and enhancement of the quality of their landscapes, whilst having regard to the need to facilitate the social and economic well-being of the communities situated within them.
- Policy EN7** - Development which would materially harm the scientific or nature conservation interests of County and/or Local Wildlife designations will not be permitted unless there is a need which outweighs the local conservation interest, and adverse impacts can be adequately compensated.
- Policy EN8** - Wildlife habitats and species will be protected, conserved and enhanced. Development likely to have an adverse effect, directly, indirectly or cumulatively, on important habitats or species, will not be permitted unless the adverse impact on an important nature conservation resource can be adequately mitigated and/or compensated.
- Policy QL1** – All development should be well designed and be of high quality. Developments should respond positively to the scale, layout, pattern and character of their local surroundings.
- Policy QL12**- Community Services, including schools and education provision, will be provided as long as there is a demonstrable need for them.
- Policy QL15** – Local Development Documents will make provision for sport, informal and formal recreation facilities, taking account of the potential for dual use and/or joint provision. All major new formal recreation and sports facilities should be designed to avoid nuisance from traffic, noise and lighting.
- Policy TP2** – Proposals for enhancing the transport network in Kent and Medway will be assessed according to their social, transport, economic and environmental effects, with specific regard to a number of criteria.
- Policy TP4** - The programmed major transport schemes listed in the Plan (which includes the 'Sittingbourne Northern Distributor Road' (sections between Ridham Avenue and East Hall Farm)) will be promoted and land required for their construction safeguarded.
- Policy NR5** – The quality of Kent's environment will be conserved and enhanced. This will include the visual, ecological, geological, historic and water environments, air quality, noise and levels of tranquillity and light intrusion.

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**Policy NR10** -Development will be planned to avoid the risk of flooding. Where development is necessary in areas at risk of flooding it should be designed and controlled to mitigate the impact of flood risk.

- (ii) The adopted (2000) **Swale Borough Local Plan** (Policies agreed by the Secretary of State to be further saved beyond 27 September 2007):

**Policy G1** - Outlines general considerations for all development proposals.

**Policy E9** - Outlines criteria for development proposals which are located on land outside the defined built up area boundaries.

**Policy E14** - Seeks long term protection for Special Landscape

**Policy E23** - Development appropriate to a location within the coastal zone will be required to protect, and where appropriate, enhance the landscape, environmental quality, wildlife habitat and recreational opportunities of the coast, acknowledging those natural processes such as flooding, erosion and sea level rise which influence the zone.

**Policy E24** - Development will not be permitted within areas at risk from fluvial or tidal flooding unless it is otherwise acceptable to the Local Planning Authority in the context of the other relevant policies in the Plan, and suitable mitigation measures are incorporated regarding flood containment and public safety.

**Policy E28** - Seeks long term protection of Ramsar Sites, Special Protection Areas, Special Areas of Conservation, National Nature Reserves and Sites of Special Scientific Interest.

**Policy E29** - Seeks to protect, amongst other things, sites of Nature Conservation Interest.

**Policy R3** - Seeks to retain and protect areas of open space for formal and informal recreation purposes. Only in exceptional circumstances will development be permitted which results in a loss of open space. In such cases a suitable replacement will be required if the loss results in a local deficiency of open space.

**Policy SS4** - Seeks to grant planning permission for developments which seek to enhance and complement the industrial and maritime heritage, the recreational potential and the wildlife interest of Milton Creek and the surrounding area.

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**Consultations**

14. **Swale Borough Council:** raises no objection, subject to the imposition of relevant conditions from the Kent County Council decision in respect of SW/04/1453 dated 14 September 2006.

**Divisional Transport Manager:** no comments received to date.

**The County Council's Noise/Dust/Odour Consultant:** comments as follows:

"The applicant has submitted a revised layout of the permitted Sittingbourne Northern Relief Road. The spatial relocation of the roundabout is relatively minor and the impacts in terms of noise, vibration and air quality would be expected to be in a similar league to those previously reported.

The movement of the roundabout will not lead to a significant increase in noise levels over the previously permitted Scheme, however it should be noted that both of the Schemes do lead to severe and substantial adverse noise impacts, due to the low baseline noise levels currently enjoyed by the properties in Recreation Way.

In terms of air quality, the predicted concentrations of the pollutants at all adjacent residential properties in the vicinity of the realigned roundabout are significantly within the relevant Objectives. The Environmental Report states that the impact at the majority of locations in the study area is minor; however it states that the spatial relocation of Ridham Avenue Roundabout is considered to have a substantial impact on a few houses located close by in Recreation Way. I can see no reason why these properties are identified as experiencing a substantial impact and conclude that the impacts are likely to be lower than those stated at 133 & 157 Recreation Way. The impacts will be minor at all properties in the vicinity of the proposed roundabout."

**The County Council's Lighting Consultant:** comments as follows:

"It is County Council policy that all roundabouts shall be lit in order to reduce the number of night time accidents. The lighting proposed makes use of flat glass lanterns in order to minimise the impact of light spill outside of the scheme boundary. These lanterns provide a much more controlled distribution of light output than conventional bowl luminaires and give no light above the horizontal.....

I am therefore of the opinion that planning should not be disallowed on lighting grounds."

**The County Council's Landscaping Consultant:** comment as follows:

"The submitted plans and reports appear to be thorough and represent the impact of the proposed roundabout scheme on the adjacent properties and landscape, and demonstrate that effective mitigation measures that can be undertaken.



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At present the views from houses along Recreation Way and Walsby Drive are dominated by Kemsley Paper Mill, electricity pylons to the north, with some open views to the north east and east. Vehicles using the existing roundabout are visible from these properties due to the low bund and lack of any landscaping.

The revised proposals would move the roundabout to the east, which will affect more properties along Recreation Way, but the proposed scheme is shown as being further away from the housing estate boundary than the existing scheme. In this wider space a comprehensive landscape scheme and environmental barrier have been proposed which in the long term (Year 15) will reduce all visual impact to moderate levels.”

**Natural England:** comments as follows:

“We assume this proposal is also taking into account the mitigation measures agreed during the consultation period for the Relief Road and request that Kent Wildlife Trust are also consulted on this application. We have no further comments to make.”

**The Kent Wildlife Trust:** no comments received to date.

**The County Council’s Biodiversity Officer:** raises no objection to the proposal but offers advice and guidance with regards to protected species. In addition, it is requested that the granting of approval be subject to a condition that ensures that any mitigation which has been agreed for the full SNRR application be continued to cover this amendment.

**The Environment Agency:** raises no objection to the proposed relocation of the roundabout, but would wish their previous comments on the SNRR application to be referred to with regard to minimising the environmental impact of the project.

**Lower Medway Internal Drainage Board:** raises no objection to the proposal provided that certain criteria are met.

**National Grid:** states that based on the information provided it is concluded that the risk is ‘moderate’. Therefore network plan(s) and general guidance was provided in order that any risk can be managed successfully.

**EDF energy networks:** has no objection to the proposal, providing their rights regarding access and maintenance to any of their cables within the area are maintained at all times.

**Local Member**

15. The local County Members, Mrs B. Simpson and Mr R. Truelove, were notified of the application on the 29 August 2007.

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**Publicity and Representations**

16. The application was publicised by advertisement in a local newspaper, the posting of 5 site notices, and the individual notification of 34 nearby properties. Two letters of representation have been received to date, and the points of concern and objection are summarised below. However, it should be noted that the letters of representation are not from local residents, but from local businesses/land owners:

- An acceptable alternative route for the SNRR exists which does not necessitate the use of land owned by local businesses;
- The northern part of the land to the South of Ridham Avenue lies within the built up area boundary for Sittingbourne and, therefore, has development potential;
- Situated adjacent to the main employment location for Sittingbourne and within the Thames gateway growth area, the land has considerable development potential;
- The land forms part of a site that is being promoted in the Swale Borough Local Plan First Review for employment purposes in the context of a shortfall of employment land identified by Swale Borough Council Economic Development Department;
- The re-alignment of the road, compared with the alignment identified in the adopted Local Plan, would result in the sterilisation of more than 3.6 hectares of land of employment development potential;
- The application would necessitate the removal of the business which presently operates from the 'Old Dairy' site which would severely prejudice the operation of the existing business;
- The route as now proposed necessitates the removal of a perfectly acceptable section of road and existing roundabout. This roundabout and the northern section of the SNRR was constructed and funded by Kemsley Fields Ltd. The cost of these works is considered to be considerable and would be unnecessary if an alternative alignment were to be adopted. These additional costs would undoubtedly be met from the public purse, to which local companies contribute, and it is therefore considered that these additional costs are unnecessary;

It should be noted that both of the letters of representation state that objections would be withdrawn if liabilities regarding the funding of certain elements of the road were resolved to the company's satisfaction.

**Discussion**

17. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (13) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance include impact upon residential and local amenity, environmental implications and land ownership.

18. As detailed earlier in this report, Sittingbourne Northern Relief Road (SNRR) was granted planning approval in September 2006 (app ref: SW/04/1453). The application was recommended for approval by Members at Planning Applications Committee in July

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2006. At that time, the principle of the SNRR was considered, along with planning considerations such as planning policy, environmental effects, ecological impacts, location/alignment, landscape and visual impacts, heritage and policy, water quality, drainage, flood risk, noise, vibration, air quality, lighting and construction issues. All of these issues were discussed within the previous committee report, and were deemed to be acceptable. Therefore, this report will not readdress any of these issues unless they are material to the proposed change in the alignment.

**Residential and Local Amenity**

19. This application proposes a minor amendment to the approved alignment of the SNRR. As detailed in paragraph 10 of this report, the proposed revision would locate the Ridham Avenue roundabout 35 metres south westwards, closer to residential properties, when compared to the approved scheme. Therefore, there is a potential for increased noise, light, and air pollution at the closest residential properties when compared with the levels deemed to be acceptable in approving the original alignment. However, it should be noted that the approved route moved the existing roundabout further away from residential properties. Although this proposed amendment would move the roundabout back towards properties in Recreation Way, the distance between properties and the roundabout would be similar to that that already exists. The roundabout would, however, be located further south than the existing, so has the potential to impact upon properties that at the moment are perhaps not so adversely affected.
20. Kent and Medway Structure Plan Policy NR5 seeks to conserve and enhance the quality of Kent's environment, including noise and levels of tranquillity, and light intrusion. Therefore, development proposals must seek to minimise levels of pollution, and be deemed to be acceptable in terms of impact upon local and residential amenity. This application was accompanied by an Environmental Report, which was based upon the Environmental Statement (ES) submitted with the previous application. The Report addresses the issues covered within the ES (for example air quality, cultural heritage, ecology and nature conservation, landscape, visual impact, traffic noise and vibrations, water quality and drainage and lighting) and amplifies and/or amends the previous conclusions to address the proposed amendment. This document was sent to consultation with relevant consultees, none of which have raised objection or expressed concern over the implications of the revised alignment. In addition, it is important to note that no letters of representation have been received from local residents.
21. In addition, to mitigate noise and visual effects of traffic, the applicant proposes to erect an earth bund along the western side of the Relief Road which would continue around the back of the roundabout. A noise fence would be placed along the top of the bund, and the area between the bund/noise fence and properties in Recreation Way, immediately behind the roundabout would be planted to give an enhanced visual and softer screen. The applicant advises that the increase in noise resulting from the relocation of the roundabout would be 3dB(A), and that predicted noise levels would remain under the levels set by legislation at which point noise insulation would be offered to local residents.
22. Due to the mitigation proposed, and the lack of objection or concern from statutory consultees/relevant consultants, and local residents, I consider that the proposed realignment is acceptable in terms of impacts upon local residential amenity, especially in terms of light, air and noise pollution.



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**Environmental Concerns**

23. The application site for the SNRR, as a whole, is a sensitive location being within a Site of Nature Conservation Interest, a Local Landscape Area and a Special Landscape Area. Although some elements of the Relief Road are adjacent to (approx. 400 metres) a Special Protection Area, a Site of Special Scientific Interest and a Ramsar Site, the proposed amendment is located at the least sensitive part of the route in terms of ecological interests. The ES submitted with the permitted application considered the impacts upon these designated sites, and in addition, addressed the affects that the development would have upon European Protected Species and nationally and internationally important bird populations. The Environmental Report submitted with this application supplements the Environmental Statement to address the environmental implications that the proposed revision could have. Natural England, the Kent Wildlife Trust and the County Council's Biodiversity Officer were all consulted on the proposed realignment, and no adverse comments have been received to date. The Environmental Report also concludes that:

‘the spatial relocation of the Ridham Avenue Roundabout is considered to be minor in biodiversity terms. The magnitude of the impact on nearby sensitive receptors remains as originally assessed as reported in the submitted ES.’

24. In light of the above, I cannot see any reason why the proposed realignment should be refused on the grounds of environmental concerns. Subject to the imposition of conditions to ensure that the mitigation measures approved under the previous planning application (which included the site affected by the re-alignment) are adhered to, I do not consider that the proposed development would have a detrimental effect on the local environment or biodiversity interests.

**Location/land ownership**

25. As detailed in paragraph 8 of this report, the approved layout of the roundabout was strongly opposed by Kemsley Mill and other commercial landowners as they considered that their current and future operational and development aspirations were being prejudiced. The amendment proposed has been submitted in response to the sustained objections from the commercial and industrial landowners to Compulsory Purchase Orders. As detailed in paragraph 9, the amended application layout seeks to:
- Avoid landtake from the site identified for a future paper making mill;
  - Maximise the length of road available for the storage of HGV's entering the Mill;
  - Keep the basic alignment of the Relief Road route on the east side of the overhead electric power line to try and maintain distance from the houses in Recreation Way (a key reason for the basic route choice);
  - Reduce the landtake where the Mill has commercial development aspirations.
26. The proposed amended scheme would commence with the realignment of the last 120metre section of the Milton and Kemsley Distributor Road (which was privately funded). The existing roundabout would be removed and a new roundabout constructed to the south east, reducing land required from the Old Dairy Site, although demolition of the main building would still be required. The amended route would be closer to properties in Recreation Way, and further away from local businesses. The area of land required would be reduced, and the gap between the road and local properties would be narrowed, reducing the amount of 'sterilised' land.

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27. I understand the concerns raised by local businesses, and am aware that the road scheme would have some detrimental impact on their operations. However, the scheme as approved would have a greater impact on business interests than the proposed realignment. The amended scheme moves the road closer to properties in Recreation Way, to the benefit of local businesses and landowners, whilst maintaining an acceptable distance between the development and local properties. In my opinion, to move the road any further towards Recreation Way would have an unacceptable impact on local residential amenity.
28. Therefore, on balance, I consider the realigned route to be an acceptable compromise in weighing the amenity of local residents against local business needs. In addition, objection based on the grounds of land ownership, and cost implications of the SNRR would be dealt with under the Highway Orders process in terms of compensation or other means of resolution. This issue is therefore outside the remit of the planning application process.

**Conclusion**

29. The principle of the Sittingbourne Northern Relief Road, in the context of Planning Policy, was discussed within the Committee Report for the SNRR, and the subsequent granting of planning approval in 2006 confirmed that the scheme was acceptable in terms of its impacts and wider implications. The amended alignment proposed does not differ widely from the approved scheme, and its impacts upon residential and local amenity, and its environmental implications are not significantly different from that of the approved route. However, the realignment reduces landtake from local businesses in an effort to overcome objection to the Compulsory Purchase Orders. Therefore, I see no reason to refuse the realigned route on planning and environmental grounds.
30. In summary, I consider that this proposal would not have a significantly detrimental effect on the amenity of local residents, should Members be minded to permit, subject to the conditions outlined below. In my view it would not give rise to any significant material harm and is in accordance with the general thrust of relevant Development Plan Policies. There are no material planning considerations that indicate that the conclusion should be made otherwise. However, I recommend that the development be carried out in strict accordance with the conditions of the full Sittingbourne Northern Relief Road consent, (SW/04/1453) and that various conditions be placed on any planning permission, including those outlined below.

**Recommendation**

31. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:
- the development to be commenced by 14 September 2009 (to accord with the main consent);
  - the development to be carried out in accordance with the permitted details;
  - the development to be carried out in strict accordance with the conditions of consent for planning application SW/04/1453 issued 14 September 2006;

Case officer – Mary Green	01622 221066
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## **Item D1**

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Background documents - See section heading & Planning Applications Committee Report D1 for the Committee Meeting held on 18 July 2006.