

**Application for a further section of Kent Thameside Fastrack dedicated public transport route, known as Everard's Link Phase 2, at Greenhithe - DA/06/856.**

A report by Head of Planning Applications Group to Planning Applications Committee on 7 November 2006.

Application by Kent County Council Highways Advisory Board for Kent Thameside Fastrack, Everard's Link Phase 2, being the provision of a bus priority route linking the recently constructed bus/rail interchange with the new development at Ingress Park (including associated landscaping works) which will form part of the Kent Thameside *Fastrack* Major Scheme, Land immediately north of the railway line between Station Road and The Avenue, Greenhithe, Kent – DA/06/856

Recommendation: The application be referred to the Secretary of State and that subject to her decision permission be granted subject to conditions.

**Local Member:** Mr I Jones

**Classification:** Unrestricted

**The Site**

1. The site of about 1.3 hectares is situated to the north of the railway line at Greenhithe between the bus interchange of Everard's Link Phase to the west and a local road called The Avenue to the east. The land is safeguarded in the adopted Dartford Borough Local Plan for the later stages of the South Thameside Development Route. However in the Local Plan Review it is safeguarded for construction of the *Fastrack* public transport system and more specifically for the "Everards Link" Transport Scheme between Station and London Roads. Residential properties are situated immediately to the north of the site and to the east of The Avenue. *A site location plan is attached.*
2. The existing topography within the site predominately rises at a consistent rate approximately 7.0m from west to east. The exception to this is the existing 14.0m high chalk cliff face on the western side of The Avenue.
3. The geology of the site is generally chalk, with some made ground. There is a thin covering of topsoil that supports vegetation consisting mostly of hedgerow trees, grassland/scrub mosaic and general scrub. There are some mature trees, mostly within the Railway land to the south. The geology at The Avenue comprises typically 2 to 3 metres of Thanet Beds overlying chalk with a thin surface capping of Made Ground.
4. The applicant indicates that at the east end of the site mapping indicates cultivated land or 'Allotment Gardens' from 1884 to 1953, but 1974/77 mapping shows an oil depot. Also, that although the depot was still present in 1987/88 it had been removed by 1992, probably as part of the residential development to the south of Eagles Road. The applicant understands that the contaminants associated with the former oil depot have been cleared from the site and states that preliminary geotechnical site investigations verify this.

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## **The Proposal**

### **Context**

5. Planning permission is sought for the construction of the second phase of Everards Link, being an extension to the wider *Fastrack* network. Phase 1, which has been in use since 2005 consists of a bus interchange adjacent to Greenhithe Railway Station and associated linking road from Station Road Roundabout. (*The application for this was considered by Members in October 2003 and granted planning permission on the 6 November 2003.*) Phase 2 consists of a link road from the bus interchange to the eastern side of The Avenue, Greenhithe. It is designed to link in with the section of *Fastrack* the construction of which is a planning requirement for the developer of Ingress Park and subject to a separate application to Dartford Borough Council.

### **Proposed layout**

6. The new link comprises a single lane carriageway bus route with a total width of 6.75m and a design speed of 50 kph (31.25mph) to cater for conventional 12m long single deck buses. The route would be on embankment and would pass through a box structure underneath The Avenue into Ingress Park. *Reduced copies showing the alignment of the road, long section and typical cross-sections are attached.*
7. There is a 3.0m wide combined footway / cycleway, offset 0.5m from the northern edge of the carriageway. A 1.0m wide verge runs behind this accommodating a noise barrier. To the south of the carriageway there is a 2.0m wide verge. The verge widths within the 'box' structure would be a minimum width of 0.6m.
8. The carriageway surfacing would be bituminous flexible surfacing with a good ride quality and low noise production but the initial 50m of the carriageway from the end of Phase 1 would be coloured red. Safety kerbing with 365mm up stand is proposed for the north side of the carriageway to eliminate the need for safety fencing. The combined footway / cycleway would be constructed using black bituminous surfacing.
9. Other requirements of the design include the need for regulatory signing to restrict the carriageway-use to *Fastrack* vehicles only. The provision of utilities would be limited to the *Fastrack* operation.

### **Drainage**

#### *Surface Water Drainage*

10. The existing Phase 1 drainage was designed and constructed with a view to taking the run-off from the Phase 2 development. An impermeable area of approximately 900m<sup>2</sup> has also been allowed for in the drainage calculations to cater for a future car park adjacent to the railway station. Surface water run off will be collected via trapped gullies along the north channel connecting into a carrier drain within the footway.

#### *Land Drainage*

11. Land drainage is required to intercept run off from the proposed embankments from draining onto adjacent properties and to prevent the ponding of trapped water between the existing ground and the proposed embankments.

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12. On the north side of the corridor, the land drainage would be positioned at the toe of the embankment. The drainage system proposed comprises three catchpits connected by filter drains flowing towards a soak-away positioned at the low point into the chalk. On the south side, the land drainage works on the same principles, positioned at the toe of batter but comprising two catchpits connected by filter drains again falling towards a soak-away positioned into the chalk.

### **Earthworks**

13. The main earthworks involve forming an embankment approximately 290 metre long, which commences at the western end from the existing chalk embankment constructed as part of Phase 1 earthworks and continues to the chalk cliff below The Avenue at the eastern end of the scheme.
14. The height of the western section of the proposed embankment is controlled by the Phase 1 embankment height that is approximately 6.5 metres above existing ground level at this point and generally reduces in height as existing ground levels rise to the east. The following table provided by the applicant shows the embankment heights relative to adjoining properties:

House Numbers	Approximate Proposed Level on Centre line (m) (AOD)	Approximate Garden Level (m) (AOD)	Approximate Height of Embankment above Gardens (m)	Approximate Existing Levels on Centre line (m) (AOD)	Approximate Height of Embankment above Existing Ground at Centre line (m)
18 - 28 Smugglers Walk	12.350	7.400	4.950	6.300	6.050
1 - 17 Maritime Close	12.050	7.400	4.650	6.700	5.350
19 - 27 Maritime Close	12.550	7.500	5.050	8.950	3.600
29 - 33 Maritime Close	13.300	7.900	5.400	11.100	2.200
33 - 37 Maritime Close	14.300	8.400	5.900	11.800	2.500
39 - 43 Maritime Close	15.650	8.500	7.150	12.700	2.950
45 - 47 Maritime Close	18.000	8.600	9.400	13.650	4.350

15. The embankment is constrained to the north by a housing development and to the south by the railway. The design has been carried out with a view to achieving 1:2 embankments wherever possible to avoid the need for earthworks reinforcements. However, due to the land constraints it has not been possible to achieve these gradients throughout and it has been necessary to steepen the embankments to 1:1.5 and 1:1 in order to fit the earthworks within the available land. Geotextile earthworks reinforcements or retaining wall structures would have to be used in such areas.
16. The overall volume of fill required in this section is 23,700m<sup>3</sup>. Given that it is estimated that a volume of 6,500m<sup>3</sup> may be excavated as acceptable material from the cut section (which includes the other side of The Avenue not subject of this application), it is estimated that a net import of approximately 17,200m<sup>3</sup> would be required. There is likely to be a quantity of unacceptable fill some of which may be suitable as landscaping material. Any contaminated soils that are encountered during construction would be dealt with appropriately by either removing from the site to a licenced tip, or treating them in-situ as required by the nature of the material found, and in accordance with current environmental legislation.

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**Structures**

17. The existing road 'The Avenue' is a 5 metre wide carriageway with a 1.5 metre wide footway on the west side adjacent to the edge of the cliff face. On the east side of the 'The Avenue' there is a Grade 2 'listed' stone wall and metal fence. A box structure (*see attached drawing for details*) would be constructed through the existing chalk spine to enable the route to pass under The Avenue into cutting up to a maximum depth of approximately 9.0m and link into the road network of the Ingress Park development. (Only the section up to the eastern verge of The Avenue is included in this planning application.)
18. The Avenue would be completely excavated out along with the earth beneath it and replaced on its exact line. A cut and cover underpass would be constructed under the existing position of The Avenue and then material would be required to fill the void between the boxed structure and the newly constructed Avenue.
19. The underpass would be a reinforced concrete box of 16 metres in length. It would extend from the cliff face into the 'Ingress Park' development. The underpass would have an opening approximately 5.7 metres high by 11.0 metres wide. There would be a 3.0 metre wide footway/cycleway to the north side of the underpass and a 0.6 metre raised strip to the south side. Where the underpass emerges out of the cliff at the western end, it will be necessary to construct 'masking walls' to retain the cliff edges.
20. A retaining wall would be required on top of the underpass at each end to retain the existing carriageway and support a vehicular restraint parapet. At the eastern end of the underpass, 6 metre high retaining walls would be required to support the existing ground alongside the new carriageway.
21. The Grade II Listed Wall cannot be avoided by the proposed works. To mitigate the impact on the wall, the wall would be carefully cleared of all vegetation and accurately surveyed. Significant elements of the wall would be numbered. It would then be carefully dismantled and all fabric retained and stored safely during the course of the construction of the box culvert. On completion of the cutting works the wall would be reassembled using as far as possible its original material. Planning Permission for this work is being sought from Dartford Borough Council (as part of the application for the *Fastrack* Link within Ingress Park) together with Listed Building Consent.

**Environmental Fencing**

22. Where the Scheme runs on embankment it is proposed to provide a 2.5 metre high environmental fence on the north shoulder of the embankment (to the rear of the northern footway) to act as both a noise barrier and visual screen. It would run for some 280 metres from the beginning of the scheme at the existing bus interchange through to end as enters the underpass under the Avenue.

**Lighting**

23. Everards Link Phase 2 would be lit throughout to the current standards with a specification that would focus light onto the carriageway and cycleway and that would avoid light spill into the surrounding areas. The columns would be 8 metres high as on Phase 1, placed along the north side of the carriageway so that light from the luminaires would be directed away from residences to the north of the scheme.

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24. If the box structure is extended as part of the Ingress Park development and its overall length is in excess of 25 metres, there would be a requirement to have permanent lighting in the underpass.

**Landscaping**

25. Sketch landscape proposals have been submitted with the application. These include planting to the embankments and margins of land adjoining. The planting is proposed to mitigate the visual effects of the development including the screening of the environmental barrier, offset the loss of existing trees and vegetation and to restore and enhance habitat. The implementation of the planting is dependent on the eradication of a severe infestation of Japanese Knotweed throughout the site which is currently in the first stages of being dealt with including necessary removal of the existing scrub vegetation.

**Surveys, Assessments and Reports**

26. The applicant has carried out various surveys and assessments, including of the trees, protected species, noise and vibration, air quality, townscape/landscape and visual impact. The reports are included in support of the application and mitigation concluded necessary included with the proposals.

**Planning Policy**

27. Regional Planning Guidance for the South East RPG9 requires Local Authorities to encourage a greater proportion of journeys to be made by public transport. The guidance advises that the range of services provided by public transport and the quality of the experience needs to be significantly improved to make it a more acceptable option for the travelling public. The Thames Gateway Planning Framework RPG9a reaffirms this by emphasising the benefits that can be achieved by ensuring that proposed improvements in the transport system and opportunities for new development are considered together. Planning Policy Guidance Note 13 on transport seeks to promote more sustainable transport choices and promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling.
28. The Development Plan Policies summarised below are relevant to consideration of the application:

(i) The adopted 2006 **Kent Structure Plan**:

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|------------|---|
| Policy SP1 | States that the primary purpose of Kent's development and environmental strategy will be to protect and enhance the environment and achieve a sustainable pattern and form of development.  |
| Policy DG1 | As part of this area based policy for Dartford and Gravesend states that provision will be made for a bus-based public transport network ( <i>Fastrack</i> ) linking Dartford and Gravesend town centres, Bluewater and the main Strategic Developments identified by the plan. |
| Policy EN3 | Seeks to protect, conserve and enhance Kent's landscape and wildlife habitats.  |
| Policy EN8 | Seeks the protection, conservation and enhancement of biodiversity.   |

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- Policy EN9 Seeks to maintain tree cover and the hedgerow network. Additionally, states they should be enhanced where this would improve the landscape, biodiversity, or link existing woodland habitats.
- Policy QL1 Requires that all development should be well designed and be of high quality. Developments, individually or taken together, should respond positively to the scale, layout, pattern and character of their local surroundings. Development which would be detrimental to the built environment, amenity, functioning and character of settlements or the countryside will not be permitted.
- Policy TP1 Priorities for transport will include amongst others, provision of travel choice and alternatives to the private car, including public transport walking and cycling.
- Policy TP 2 States that all proposals for enhancing the transport network will be assessed according to the their social, transport, economic and environmental effects with specific regard to a number of criteria.
- Policy TP4 States that the programmed major transport schemes listed in Table TP4, which includes Phase 1 of *Fastrack*, will be promoted and land required for their construction safeguarded.
- Policy TP9 Seeks to promote Public transport by providing through partnership.
- Policy TP11 Seeks to provide facilities for pedestrians and cyclists and to promote their use.
- 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.
- Development should be planned and designed to avoid, or adequately mitigate, pollution impacts. Proposals likely to have adverse implications for pollution should be the subject of a pollution impact assessment.
- In assessing proposals local authorities will take into account:
- (a) impact on prevailing background pollution levels; and
  - (b) the cumulative impacts of proposals on pollution levels; and
  - (c) the ability to mitigate adverse pollution impacts; and
  - (d) the extent and potential extremes of any impacts on air quality, water resources, biodiversity and human health.
- Development which would result in, or significantly contribute to, unacceptable levels of pollution, will not be permitted.

(ii) The 1995 adopted **Dartford Borough Local Plan:**

- Policy S7 Seeks the provision and improvement of transport, other infrastructure and service facilities appropriate to the needs of the Borough and its residents.
- Policy T1 The Council will encourage the implementation of an integrated transport strategy for the Borough.
- Policy T2 Encourages the funding and provision of co-ordinated transport infrastructure to serve and contribute to the realisation of major development opportunities in North Dartford.
- Policy T3 Promotes the provision of integrated public transport service with interchange facilities.

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- Policy T7 Advises that the Council will investigate the promotion of other railway stations in the Borough where suitable parking facilities and public transport interchange facilities can be provided.
- Policy T9 Implementation of bus priority schemes will normally be permitted.
- Policy T13 Safeguards land for the later stages of the South Thames-side Development Route from Station Road, Greenhithe to Northfleet. Proposals which would prejudice the implementation of the scheme will not be permitted.
- Policy T33 States that proposals for road schemes and other highway work ...should incorporate access arrangements and other facilities for the less mobile and those with other disabilities'
- Policy S5 The nature conservation resources of the Borough will be protected and enhanced.
- Policy S6 Encourages the conservation and improvement of the existing built environment and a high quality and standard of design in new development.

(iii) The second deposit draft **Dartford Borough Local Plan Review**

- Policy T1 Safeguards the route of Fastrack. Proposals which would prejudice the implementation of the scheme will not be permitted.
- Policy T3 Safeguards the area known as Greenhithe Triangle for the construction of a transport scheme, i.e. comprising the "Everards Link", Station Road to London Road.
- Policy DD11 Seeks a high standard of design and sets out criteria for this.
- Policy DD12 Seeks to ensure that development which the public would have access to will only be permitted if provision is made in the design for safe and convenient access for all.
- Policy NR10 Developments with potentially polluting activities (usually commercial or industrial) will only be permitted if they are sited and designed to minimise the emission of air pollutants and the impact of air pollutants on the local environment.
- Policy NR11 Proposals for development (including any resultant traffic generation) that may adversely affect air quality must be accompanied by an air quality impact assessment, and will only be permitted if it can be demonstrated that such impacts can be satisfactorily mitigated in the context of policy NR12.
- Policy NR12 In considering proposals for development (including any resultant traffic generation) that may adversely affect air quality, the following factors will be taken into account:
- current levels of air pollution in the locality, and the likely cumulative impact on air quality
  - the impact on Air Quality Action Plans and/or the need to create or extend Air Quality Management Areas
  - the scope for mitigation of adverse effects, and
  - the anticipated long term air quality situation, and the length of time before satisfactory air quality in the area can be achieved.
- Policy NR16 Potentially noisy developments will only be permitted where details of present and predicted noise levels (to assess the impact of the development) are provided. Sets out matters that will be conditioned relating to any mitigation measures that may overcome prospective problems.

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Policy C12 Seeks protection of animal or plant species from development which would adversely affect them.

**Consultations**

29. **Dartford Borough Council** – raises no objection subject to the imposition of conditions relating to the following issues:

- A security fence to be erected around the site, to remain after construction is completed, in the interests of security of adjacent residents and also to give the new landscaping a chance to survive;
- Hours of working be restricted to 0800 to 0600 Monday to Friday and 0800 to 1300 hours Saturdays. No working on Sundays or Bank Holidays;
- Details of noise barrier;
- Full details of landscaping and management; and
- Details of all street furniture, lighting, railings, etc.

It is also requested that an informative be imposed as follows:

For the avoidance of doubt, this permission does not grant planning permission or Listed Building Consent for the demolition and alterations to the Listed wall and railings at Ingress Park. No work should begin in this area until planning permission and Listed Building Consent have been granted. Further details will be required to grant any such permission.

**Swanscombe and Greenhithe Town Council** has no observations to make on this application.

**Natural England** comments on the information and assessment regarding Protected Species included with the application as follows:

The proposals set out in the application appear sufficient to mitigate any potential impact on bat populations. A condition should be imposed stating that no development shall commence until a detailed scheme for bats affected by the proposal has been fully implemented.

Natural England is satisfied that the survey information provided by the applicants suggests that no great crested newts are likely to be affected by the proposal and that no reptiles are present.

The proposals set out in the application appear sufficient to mitigate any potential impact on local nesting birds although it is difficult to gauge the impact in the absence of any detailed survey data.

Natural England also comments that it is disappointing that the proposals do not include any commitment in relation to biodiversity enhancements as referred to in Planning Policy Statement 9. It is therefore recommended that should permission be granted a condition be imposed requiring a strategy for biodiversity enhancements to be produced and implemented.

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Natural England further comments that monitoring for all the mitigation carried out should take place and a management plan for all of the habitats and species affected by the proposal should be produced and the results of monitoring fed back into the plan. Funding for the implementation of the management plan in the long-term should be provided. Natural England recommends that this be secured from the applicant.

Based on the information provided, Natural England concludes that it has no objection to the application regarding protected species, subject to the condition described above.

**Environment Agency** has no objection to the proposal but notes that the site lies within a vulnerable location in terms of groundwater protection and has therefore made the following comments:

In order to protect groundwater resource sourced by abstraction the depth of any discharges to ground must be limited. Any soakaways must be as shallow as possible.

There must be no discharge into land impacted by contamination or land previously identified as being contaminated or to made ground, and no direct discharge to groundwater.

Only clean uncontaminated surface water may discharge to any soakaways. Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for access roads and car parking areas to prevent hydrocarbons from entering the surface water system.

The potential for contamination at the eastern end of the site relating to the former oil depot should be fully examined. The Duty of Care regulations for dealing with waste materials is applicable for any offsite movements of wastes.

The Environment Agency also requests conditions be imposed covering the use of clean in fill materials and dealing with contamination at the site not previously identified.

Attention is drawn to the proximity of the adjacent Knockhall Chase landfill site and advises that the applicant take appropriate measures to mitigate against any off site problems that may be associated with this landfill.

The standard informatives relating to storage of fuels and chemicals should be drawn to the applicant's attention.

The Environment Agency notes that provision was made in the design of Phase 1 to accommodate the surface water drainage for this Phase and comments that it would appear from data provided that adequate capacity exists within the system.

**Network Rail** has commented that:

"It should be noted that network Rail are concerned about the substantial excavations and ground level alterations associated with the proposal in close proximity to the operational railway, and will need to be assured that these works will not impact on the stability of the railway and the embankment. A full method statement must be supplied and agreed with network Rail's Outside Party Engineer."

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**Jacobs (Environmental Science):**

Considers that as long as the proposed noise fence is installed, the residents of the closest properties would not experience a significant noise increase. Does not consider that the Applicants report raises any significant air quality issues.

**Jacobs (Landscape) – has commented as follows:**

“The proposed road has to balance its significant visual impact on the surrounding housing against the benefits of providing better public transport links. The levels of the proposed elevated roadway cannot be revised due to the existing phase 1-development and surrounding landform. With these points in mind the landscape proposal provides a satisfactory solution to a difficult site. The existing landscape elements are poor and therefore the long-term visual benefits of creating a planting screen either side of the road are positive.

We do not have any objections to the proposed scheme, but would offer the following recommendations. Firstly, consideration should be given to the exact position of each semi-mature tree to achieve the maximum screening effect for the adjacent houses on Maritime Close and Smugglers Walk. Secondly, I would recommend replacing the *Quercus ilex*, in Plot 1 planting mix, with *Pinus nigra*, which will provide a quicker growing evergreen element.”

**Area Transportation Manager** has no highway objections to this proposal.

**County Archaeologist** agrees with the mitigation proposed in the submission and comments that the impacts on buried archaeological remains can be mitigated through a programme of archaeological survey, investigation and recording. Further comments that the impact of the proposals on the Listed wall should be mitigated through cleaning and careful recording prior to dismantling, and that following completion of the culvert the wall should be reinstated using as far as possible the original material. Accordingly, imposition of conditions securing the implementation of a programme of archaeological work and of building recording is requested.

**Local Member**

30. The local County Member, Mr I Jones (Swanscombe & Greenhithe) was notified of the application on the 4 August 2006.

**Publicity**

31. The application was publicised by an advertisement in a local newspaper, the posting of site notices, and the individual notification of some 135 neighbouring residential properties. The advertisement and notices indicate that the proposed development does not accord with the provisions of the Development Plan in force in the area in which the land to which the application relates is situated.
32. All those who have made representations to the proposal, together with those originally notified of the application that had not made representations have been notified of recently submitted amended drawings that include one showing typical cross-sections through the scheme, amended landscape proposals and table of embankment heights.

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Any further comments received in the light of these will be reported verbally at the Committee meeting.

**Representations**

33. I have received 10 representations to the proposal from local residents. The objections, concerns and issues raised/points made are summarised below:

- They were aware when they purchased their house of the probability of a road link but there was never any mention of the road level being raised.
- Asks whether the road would be purely for *Fastrack* buses and not for private cars and lorries. Also whether the road would be screened off to stop noise and visual intrusion of buses and passengers as Phase 1 and whether CCTV will be installed to cover the bus interchange as was previously requested.
- Maritime Close residents are opposed to any proposal to build in the area between them and the railway which acts as a buffer and is home to countless wildlife. The site is not large enough, the length of the gardens is short, and anything built would be close to their boundaries and homes, and there would be noise all the year round.
- The noise, pollution, unsightliness would cause distress and loss to quality of life, including enjoyment to sit in their gardens.
- The high embankment means the road cannot be concealed.
- Considers that the project is out of scale with the benefits it would be delivering in terms of a time saving of a couple of minutes, when buses have a perfectly good route to access Ingress park via the A226 London Road.
- Concerned about the embankment, which would dominate and spoil the environs of Maritime Close. At about 5.5 metres in height it would tower over the houses, ruining the current 'green' views and would take away the privacy of back gardens which would be exposed to bus passengers and walkers. Also concerned at the height of the 8 metre columns rising above the embankment.
- If the project is to proceed asks that:
  - the height of the embankment be lowered by entering the cliff face to Ingress park lower down;
  - lower lighting columns are installed;
  - the Phase 1 fencing is continued along the entire length of the scheme to the cliff face and hopefully prevent some of the vandalism and graffiti that already plagues the Bus Interchange from spreading to residents' back doors; and
  - there is a commitment to keep the mature trees between the proposed embankment and the gardens of Maritime Close.
- Ask that any fauna and flora at present growing in the land adjacent to the properties be left in situ not only to reduce the work involved in site clearance but also because it would provide a natural screen leaving a slightly more pleasant outlook and help lessen the noise pollution from the new road. New replacement trees that would otherwise have to be planted would take years to grow.
- Although the land has been designated as a transport route for a number of years the proposals do not give due consideration to the properties adjacent to the proposed works. The acoustic, privacy and pollution issues would benefit from the road levels being reduced generally, and hidden within an embankment or retaining wall structure and by situating the road closer to the railway line.
- Increase in noise levels would be significant from the new road and noise levels from the railway would increase with the removal of existing trees, which are acting as an acoustic barrier.

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- Concerned at misuse of the road by general traffic (or as a race track late at night) and that the Traffic Regulation Order controlling use would not be enforced. Suggests that CCTV or some other form of camera monitoring should be used to enable penalties to be imposed and to provide additional security to pedestrians subject to sensitive siting to ensure no infringement of residential privacy.
- Should permission be granted would like to see conditions imposed to prevent weekend working disrupting quality of life and to protect privacy, as during construction would be severely compromised.
- Comments that when Phase 1 was proposed the residents were assured that there would be thorough landscaping of the finished site and suggests that was not achieved. In this respect, states that there was a stockpile of chalk left in place for at least a year and was only removed after numerous phone calls. Once this was removed it revealed a view of the Station platform when before there was an array of trees and plants. If this is an example of landscaping then they despair.
- Have deep concerns over the visual impact of the high level carriageway, (the effects are difficult to imagine without 3D images), and its 8 metre high lamp standards and light spill from these.
- Comments that there is light spill from the lights at the Station where the trees were removed from the previous phase and questions why the carriageway has to be lit when buses have lights.
- Concerned about increased pollution, dust, noise and traffic.
- Asks whether there will be any vibration caused during construction of the underpass or by buses along the route.
- Asks that traffic lights be installed before construction begins on the roundabout with Crossway Boulevard, as with no access via The Avenue during construction it will make it very difficult for the public living in the area to exit at peak Bluewater times via the roundabout and worse than it is now at weekends.
- Questions whether people from Ingress Park would use the link as at present buses between Ingress park and the Station are empty, with most commuters using Eagles Road as a car park, creating a one lane road with passing places.
- Concerned about the effect on the wildlife that already exists at the site.
- Hope that landscaping proposals would include a mix of mature, semi-mature and smaller trees to aid in minimising the visual impact of the embankment. They feel it is unreasonable to have to wait a number of years for the landscaping to mature and recover after the works are completed.
- Concerned about privacy and security of properties.
- Asks how their property would be protected during construction as the impact of vibration is likely to be significant because it is very close to the site.
- Concerned about the frequency of buses and the times the buses will start and finish each day.
- Would like some reassurance that pedestrian access would be maintained along The Avenue during construction of the 'cut and cover' element. This route is used by residents taking children to school as well as by others. Any alternative route would be considerably longer and add to the congestion because more parents would have to use their cars.
- The Avenue and Eagles Road are being used as 'rat runs' at the moment due to works on the A2. Therefore signing would be essential to prevent drivers attempting to do this when The Avenue is closed and it would be preferable to wait for the A2 works to be completed. It would also help if there were non-resident parking restrictions in Eagles Road for the duration of the works to The Avenue.



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**Discussion****Introduction**

34. This proposal is the second phase of Everards Link. Together with the first phase of Everards Link already implemented it would be part of the wider *Fastrack* network and part of a key riverside route. The first section of the core public transport route between Dartford and Gravesend town centres opened in March 2006. This runs between Dartford Railway Station and the bus interchange at Gravesend Railway Station, via Home Gardens, Darenth Road, Princes Road, Darenth Valley Hospital, Bluewater and the bus interchange at Greenhithe Railway Station (i.e. the first phase of Everards Link), and is known as *Fastrack* Route B. The proposal would also provide direct access for public transport between the Crossways Business Park and the Ingress Park residential development. The current proposal accords with and would (as indeed do the parts of *Fastrack* already implemented) advance the aims relating to transport set out in the Regional Planning Guidance and Planning Policy Guidance referred to in paragraph (27) above.
35. *Fastrack* has developed as a result of a study carried out during the period of 1996-98 on public transport in the Kent Thames-side area. This work confirmed that the key to a successful public transport system for Kent Thameside was segregation from general traffic to provide fast and reliable public transport journeys. The need for *Fastrack* to serve both new developments and existing communities was agreed and the principle of the scheme has been established and reinforced by the safeguarding of the route within the Local Plan Review under Policy T1. Further specific policy support is given in the adopted Kent & Medway Structure Plan, i.e., Policy DG1, includes provision for a bus-based public transport network (*Fastrack*) linking Dartford and Gravesend town centres, Bluewater and the main Strategic Developments identified by the plan. Additionally Policy TP4 states that Phase 1 of *Fastrack* will be promoted and land required for construction safeguarded.
36. Policy T3 of the Dartford Local Plan Review also safeguards land to the north of the railway line between Station Road and The Avenue, which includes the application site, for the construction of "Everards Link" transport scheme. This scheme included a single carriageway road for the general traffic and a separate road for *Fastrack*. Following a review of this scheme the general traffic element of the adopted Everards Link scheme was abandoned and an alternative scheme approved for grade separation at the St Clements Way/London Road roundabout, but this did not alter the safeguarding. The *Fastrack* element of the Everards Link scheme remains.
37. It will be noted that in the adopted Local Plan, the land is safeguarded for part of Stage Two of the later stages of the South Thameside Development Route (STDR) - a two-lane dual carriageway road. The original concept behind STDR was to provide a high quality route between Thamesmead and Gravesend and goes back many years, at least to the 1950s. STDR Stages 2 and 3 were abandoned because the alignment of the Channel Tunnel Rail Link effectively ruled out the future construction of Stage 3. The County Council adopted the Everards Link Scheme in 1998 partly to replace STDR2. Notwithstanding the policies in the emerging Local Plan referred to above, in view that the land is safeguarded for STDR in the adopted Local Plan, the application must be considered as a departure application. Therefore should Members be minded to grant permission, it would be necessary for the application to be referred to the Secretary of State for Communities and Local Government for consideration.

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38. Although the route is safeguarded in the Local Plan Review, and the proposal accords with current Transport Policy, the proposal must also be considered against the other Development Plan policies, outlined in paragraph (28) above and other material planning considerations arising from publicity and consultation. The main issues arising are considered below and include the, visual impact, impact on residential amenity, including from lighting and noise, and the potential for ecological impacts.

**Visual impact**

39. Development plan policies in general terms require development to respect its setting and seek the protection, conservation and enhancement of the landscape and maintenance and enhancement of trees and hedgerows. The main visual impacts of the proposal would be from the loss of existing trees and scrub on the site and the view of the embankment from the adjoining housing area. Views of the site currently screened by hedgerow and trees would also be opened up from The Avenue as a result of the works associated with the cut and cover underpass. Mature trees and vegetation along the railway largely screen views from the south. Views from the east would be from the link and bus interchange of the Phase 1 development.
40. The removal of trees and scrub would largely be needed because of the proposed earthworks but the invasion of Japanese Knotweed mentioned above in paragraph (25) is likely to lead to more extensive removal of vegetation than that originally envisaged particularly at the margins of the site. The existing trees and scrub include hawthorn, birch, poplar and sycamore. Although the site is in an un-maintained state and of relatively poor visual quality the trees and scrub collectively do provide a green backdrop to the housing. Therefore the loss of the trees and scrub would initially result in a considerable change to the visual appearance of the area opening up views across the site to the rail line and also from trains across the application site to the housing development. However, the mature trees on the railway land which are outside the boundaries of the application site would not be similarly affected by the proposal.
41. In addition to loss of trees and scrub, the proposed embankment would noticeably alter views of the site. This is mainly because it would be up to about 6.5 metres above existing ground levels (see cross-sections on page D5.5 and also the table in paragraph (14) above) in order to achieve an optimum vertical alignment for road design between the bus interchange and the underpass at The Avenue. Consequently it would be a significant feature across the site and in its immediate vicinity. Furthermore it would have a steep slope with a 2.5 metre high environmental barrier at the top and 8 metre lighting columns. Given its physical nature therefore the proposed development would completely change the character of the area particularly for those properties bordering the site by creating a sense of enclosure and domination. In addition, the lighting would be very noticeable creating a very urban appearance and a potentially uncomfortable juxtaposition with suburban residential housing. However, the applicants are proposing landscaping including new tree and hedge planting to the embankment to mitigate the loss of trees and to address the visual impact of the development.
42. The landscape proposals are to be welcomed but it has to be acknowledged that the benefits in achieving the stated objectives would not be immediate. Nevertheless as it begins to establish it would soften the views of the embankment and environmental barrier. In the long term it could provide an attractive setting and restore the green landscaped backdrop to the views from the housing. Planting of the embankment on the south side is also proposed although in the context of the adjoining railway land the

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impact of the embankment on that side would be less significant overall. Full details of the landscaping of the development to mitigate its visual impact and loss of trees could be reserved by condition. Subject to its implementation and subsequent maintenance, I would not on balance, raise a planning objection on grounds of the loss of trees and scrub or landscape/visual impact. I do, however, have a reservation in that there could be a delay in implementation of the planting because of the ongoing treatment necessary to eradicate the Japanese Knotweed. Any re-growth has to be sprayed and this has to be checked over a number of growing seasons. I understand the chemical used could also kill off other vegetation and therefore lead to the loss of any new planting. I am currently discussing with the applicant how this situation might be overcome to avoid an unreasonable delay in the necessary new planting being implemented, although it has to be recognised that the Japanese Knotweed must be dealt with properly to avoid longer term problems with it re-establishing and spreading.

**Impact on residential amenity**

43. Given the proximity of the proposed development to the residential areas to the north of the site there are concerns about its impact on local residents. As already indicated the bus route would be on an embankment up to about 6.5 m higher than existing levels along the centre line of the route. The typical cross-sections provided show that the carriageway height would be at least as high as the eaves level of adjoining properties and higher where existing levels rise to the east. The table in paragraph (14) above indicates that it would be between about 4.95 and 9.4 metres above adjoining garden levels. At its closest, the toe of the embankment would be only 2 metres away and the top of the embankment 9m from the garden boundary of the adjoining residential properties. The façade of approximately one third of properties would be about 17 - 20 metres away from the top of embankment, most about 21 to 23 metres away and several about 30 or more metres away.
44. I have discussed with the applicant the possibility of reducing the height of the embankment to reduce its impact on local residents. It will be noted that there are two fixed points at either end of the route, the level of the existing bus interchange at the western end and the level at which the route would have to pass under The Avenue at the eastern end. Clearly it is not possible to lower the embankment at the western end and to lower it at the eastern end is not possible due to constraints on the other side of The Avenue into Ingress Park. It would be difficult to reduce the height of the embankment between the two fixed points further as I understand that it would affect the required levels for the gravity surface water drainage system to work. There is already a dip in the carriageway rather than it being a straight line and the levels are already rising eastwards – see the long section on page D5.4. Any further increase in the gradient would not accord with the design parameters for new roads.
45. In the light of the above, I do not consider that the reduction in the height of the embankment is something that could be satisfactorily achieved if the scheme is to remain viable. The horizontal alignment is also constrained due to the narrow width of the site between the housing to the north and the railway embankment/land to the south. As discussed above, the planting of the embankment would therefore be critical in softening its visual impact and perception by local residents of its dominance. This should be reduced in the long term as the vegetation matures and covers the bank providing a good amenity for residents in terms of creating a landscaped area adjacent to their houses. The proposal would otherwise be unacceptable and contrary to the Development Plan policies that seek to protect local amenity.

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46. Some concern has been expressed about loss of privacy, particularly of back gardens which could be overlooked by bus passengers, walkers and cyclists. However, the proposed environmental barrier of 2.5 metres in height would screen views of, as well as from, the properties and gardens. Furthermore the proposed planting would provide additional screening above the height of the fence in the longer term.

**Construction**

47. Construction of the proposed development is also likely to have an impact on residential/local amenity. In order to minimise the impact of construction activities appropriate conditions should be imposed on any planning permission. These should include those restricting hours of working, requiring measures to be implemented to control dust and to prevent mud and debris being taken onto the public highway, details of any site compound and temporary accommodation for contractors, and provision being made for the parking of contractor's vehicles. Given the proximity of adjoining properties, I would advise that the hours of operation during construction should be restricted to between the hours of 0800 and 1800 Monday to Friday and between the hours of 0800 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays.

**Lighting**

48. Concern has been expressed about the impact of the lighting columns and the light spillage. These are proposed to be the same as those on Phase 1 and are of a specification designed to direct the light to where it is required and to prevent any unnecessary light spill. There would be 10 columns, 8 metres in height, along the length of the route, which are principally provided for the safety and security of the users of cycleway/footway. To introduce lower columns would result in the need for additional columns and therefore I do not consider that this would reduce the overall impact of them. It has to be acknowledged that the lighting would have an impact above the environmental barrier but in the longer term this would be mitigated to a limited extent by the proposed planting as it becomes established and matures.

**Noise**

49. As the new road would result in a new source of road traffic noise being introduced to the rear of a number of residential properties the applicants have carried out a noise survey and prepared a report into potential impacts and suggested mitigation. The 2.5 metre environmental barrier is proposed to mitigate the increase in noise levels as well as providing a visual barrier. The report concludes that properties in the vicinity of the proposed road would experience slight adverse noise impacts, where there are currently low levels of ambient noise. It further states however, the noise level changes in all cases are of negligible to slight significance and noise levels would remain significantly below the qualifying level defined in the Noise Insulation Regulations 1975. The report also states that there are no properties that are predicted to experience an increase in vibration nuisance. Our Environmental Consultant of the opinion that that as long as the proposed noise fence is installed, the residents of the closest properties will not experience a significant noise increase. On this basis I would not raise a planning objection on grounds of noise nuisance being detrimental to residential amenity.

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**Air quality**

50. An Air Quality Assessment has been undertaken and a report submitted with the application. A minor deterioration in the local air quality is indicated due to the introduction of the new traffic source to the area; however it is stated that the change in concentrations would not be readily detectable using current measurement techniques. It is concluded that the proposed road scheme would result in a mainly negligible impact with regard to local air quality. On the basis of this I do consider that it could be argued that as a result of the proposal air quality would deteriorate to the extent that a planning objection would be warranted.

**Ecological Impacts**

51. The applicants have carried out a scoping survey of the site to identify any ecological and/or protected species that may be found on the site. This was supplemented by more detailed surveys of species that could potentially be present on the site. Bat surveys were carried out, no bat roosts were found on the site but it appears that bats use the site for foraging. Further emergence surveys would be required of the trees to be felled immediately prior to felling. Given the loss of trees on the site the applicants are proposing that appropriate planting and ecological enhancement is carried out on the site in order to mitigate against any loss of foraging habitats. Further detail would need to be submitted and this could be reserved by condition as part of any landscaping scheme.
52. Surveys found that there were no badger setts within the application site and no foraging routes. Site surveys have been carried out to look for reptiles on the site but none were found and it was concluded that reptiles are not considered to be a constraint for the Scheme. Surveys for invertebrates were also undertaken which identified six invertebrate species. Mitigation measures would involve the retention of existing habitat as far as is reasonable possible and the creation of new areas of appropriate habitat. In addition to the above, the site has the potential for nesting birds. Site clearance would take place outside the nesting season but if this was not possible, an adequate examination would be undertaken by an ecologist.
53. Natural England has expressed disappointment that the proposals do not include any commitment in relation to biodiversity enhancements as referred to in Planning Policy Statement 9. It has also commented that monitoring for all the mitigation carried out should take place and a management plan for all of the habitats and species affected by the proposal should be produced and the results of monitoring fed back into the plan. Given the constrained nature of the site I consider that the priority should be given to planting to reduce the impact of the development for the reasons discussed above. I therefore do not consider it appropriate to take up Natural England's full recommendations in this particular case. There may, however, be limited opportunity for some enhancement of appropriate habitat types within the different planting areas. This could be covered by the landscaping condition.

**Archaeology and Heritage Issues**

54. Given the archaeological potential of the area the County Archaeologist has asked that a condition securing a programme of archaeological work be imposed. In addition he has asked for condition to be imposed securing a programme of building recording relating to the listed wall along The Avenue that is to be dismantled and rebuilt. These

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works although referred to in the application have not been set out in sufficient detail for a full assessment to be made. However as already indicated they are to be subject to a separate but related application for planning permission to the Borough Council together with an application for Listed Building Consent. I would therefore agree with the inclusion of the Borough Council's suggested informative, on any planning permission, set out in paragraph (29) above. Given that this would be dealt with separately it would not be necessary to impose the County Archaeologist's second condition.

**Conclusion**

55. The proposal is a small but significant extension to the *Fastrack* dedicated bus route and would also provide improved access to Greenhithe Station, both of which are essential to encourage public transport use within the Kent Thameside area. It will also be noted that the land has been safeguarded as a transport route for many years. The proposal has however given rise to a number of concerns (as discussed above), particularly those relating to the visual impact and impact on residential/local amenity. Although there would inevitably be a significant impact from the earthworks, in terms of construction activity and noise, loss of vegetation and creation of the embankment, overall I consider that in the long term the proposals would provide an acceptable environment for existing residents. As the proposed planting on the embankment establishes and matures it would soften and screen views creating an attractive appearance for residents and providing a buffer to residential gardens. On balance therefore, and subject to any further views received by the date of the Committee meeting, I would not raise a planning objection the proposal.
56. However, as already referred to in paragraph (37) above, the proposal would be a departure from the adopted Local Plan on the basis that it safeguards the site for part of the now abandoned later stages of the South Thames-side Development Route. It would, in my view, otherwise be in accordance with the general thrust of the relevant Development Plan policies and with policies in the emerging Local Plan, including those that relate to the provision and safeguarding of a route for *Fastrack*. Therefore subject to any further views received by the date of the Committee meeting, I recommend that, subject to the Secretary of State's consideration of the proposal, planning permission should be granted subject to conditions.

**Recommendation**

57. SUBJECT TO any further views received by the date of the Committee meeting, I RECOMMEND that the application BE REFERRED to the Secretary of State for Communities and Local Government as a departure from the Development Plan, and that subject to her decision, PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:
- the standard time limit,
  - the development to be carried out in accordance with the permitted details,
  - details of finished surfaces, structures, signing, walls, railings, fences and street furniture,
  - details of lighting,
  - details of drainage,
  - investigation and method of dealing with ground contamination from previous uses,

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- hours of working to be restricted to between the hours of 0800 and 1800 Monday to Friday and between the hours of 0800 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays,
- environmental safeguards during construction (e.g. prevention of mud and debris being taken onto the existing public highway and dust control),
- location of and construction of any contractors' site compound or temporary accommodation,
- details of parking for contractors' vehicles,
- full details of landscaping including details relating to habitat mitigation and enhancement, planting and its maintenance, and details of the environmental barrier;
- implementation of bat mitigation proposals prior to commencement of the development, and
- archaeological investigation provisions.

58. I FURTHER RECOMMEND THAT the applicant BE ADVISED of the following informatives:

- For the avoidance of doubt, this permission does not grant planning permission or Listed Building Consent for the demolition and alterations to the Listed wall and railings at Ingress Park. No work should begin in this area until planning permission and Listed Building Consent have been granted. Further details will be required to grant any such permission.
- Account should be taken of the comments made by the Environment Agency.
- A full method statement of the works in close proximity to the operational railway must be supplied and agreed with Network Rail's Outside Party Engineer.

Case officer - Paul Hopkins	01622 221051
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Background documents - See section heading
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