

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 proposal dossier for each case and also as might be additionally indicated.

**Item D1**

**Amended alignment of the Sittingbourne Northern Relief Road, Milton Creek Crossing (Ridham Avenue/Castle Road) – SW/04/1453.**

A report by Head of Planning Applications Unit to Planning Applications Committee on 18 July 2006

SW/04/1453 - Application by KCC Highways Advisory Board for construction of a single carriageway road including bridges over Milton Creek and the Sittingbourne and Kemsley Light Railway, culvert to carry Kemsley Drain, retaining walls, surface water drainage system, environmental mitigation measures, capping and protection works to closed landfill site, highway lighting, footways and combined cycleway together with any necessary diversion of statutory undertakers apparatus – Land between Ridham Avenue, Kemsley and Castle Road, Sittingbourne.

Recommendation: Permission be granted subject to conditions.

Local Members: B. J. Simpson & R. Truelove

Classification: Unrestricted

**Site**

1. Sittingbourne is at the eastern end of the Kent element of the Thames Gateway growth initiative. The proposed Sittingbourne Northern Relief Road (SNRR) would run from the Ridham Avenue Roundabout in Kemsley to the Castle Road roundabout on the Eurolink Industrial Estate in Sittingbourne (see attached plans). The road would form a link between developer funded sections, which ultimately could result in a road that stretches from the A249 trunk road around the eastern outskirts of the town to the A2 near Bapchild (see attached plans). Members should note that the section from Ridham Avenue to Castle Road is the only phase of the wider project that is being considered at this stage.
2. The road would pass through the Milton Creek Site of Nature Conservation Interest and the 'Church Milton Urban Fringes' and 'Milton Creek mudflats and marshes' Local Landscape Areas, and North Kent Marshes Special Landscape Area. It would be in close proximity to the Swale Special Protection Area, Swale Site of Special Scientific Interest and Swale Ramsar site. A scheduled Ancient Monument is located near to the route of the road (approximate distance 250 metres) along with a number of sites on the Sites and Monument Record. Public Right of Way ZU1 runs alongside Milton Creek and therefore is crossed by the proposed road.
3. The road would also run adjacent to the Church Marshes Country Park, which is currently under construction. It would also cross Milton Creek, Sittingbourne and Kemsley Light Railway, Kemsley Drain and the Church Marshes closed landfill site. From the start of the road at Ridham Avenue Roundabout to the where it crosses the Sittingbourne and Kemsley Light Railway, the road would be in close proximity to residential properties and businesses (see attached plans).

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### **Background**

4. The history of the SNRR can be considered as 2 elements: (1) The Milton and Kemsley Distributor Road (MKDR) which runs from the A249 to Ridham Avenue and on to Mill Way and (2) a connection which goes across Milton Creek and beyond to serve East Sittingbourne. Proposals for the MKDR were first approved by Kent County Council in 1975 and revised proposals were approved in 1995 (this proposal ran from the A249 to Mill Way with the Creek crossing remaining in concept form).
5. The full route, from the A249 eastwards across Milton Creek, is now referred to as the Sittingbourne Northern Relief Road (see attached plan).
6. The section of Sittingbourne Northern Relief Road from 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. This latest section, although completed, will open to traffic some time later in 2006. The remaining middle section from Ridham Avenue across Milton Creek to Castle Road is being promoted by Kent County Council, through the current planning application.
7. The application, as originally submitted, was the subject of a Member site meeting on 27 January 2005. A copy of the notes from the meeting are appended at appendix 1.

### **Amendments**

8. The application has been amended since its submission following expressions of concern, particularly from residents closest to the route alignment. Kent County Council (as applicant) requested that consideration of the application be deferred pending further consideration of alternative routes.
9. In particular, residents of Church Milton estate and more recent housing at Kemsley expressed concern about the route of the Relief Road that was the subject of the original planning application. Despite the historic status of the route that preceded the housing development, KCC, as applicant, asked for consideration of the application to be deferred to allow time for the residents concerns to be more fully considered. The residents were generally supportive of the concept of the scheme but wanted the route further away from their houses.
10. Further surveys and outline design work were carried out and two alternatives, known as Route A and Route B were identified. Route A shifted the route to the boundary of Church Marshes Country Park and Route B was similar but also relocated the roundabout on Ridham Avenue to give benefits to the residents of Recreation Way in addition to those on Church Milton Estate.
11. As part of the assessment, the local and statutory environmental organisations were re-consulted and were generally neutral, subject to appropriate mitigation measures, on either of the two alternative routes. A public exhibition was also held on both the original route and the two alternative routes. The public response was in favour of Route B that was furthest away and the private sector land interests were in favour of Route A.
12. On consideration of all factors, the County Council's Highways Advisory Board approved alternative Route B at its meeting in November 2005.



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### **Route B Proposal**

13. The proposal involves the construction of a new 1.5 km single carriageway road from Ridham Avenue roundabout in Kemsley to the Castle Way roundabout on the Eurolink Industrial estate in Sittingbourne (see attached plans).
14. The proposed scheme is for a single carriageway road, which would be 7.3m wide with 1.0m wide margin strips. It would commence on Kemsley Down, from a new roundabout on Ridham Avenue adjacent to the paper mill, and extend to the existing roundabout on Castle Road in the Eurolink Industrial Estate. 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.
15. Surface water from the road would be collected in gullies or by combined kerb drain units and taken, via pipes, to pollution separators before being discharged into Kemsley Drain, via a new holding lagoon, or into Milton Creek.
16. The road would have a 40 mile per hour speed limit, bituminous lower noise surfacing, street lighting, incorporating flat glass lanterns which reduce light spillage. Whilst there are no immediate junctions on the road, the scheme has been designed in a way that would not prejudice a future connecting link to Mill Way at Milton.
17. Kemsley Drain would be realigned to flow adjacent to the road and a new ditch and culvert would be constructed to maintain flows from either side of the scheme. A new culvert, on an altered alignment, would be provided to carry Kemsley Drain under Sittingbourne and Kemsley Light Railway. The existing culvert would be abandoned. The culverts would be sized to maintain the drainage route and flood capacity.
18. A 40m single span bridge would take the road across the Sittingbourne & Kemsley Light Railway with a clearance of 4.0m above the sleepers. A three span curved bridge 101m long would cross Milton Creek. It would provide a clearance of 4.2m above Mean High Water Spring tides to maintain occasional navigation use for powered recreational craft. The span would also be long enough to cross, and intended to maintain continuity of the Saxon Shore Way along the banks of the Creek.
19. An existing business (Austin Contract Services Ltd) adjacent to Ridham Avenue would be required to relocate to new premises. The existing landfill site at Church Marshes would remain intact and the road embankment would pass over it.
20. Mounding, a physical noise barrier and planting would be used to mitigate the traffic noise and visual impact on properties closest to the road.

### **Environmental Impact Assessment**

21. The development is subject to Environmental Impact Assessment and therefore an Environmental Statement accompanies the planning application. This includes detailed assessments of amongst other things; traffic, noise and vibration, air quality, cultural heritage, landscape, townscape and visual impact, effect on birds, geology and contamination. The Environmental Statement also consists of a supplementary report on Water Velocity Modelling at Milton Creek Bridge. Accordingly, the Planning Authority will need to be satisfied that the environmental implications of the proposal have been adequately assessed and can be satisfactorily mitigated before considering the wider planning impacts.

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22. The applicant has stated that the Scheme contributes to Regional, County and Local Planning objectives and claims that the Scheme avoids international and nationally designated sites of nature conservation importance and runs over previously used 'brownfield' land for a substantial part of its length. Biodiversity aspects have been considered in detail and mitigation measures would be implemented to offset adverse impacts. Navigation of Milton Creek and use of Sittingbourne & Kemsley Light Railway would be maintained, though navigation for masted and taller craft would be curtailed at the new bridge crossing the creek.

### **Need**

23. The applicant has stated that transport improvements are urgently required to sustain commercial and housing growth and essential town centre regeneration and would provide:

- Access to current and new housing sites in Sittingbourne as part of the Thames Gateway
- Access to employment on new sites in north Sittingbourne
- Access to new environmental and leisure facilities in the planned Country Park at Church Marshes
- Improved accessibility to sustain existing employment sites on Eurolink to facilitate growth and employment retention
- Improved accessibility to existing sports and leisure facility at Central Park Stadium to promote growth and opportunity

Additionally, the Relief Road would remove through traffic and commercial vehicles from residential parts of Church Milton, Kemsley and North Sittingbourne.

24. It is predicted that the scheme would reduce traffic flows in central Sittingbourne by 15% (and by about 30% with the SNRR connected through to the A2) thus enabling town centre improvements to occur and it would reduce heavy lorry traffic in large residential tracts of Sittingbourne.

### **Development Plan Policies**

25. Of particular relevance to this application are the national and regional policies detailed in PPG13, RPG9a RPG9 (including Chapter 9 - Regional Transport Strategy), A new Deal for Transport and Transport 2000. At the local level, consideration needs to be given to the Local Transport Plan for Kent (2000) and the Development Plan, which in this case is the Adopted Kent Structure Plan, the deposit Kent and Medway Structure Plan and the adopted and Deposit Swale Borough Local Plans. Note that the Kent & Medway Structure Plan is to be adopted on 6 July 2006.

26. The Development Plan Policies relevant to the consideration of this application are summarised as follows:

#### Adopted Kent Structure Plan (1996)

Policy S1      Seeks to promote sustainable forms of development.

Policy S2      Seeks to conserve and enhance the quality of Kent's environment.

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- Policy S3 It is strategic policy to stimulate economic activity and employment in Kent by the growth of existing industry and commerce and the attraction of new firms, capitalising on the County's particular relationship with mainland Europe
- Policy S4 The strategic policy for East Kent is to stimulate economic activity and create new employment opportunities, whilst recognising the environmental constraints which apply.
- Policy S5 The strategic policy in the Thames Gateway in Kent is to upgrade the quality of the environment and to enhance the economic base of the area by the promotion of major new commercial development of high environmental quality, by the improvement of transport and other infrastructure and by increasing the supply and range of housing, leisure and community facilities. Outlines in what manner this should be done and what should be taken into account when decisions would affect the environmental quality of the area. Seeks to provide long term protection to areas and sites of international, national or other strategic importance for nature conservation, landscape, agriculture or heritage.
- Policy S7 (a) New transport facilities will be created and existing transport facilities improved where this will contribute to a better balance between transport and existing land uses and the development strategy
- Policy S9 Has regard for the need for community facilities and services, including transport infrastructure
- Policy NK3 Identifies amongst other things major new development sites to the north east of Sittingbourne associated with a northern relief road to the town linking A249 with A2 to the east, and at Iwade. Additionally seeks to provide long term protection, as far as possible to the best and most versatile agricultural land; and to areas of national, international or other strategic importance for nature conservation.
- Policy ENV1 Seeks to protect the countryside for its own sake.
- Policy ENV2 Kent's landscape and wildlife (flora and fauna) habitats will be conserved and enhanced.
- Policy ENV4 Priority is given to the long-term protection of Special Landscape Areas
- Policy ENV5 Development which would materially harm the scientific or wildlife interests of Ramsar Sites, designated or potential Special Protection Areas and Special Areas of Conservation, National Nature Reserves, and Site of Special Scientific Interest, will normally be refused.
- Policy ENV6 Development which would materially harm the scientific or wildlife interests of Local Nature Reserves, or Sites of Nature Conservation Interest will not be permitted unless there is a need which outweighs the local wildlife or habitat interest.
- Policy ENV18 Important archaeological sites should be protected and where possible enhanced. Where development would affect an archaeological site preservation in situ or investigation and recording will normally be sought.

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Policy ENV20 Requires development to be planned and designed so as to avoid or minimise pollution impacts.

Policy NR3/4 Seeks the protection of the quality and potential yield of ground water resources.

Policy NR5 Where development is proposed on land with particular drainage problems or is at risk from river or tidal flooding, or would be likely to increase the risk of flooding elsewhere, the Local Planning Authority will consult, and take into account the advice of the Environment Agency

Policy ED6 Long term productive potential of agricultural land will normally be protected.

Policy T1 The provision of facilities which will assist pedestrians, cyclists and the use of buses and trains will be promoted where appropriate to secure reasonable personal mobility for all.

Policy T2 The scale of, and priority for, provision of new transport facilities and improvement of existing transport facilities, both road and rail will be judged in accordance with the overall strategy of this plan, namely Policies S1 – S7. Identifies the Sittingbourne Northern Relief Road as a scheme which will be drawn to replace completed schemes in the medium term programme and preparation pool.

Policy T3 In improving the transport network, the best attainable alignment, design and landscaping will be used to avoid or reduce the impact of transport infrastructure on the local environment, and to enhance and sustain the environmental quality of transport routes.

Policy T11 Full account will be taken of the needs of cyclists and pedestrians in the formulation of transport strategy.

Policy SR3 Provides protection and enhancement of the Public Rights of Way network.

### Deposit Kent & Medway Structure Plan (2003) (to be adopted in July 2006)

Policy SP1 Seeks to protect and enhance the environment and achieve a sustainable pattern and form of development.

Policy NK3 Seeks to pursue measures to support economic regeneration and diversification at Sittingbourne and Sheerness/Queenborough. Provision of the Sittingbourne Northern Relief Road (linking the A249 with the A2 to the east) are prime requirements for this. Outline other strategic provisions including mixed-use urban expansion at North East Sittingbourne in conjunction with the definition and phased provision of the Sittingbourne Northern Relief Road and its link with the A249. Provision for development should avoid infringement upon areas of wildlife importance and minimise the call upon high quality agricultural land.

Policy E1 Seeks to protect Kent's countryside. Development in the countryside should seek to maintain or enhance it and development which would adversely affect the countryside would not be permitted unless there is an overriding need for it which outweighs the requirement to protect the countryside.

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- Policy E3 Seeks to conserve and enhance Kent's landscape and wildlife habitats
- Policy E5 Seeks the long term protection and enhancement of the quality of the landscape whilst having regard to their economic and social well being.
- Policy E6 Development will not be permitted where it would directly, indirectly or cumulatively, materially harm the scientific or nature conservation interests of a European Site, a proposed European Site, a Ramsar site, a site of Special Scientific Interest or a National Nature Reserve
- Policy E7 Development which would materially harm the scientific or nature conservation interests either directly, indirectly or cumulatively of Local Nature Reserves, County wildlife sites or Regionally Important Geological/Geomorphological sites will not be permitted unless there is a need which outweighs the local nature conservation or geological/geomorphological interest and adverse impacts can be adequately compensated
- Policy E8 Seeks to protect, maintain and enhance important wildlife habitats
- Policy QL1 Development should be well designed and respect its setting.
- Policy QL8 Seeks to protect and enhance important archaeological sites and their settings.
- Policy QL10 Development will not be permitted which would have an adverse impact upon the historic and archaeological importance, landscape character and physical appearance of historic landscapes, parks and gardens. Seek to protect and where possible enhance the settings and views into and out of, historic landscapes, parks and gardens.
- Policy QL18 Seeks amongst other things to protect and improve where possible Public Rights of Way
- Policy FP8 Development of agricultural land will only take place when there is an overriding need identified in the Development Plan that cannot be accommodated within the major/principal urban areas, rural service centres or on other previously development land. Seeks to protect best and most versatile agricultural land for development unless there is no alternative site on land of poorer agricultural quality, or alternative site have greater value for their landscape, biodiversity, amenity, heritage or natural resources or the land proposed for development is more accessible to infrastructure, the workforce or markets than the alternatives.
- Policy TP1 Outlines assessment criteria for transport proposals.
- Policy TP7 Seeks to safeguard land for transport schemes including the Sittingbourne Northern Relief Road, which may be promoted through Local Transport Plan and subject to multi modal scheme appraisal and Policy TP1.
- Policy TP10 Seeks to provide facilities for pedestrians and cyclists and to promote their use.

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- Policy NR4 Requires development to be planned and designed so as to avoid or minimise pollution impacts.
- Policy NR5 Development which would be sensitive to adverse levels of noise, air, light and other pollution will not be supported where such conditions exist, or are in prospect, and where mitigation measures would not afford satisfactory protection.
- Policy NR7 Development will not be permitted where it would give rise to an unacceptable impact on the quality or yield of Kent's watercourses, coastal waters and/or ground water resources.
- Policy NR9 Development will be planned to avoid the risk of flooding and will not be permitted if it would be subject to an unacceptable risk of flooding or where it would increase the risk of flooding elsewhere or require the construction of new defences, where it would prejudice the capacity and integrity of flood plains of planned flood protection or coastal defence measures; where it would hinder the implementation of future flood protection or coastal defence measures, if it would adversely affect the ability of the land to drain. Where development is necessary in areas at risk of flooding it should be designed and controlled to mitigate the impact of flood risk

### Swale Borough Local Plan (2000)

- Policy G1 Outlines general considerations for all development proposals.
- Policy E2 Seeks to minimise the impact of noise between new and existing uses and seeks the imposition of planning conditions to secure noise limitations where appropriate.
- Policy E3 Development will not be permitted where it will have an unacceptable effect on water supply sources, would prevent or reduce replenishment of groundwater aquifers, or would lead to changes in local hydrology, which would adversely affect flora and fauna.
- Policy E4 Development will not be permitted, which would lead to the pollution of surface or ground water.
- Policy E5 Development will not be permitted where emissions from the proposed use would have an unacceptable adverse effect on the air quality of the area.
- Policy E6 Seeks to minimise light pollution from developments and requires external lighting details to be submitted
- Policy E9 Outlines criteria for development proposals, which are located on land outside the defined built-up area boundaries.
- Policy E12 Development involving the best and most versatile agricultural land will only be permitted where there is an identified over-riding need and there are no suitable opportunities for accommodating the development on previously developed sites, on land within the built-up area boundaries on poorer quality farmland
- Policy E14 Seeks long term protection for Special Landscape Areas.

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- 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 of 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 for 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 E42 Seeks to protect archaeological sites and Scheduled Ancient Monuments
- Policy E48 Requires development to be of a high standard, appropriate to its surroundings and to reflect local distinctiveness
- Policy IN22 Requires all new highway and highway drainage schemes to be designed and constructed to adoptable standard
- 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 in open space.
- Policy R8 Subject to the consideration of other policies seeks to grant planning permission for developments that provide for the retention of existing rights of way and the creation of new routes in appropriate locations.
- Policy R9 Subject to the consideration of other policies seeks to grant planning permission for development which make provision for the enhancement of the Saxon Shore Way, including its redirection, where appropriate along the shoreline.
- Policy IN42 Detailed design of the Milton and Kemsley Distributor Road between the A249 Iwade Bypass and Grovehurst Road eastward and southwards connecting to Mill way should have regard to Policy G1 of the Local Plan.
- Policy R25 Seeks to bring into public use land on the west bank of Milton Creek as a recreation area and country park. In achieving this consideration should be given to amongst other things the need for all access to be from the Milton and Kemsley Distributor Road and the need to safeguard reserved land for this and the Northern Distributor Road.
- 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. Outlines what planning permission will be granted for and states that

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proposals which would be detrimental to recreation proposals and the amenity of the nearby residents, the nature conservation and landscape interest of the area will not be permitted.

### Deposit Swale Borough Local Plan (2004)

- Policy TG1 Sets out priorities for the Thames Gateway Planning Area including the provision of new transport infrastructure and in particular by the completion of the Sittingbourne Northern Relief Road.
- Policy E1 As policy G1 above
- Policy E2 Seeks to minimise and mitigate pollution impacts.
- Policy E4 Development in relation to flooding
- Policy E6 See policy E9 above
- Policy E8 See Policy E12 above
- Policy E12 See Policy E23 above
- Policy E15 See Policy E42 above
- Policy E18 See Policy E48 above
- Policy T4 Seeks to only permit development where existing rights of way are retained and support proposals for the creation of new routes in appropriate locations. Seeks to give special attention to the needs and safety of cyclists and pedestrians.
- Policy T10 Safeguards land for the provision of a Northern relief road unless and until the Borough Council approves an alternative alignment. No development whether permanent or temporary will be permitted which would jeopardise the alignment of this route, which is of strategic importance.
- Policy AAP10 Designates an Area Action Plan on land around Milton Creek for mixed use development. Requires development to be of a high design standard and reflect its creekside location and to safeguard important areas of the natural and built environment. Requires development to be phased alongside the provision of the Northern Relief road and other infrastructure, community facilities and, new employment opportunities on-site, at the Eurolink Industrial Estate and Ridham/Kemsley.

### Swale Borough Local Plan, First Review, Re-deposit Draft, July 2005.

- Policy I Proposals should accord with principles of sustainable development that increase local self-sufficiency, satisfy human needs, and provide an adaptable and enhanced environment.
- Policy II Development will avoid adverse environmental impact, but where there remains an incompatibility between development and environmental protection, and development needs are judged to be the greater, the Council will, require adverse impacts to be minimised, mitigated, or exceptionally,



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compensated.

- Policy VI To meet the needs of those living, working, or investing in the Borough, planning policies and development proposals will ensure that sufficient infrastructure is available to overcome existing deficiencies and to facilitate development.
- Policy TG1 As TG1 above.
- Policy E1 As E1 above
- Policy E2 As E2 above
- Policy E4 As E4 above
- Policy E6 As E6 above
- Policy E8 As E8 above
- Policy E13 As E12 above
- Policy E16 As E15 above
- Policy E19 As E18 above
- Policy T4 As T4 above
- Policy T8 As T10 above
- Policy AAP8 As AAP10 above.

### **Consultations**

27. The following consultee responses have been received, with regards to the amended proposal, so far. Any further responses will be reported verbally to committee meeting:

**Swale Borough Council** advises that the alternative route was reported to Swale's Planning Committee where Members expressed full support for this important section of the Northern Relief Road. They resolved to raise no objection to the revised route, subject to the draft conditions listed below:

- That all the recommended noise and vibration mitigation measures, including the use of 'quiet' surface materials, bunding and fencing, are the subject of conditions to ensure that they are carried out in full, together with any additional measures recommended by the Head of Environmental Services;
- That all mitigation measures and long term maintenance of wildlife interests are subject to appropriate conditions in consultation with English Nature;
- That a full landscaping scheme be subject to appropriate conditions to secure its implementation and the approved scheme adequately maintained;
- That precise design details of the bridges are discussed with and agreed by the District Planning Authority before work starts, and take into account the views of Sittingbourne & Kemsley Light Railway Ltd and Dolphin Barge Museum;
- That all reinstatement works relating to the access road through the Country Park be adequately secured;

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- That method of working and construction times be the subject of conditions to minimise disruption to local residents and wildlife interests.

Swale Borough Council is very anxious to see an early start to the road and asks Kent County Council to avoid any delay or uncertainty caused by land ownership difficulties and points out the importance of the road to a number of major initiatives in Sittingbourne.

However, Members of the Planning Committee considered it regrettable if the bridge over the Creek restricted longer term aspirations for the recreational use of the area and its use by taller craft. Whilst emphasising that they would not wish to see any delay in taking the scheme forward, Members requested the reconsideration of the height of the bridge, or consider whether some form of lifting bridge may be practical.

Swale Borough Council's Head of Environmental Services considers that an increase in the height of the noise attenuation barrier by 1m in selected places where it lies nearest housing would reduce noise further. That could be achieved by increasing the height of the bund, or adding a 1m fence if it could be screened within landscaping.

**Environment Agency** has no objection to the proposal provided that a number of conditions are imposed on any planning permission granted, including:

- 1) No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved by and implemented to the reasonable satisfaction of the Local Planning Authority.
- 2) Development approved by this planning permission shall not be commenced unless:
  - a) desk top study has been carried out which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information, and using this information a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors has been produced.
  - b) A site investigation has been designed for the site using the information obtained from the desk top study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable:
    - a risk assessment to be undertaken relating to the receptors associated with the proposed new use, those uses that will be retained (if any) and other receptors on and off the site that may be affected, and
    - refinement of the Conceptual Model, and
    - the development of a Method Statement detailing the remediation requirements.
  - c) The site investigation has been undertaken in accordance with details approved by the Planning Authority and a risk assessment undertaken.
  - d) A Method Statement detailing the remediation requirements using the information obtained from the Site Investigation has been submitted to the Planning Authority. This should be approved in writing by the Planning Authority prior to that remediation being carried out on the site.
- 3) The development of the site should be carried out in accordance with the approved Method Statement.
- 4) If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Planning Authority, for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected

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contamination shall be dealt with and from the date of approval the addendum shall form part of the Method Statement.

5) Upon completion of the remediation detailed in the Method Statement, a report shall be submitted to the Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

6) Clean, uncontaminated rock, subsoil, brick rubble, crushed concrete and ceramic or approved treated materials only shall be permitted as infill material.

7) Development approved by this permission shall not be commenced unless the method for piling foundations has been submitted to and approved in writing by the Local Planning Authority. The piling shall thereafter be undertaken only in accordance with the approved details.

**English Nature** states that, following the applicant's confirmation that Kent County Council would provide a sum to cover compensation for loss of inter-tidal habitat associated with the scheme and that a programme of post-construction bird monitoring would inform discussions of any additional indirect compensation that may be required, they are satisfied that this approach addresses their original concerns.

The applicant has also confirmed that habitat manipulation would be used to discourage herpetofauna from crossing the road and the effectiveness of this approach would be monitored, with alternative mitigation as appropriate. As a result, English Nature withdraws their outstanding objections to the planning application but request the following conditions:

(1) Requests a condition be placed on any grant of planning permission requiring construction works of Milton Creek Bridge between 1 November to 31 March to be ceased during periods when the criteria for a severe weather ban of wildfowling are met.

(2) Requests that the proposed bird monitoring strategy be a condition or obligation and that it should include the provision for changes to mitigation measures if the bridge is found to have an adverse impact upon bird populations.

(3) Requests that the installation of effective surface water drainage from the road be conditioned along with conditions to ensure that the potential for pollution of Milton Creek during construction is minimised.

(4) Requests that detailed landscaping plans to be drawn up, with information on how the loss of existing wildlife habitat, including habitat corridors will be compensated for and how habitat fragmentation will be minimised.

(5) Requests that further detail is provided on good practice guidelines in relation to bats for contractors carrying out works to trees, prior to any works taking place

(6) Requests assurances are provided that the great crested newt and reptile receptor area will be afforded protection from future development

(7) Requests that the potential impacts of construction works are assessed and adequate mitigation secured.

**Countryside Agency** - no comments received to date

**Area Transportation Manager** raises no objections to the original alignment and the amended alignment.

**County Archaeologist** states that the present scheme has involved some slight additional impact on the historic drainage patteru on the Kemsley Marshes and additional new land taken close to Ridham Avenue, but concludes that the proposals

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would involve a number of slight or moderate impacts on a number of cultural heritage features including direct impacts on buried archaeological and palaeo-environmental remains and slight visual/noise impacts on a Scheduled Ancient Monument and the historic Milton Creek. On a wider scale the scheme should help to reduce predicted traffic levels in the town centres at Sittingbourne and Milton Regis, which would provide a slight benefit to the amenity of a significant number of Listed Buildings and the respective Conservation Areas.

Is satisfied that the scope of the mitigation set out in the Environmental Statement would provide an appropriate level of mitigation and recommends that a condition is attached to any grant of planning permission requiring the implementation of a programme of archaeological work in accordance with a written specification and timetable.

**Environmental Consultants** comment as follows:

### Noise

The supplementary report compares the route alternatives A & B; with Alternative B moving the road some 60 to 100 metres further away from residential housing. The report concludes that a reduction in noise of 3dB(A) with adoption of Alternative B over Alternative A would be perceptible but not significant. The change in noise level is indeed significant.

“It is generally accepted that, as a 3dB change in noise level is just perceptible, in environmental assessment terms this can be assumed as the threshold at which a noise impact becomes significant for assessment purposes”.

Whilst the predicted noise levels would be below the threshold at which noise insulation would be offered, the residents of Recreation Way would be able to discern the difference in terms of noise between alternatives A & B.

### Air Quality

Air Quality is not predicted to increase significantly due to this scheme at any sensitive receiver.

### Landscaping

The road has to balance the potential visual impact of the road on the neighbouring properties and wider North Kent Marshes SLA with requirements to provide noise mitigation and an acceptable crossing point. In landscape terms it would be undesirable to raise the bridge height further or to introduce more built elements such as noise barriers and therefore would support the applicant's proposals in this regard. The Kemsley Drain Revised Realigned Compensatory Drain proposal (4568/SK/136) appears somewhat artificial having neither the character of the straight engineered ditches that form the traditional field boundaries on the marshes, nor a natural meandering creek. Although the latter is not present in the immediate area of the Scheme, would recommend that it took this as an example for the realigned watercourse. The meanders should be more rounded and the width of the channel should vary along its length. Similarly the gradients of the cut slopes should vary and include beams. This would improve the character of the channel and should increase the biodiversity potential.

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### Street Lighting

No comments to be made on the application as they are directly involved with the lighting design.

**Public Right of Way Unit** advises that Public Footpath ZU1 (Saxon Shore Way) is to be diverted to accommodate the new road and bridge. The realignment of the path needs to be legally formalised either through a Side Roads Order or the Town & Country Planning Act.

A Traffic Regulation Order would also be required to temporarily close the footpath to public access during the construction of the road and bridge as the plans show the contractors' compound across a realigned public footpath ZU1 (Saxon Shore Way) on the western side of the Creek.

**The Ramblers:** have no objection to the amended alignment of the road nor the reduced height of the bridge. However, the height of the passageway beneath the bridge is at the minimum for comfortable walking along the Saxon Shore Way and the Ramblers would not wish this to be lowered any more if there is a subsequent alteration to the bridge plans.

**British Horse Society** - no comments received to date

**SUSTRANS** - no comments received to date

**Kent Wildlife Trust.** Following discussion with the applicants on the issues raised within their original objection (it was considered by Kent Wildlife Trust that the application failed to adequately address the potential impacts of the development and does not accord with policy set out in governmental and regional planning documents) Kent Wildlife Trust consider that the applicant has gone as far as is practically possible to mitigate and compensate for the ecological impacts of the proposed development.

Kent Wildlife Trust therefore withdraw their objection to the application, providing the solutions proposed by the applicant can be secured through the planning process. The issues KWT would like to see addressed are:

- Indirect compensation for the loss of mudflat;
- Long term monitoring to review impact on birds;
- Compensation for loss of SNCI habitat;
- Mitigation of impact on Herpetofauna;
- Loss of water course to be replaced by compensatory drain of increased length;
- Mitigation for invertebrates.
- Restrictions to construction work during the winter months.

**The Royal Society for the Protection of Birds** withdrew their earlier objection to the scheme as information had been supplied to show that the scheme would not have a significant impact on sedimentation patterns in the Creek. As the new route for the bridge only changes the position of the bridge very slightly, the RSPB agree with the conclusion in the amended Environmental Statement (ES) that the sedimentation study is still valid. However, as noted in their previous correspondence, it is suggested that erosion and accretion during and post-construction is monitored. If sedimentation patterns are shown to be significantly different to that predicted by the modelling and an adverse impact on bird feeding habitat is shown, this should be fed into the discussion over indirect compensation and provision should be made for inter-tidal habitat creation elsewhere.

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The RSPB expects that conditions are placed on any planning consents issued to minimise the potential impacts on birds, particularly those for which the Swale Site of Special Scientific Interest (SSSI)/Special Protection Area (SPA)/Ramsar wetland are designated. Conditions should include:

- Restriction of construction activities between 1 November and 31 March when the criteria for a severe weather ban on wildfowling are met. The RSPB welcomes the commitment (in paragraph 4.9.3.43 of the ES) that the most noisiest and disruptive activities would be undertaken outside the wintering period.
- Screening of the site compound planned to be situated next to the Creek (paragraph 4.9.3.44 of the ES).
- Lighting of the bridge should be design to reduce spillage of light outside the carriageway (paragraph 4.9.3.45 of the ES).
- Monitoring of bird populations should continue during- and post-construction. The RSPB welcomes the commitment to discuss further mitigation if monitoring during construction shows the disturbance impacts on birds are greater than expected (paragraph 4.9.3.52). They accept that scope for further noise barrier provision is limited by the bridge design but feel that other mitigation measures could be employed if a negative impact is shown. For instance, further restrictions on timing of activity could be used to reduce disturbance.

The RSPB is concerned that adequate compensation both for the direct loss of inter-tidal mudflat as a result of the bridge piers, and also the indirect loss of mudflat bird feeding habitat due to the visual intrusion of the bridge, is adequately secured before any consents are issued. The RSPB welcomes the fact that Kent County Council is pursuing indirect compensation with English Nature and Kent Wildlife Trust, but would wish to see that this is finalised before any losses occur.

In summary, the RSPB does not object to the amended alignment of the Sittingbourne Northern Relief Road, provided that adequate conditions are placed on any consent to reduce impacts on birds, as set out above, and that compensatory inter-tidal habitat is secured.

**Biodiversity Officer** observes that a good deal of progress has been made on addressing many of the previous concerns of the ecological consultees and would support the conditions agreed with regard to;

- severe weather work stoppages,
- bird monitoring and a commitment to further mitigation,
- preparation of a construction environmental management plan,
- provision of bat boxes, retention of bat flight lines,
- the production of a detailed landscaping plan that provides enhancement for appropriate biodiversity interests,
- production of a management plan for the mitigation and compensation.

The monitoring of the reptile receptor site for 5 years is welcomed, it is however imperative that a firm commitment is made to further enhancement should problems be discovered through the monitoring. The long-term/permanent mitigation for herpetofauna is still not fully developed, and needs to be formalised, and the ongoing discussions with EN and KWT are noted.

The Biodiversity Officer notes the ongoing discussions and commitment to providing “indirect compensation” for habitat loss and welcomes the commitment to providing for a “worse case scenario”. The Officer does have some sympathy with the view that a level of “up-front” compensation should be provided to mitigate temporary loss of biodiversity value, rather than waiting until impacts can be fully evaluated, and the inherent time delay

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before compensatory areas develop into useable habitat. This should not of course prejudice full worst case scenario compensation of the proposal.

**English Heritage** states that although this proposed route is closer to the scheduled monument of Castle Rough, owing to the topography of the surrounding land it is unlikely to have any greater impact on the setting of the monument than the previously submitted route. In English Heritage's view this could be mitigated through the implementation of a sensitive landscaping scheme. English Heritage therefore does not raise any objections to the granting of planning permission.

**DEFRA Rural Team** has not commented on the amended alignment of the SNRR but noted the information contained in the Environmental and Supporting Statements for the original scheme and does not have any specific comments to make on the planning application.

**Southern Water** has not commented to date on the amended scheme but with regards to the original had commented that the details for the discharge of surface water run-off to the Kemsley Drain via a new highway lagoon will be subject to approval of the Environment Agency and any other relevant bodies, and they should be satisfied that the adjacent watercourses are adequately maintained to accept the proposed flows.

**Lower Medway Internal Drainage Board** has no objection with the alignment of the Sittingbourne Northern Relief Road, but is conscious that several details within the design have not been fulfilled, namely the culvert size. The Board wishes to ensure that the maximum possible size culvert is used between chainage 500 & 600. The applicant also need to ensure that the appropriate Land Drainage Consent agreements are in place prior to starting work on site.

**Mid Kent Water** - no comments received to date

**EDF Energy** requests the applicant to contact their Connections section as equipment is likely to be affected by the new development.

**Fisher German (Former British Pipeline Agency)** no comments – their apparatus are not located in the vicinity of the proposed development.

**Transco** has not commented on the amended proposal but enclosed an extract from their mains records in the location of the area covered by the original proposal and provided a list of precautions for guidance. Advises that there is high pressure apparatus in the vicinity and that no work or crossings of the pipeline should take place until detailed consultation has taken place with the engineer responsible for it. Provides advice on working in proximity to gas mains and provides advice on safe digging practices.

**BT** states that their apparatus will be affected by the proposals. BT apparatus were deemed to be affected at the 'Milton Creek Crossing' and the 'Ridham Avenue Roundabout' as amended.

**National Grid** – has stated that the proposed development would only be in close proximity to the Harker-Strathaven, 400,000volt overhead line and have provided advice on working in proximity to these.

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**Telewest** comments that the proposal would not require apparatus to be diverted but reminds the applicant of their responsibilities to ensure that no damage result to Telewest equipment.

**Grovehurst Energy** - no comments received to date

**Kent County Council Waste Management** - no comments received to date

**Church Milton Community Association** - no comments received to date

### **Local Member(s)**

28. The Local Members, Mrs B. Simpson & Mr. R. Truelove were notified of the amended application on 23 May 2006. No written comments have been received to date.

### **Publicity**

29. The proposal was advertised in the local press as a departure from the Development Plan, and affecting a Public Right of Way and being subject to an Environmental Impact Assessment. Site notices were also posted along the proposed route. A neighbour notification exercise was undertaken notifying 431 individual properties and businesses.

### **Representations**

30. The original proposal attracted 37 individual objection letters and one petition, which had 66 signatures and individual comments on it objecting to the application. 15 letters of support were received. One letter was also received from Sittingbourne and Kemsley Light Railway Ltd and comments were also received from the manager of the Church Marshes Country Park. In addition to the above, 38 letters of representation were received from the Public Consultation that was held prior to the submission of the planning application. The points raised are summarised in Appendix 2.

31. Following the submission of the amended alignment proposal, the application was advertised in the local paper as a departure from the Development Plan, affecting a Public Right of Way and subject to Environmental Impact Assessment, site notices posted along the proposed route and the individual notification of 431 individual properties and businesses carried out.

32. 11 letters of representation have been received, 3 of which were from local residents with individual comments, including a signed petition of 34 signatures in support of the proposal, in particular the moving of the Ridham Avenue roundabout. 8 letters of objection and concern have been received from local businesses, including the Hoo Ness Yacht Club, The Sittingbourne & Kemsley Light Railway, Bayford Meadows Kart Circuit Limited, PFA Consulting on behalf of Fletcher Challenge Forest Industries, TopBond, The Cruising Association, The Sailing Barge Association and M.Real (appendix 3). The main points raised are summarised as follows:

#### Milton Creek Bridge

- Creek is central to Sittingbourne's Heritage.
- A lifting bridge would enable vessels to enter and leave the Creek.
- Presence of boats would form an attractive focus to the area.
- Bridge would create an eyesore.



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- Short sighted to condemn the Creek to future of continued abandonment.
- Many users are unaware of the proposal.
- Many sailing boats could be deprived of a prime destination.
- No objection to proposed Route B with the exception of the detail on the crossing at Milton Creek.
- Proposed bridge fails to provide sufficient air draught over the likely future water levels of the Creek.
- Consultants claim that other crossing options would be too expensive. This assumption is false...the new Sheppy bridge is a good example.
- New Relief Road and crossing would be of great benefit to the businesses of the Eurolink Industrial Estate and Sittingbourne as a whole, however there is concern regarding the lowering of Milton Creek Crossing.
- Proposal ignores the potential for Milton Creek as a future leisure and tourist attraction.
- Town requires an attractive bridge not a motorway flyover.
- Lowering the bridge would not enable sailing craft to enter the Creek.
- Closing the Creek would be irreversible and potential housing developments, leisure and employment opportunities would be lost.
- Plans for a Marina would be affected by being limited to motor boats.
- Was consideration given to providing a tunnel?
- Possible alternatives were presented to the applicant by one resident, with suggestions that better and more flexible options for the bridge would result in increase income for less cost.

### Rail Crossing

- Creation of a combined water and rail crossing is a new proposal and introduces implications for the railway and Southern Water.
- Consider the bridge to require approval from HMRI.

### Effect on Local Businesses

- KCC have chosen to disadvantage those companies who have provided MKDR which SNRR would be connected.
- Some companies/businesses have no objection to the original scheme, but feel they would be detrimentally affected by the imposition of Route B.
- Loss of a considerable amount of land to businesses.
- Access issues and parking issues for businesses affected by the SNRR.
- New route restricts needed expansion of businesses.

### Noise

- Original proposal for MKDR included a B1 development as a buffer to noise between what is now the Abbey Homes development and Kemsley Mill. An application was made in 1996 to delete this buffer. Buildings were not considered necessary to shield housing from road and industrial noise and a stand off distance between the housing and the road was not imposed.
- Construction of Recreation Way houses should not be considered as a material consideration as noise amenity has been considered on various occasions since the Public Inquiry in 1992.
- Additional distance afforded by revised route is unlikely to have material implications in terms of noise, fumes and lighting.

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### Other

- Concern that the proposal constitutes as a Departure to the Development Plan.
- Concern that the original alignment had been scrutinised through two public enquiry processes.
- Moving road away from housing creates an open space of unusable wasteland.
- Concern that the strip of Rexam land would now have development opportunities is questioned.
- Residents should have been made aware of the road proposals before purchasing their homes in Recreation way.
- The existing Ridham Avenue roundabout would need replacing at a substantial cost.
- Possibly referred to Lands Tribunal with its associated additional costs and financial implications.
- Wish Route B to be swapped with alternative Route A, both schemes should be presented to Committee.
- Plans for housing with waterfront access would make them more attractive and marketable.

### Support

- Re-location of roundabout would help improve privacy of resident in Recreation Way, decrease noise and traffic disturbance.

## **Discussion**

33. The County Council, in considering this application will have to examine the proposal in the light of the appropriate Development Plan Policies and guidance that apply to this site and taking account of the need for the proposal. The proposal is subject to Environmental Impact Assessment, which requires that the full range of environmental effects need to be taken into consideration, together with any measures to mitigate any adverse impacts prior to any planning decision being reached. The Secretary of State was notified at the outset that an Environmental Statement accompanied this application. Consideration of whether the road meets road safety requirements, the impact of the road on the existing network, the visual, noise and light impacts on the immediate and surrounding locality and the impacts on nature conservation, landscape, heritage and recreational interests is required in particular. In addition, consideration will be given to any other material considerations that are brought to the County Council's attention as a result of consultation and publicity.

## **Planning Policy**

34. The Development Plan for this area comprises the Adopted and Deposit Kent Structure Plan and the Adopted and Deposit Swale Borough Local Plan. Policies in these Plans seek to, amongst other things, safeguard land for the SNRR, give support to the completion of the road and seek the economic regeneration and development of Sittingbourne and the surrounding areas in connection with the provision of the road. In addition there are many other policies, which presume against development which would harm the interests of a wide range of designated protection areas, and clearly a balancing of potentially conflicting Policy aims will be required. (See paragraph 26 for a list of the key policies relevant to the consideration of this application).

35. An alignment for a road in this area is shown on the Proposals Map in both the Adopted and Deposit Swale Borough Local Plan. The adopted Swale Plan (2000) shows the line

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of the MKDR as a proposed highways improvement. The route of this road follows the same line as the originally proposed SNRR from Ridham Avenue roundabout route, skirting the flood defence bund but then it continues round following the general shape of the housing and connects onto Saffron Way/Mill Way. The Deposit Draft First Review Swale Local Plan (2004) also shows the line of the MKDR. In addition to this, a link off the MKDR is shown, which crosses Milton Creek and connects with the Castle Road roundabout before going onwards and connecting with the A2 at Bapchild. As the route of the amended proposed road deviates from the routes identified in the adopted and deposit Local Plan I consider this proposal to be a Departure from the Development Plan. The proposal has therefore been advertised as such, and if Members are minded to grant planning permission for the development, the application would need to be referred to the Office for Communities and Local Government for her consideration.

36. At regional level, RPG9 sets out Government Policy for the South East up to 2016. It “establishes a framework for the region’s development and furnishes advice on the economy, the environment and land use, housing and transport.” There are 12 key principles set out in this guidance, one of which seeks for transport investment to support the spatial strategy, maintain the existing network, enhance access as part of more concentrated forms of development, overcome traffic bottlenecks and support higher capacity and less polluting modes of transport. Chapter 9 of this guidance is of particular relevance to this development as it sets out the Regional Transport Strategy, which promotes improvements to the transport infrastructure generally in South East England. In addition to this, RPG9a (the Thames Gateway Planning Framework) supplements the guidance set out in RPG9. Amongst other things it identifies that economic regeneration is one of the main planning issues in Swale and recognises that the area’s exceptional natural heritage also needs to be conserved. It also identifies that in the longer term a northern distributor road at Sittingbourne will allow development opportunities in the area to be realised.
37. The proposal should also be considered in the context of Planning Policy Guidance on Transport: PPG13 and the Local Transport Plan for Kent 2000/01 to 2005/06. These state that care must be taken to avoid or minimise the environmental impacts of any new transport infrastructure proposal. This involves the impacts, which may be caused during construction (including the need to transport materials to and from the site and dispose of spoil). They state that wherever possible, appropriate measures should be implemented to mitigate the impacts of transport infrastructure.
38. Overall, I consider that the principle of the proposed development generally accords with the main thrust of the relevant Development Plan Policies, although the environmental effects of the proposal need to be carefully assessed in the context of other relevant policies that afford protection to various environmental interests.

### **Location/Alignment of the Road**

39. One of the key issues raised regarding the original alignment of the road was its proximity to residential properties, despite designations within the Local plan for a required road system (which preceded housing development). It had been acknowledged, however, that other potential routes for the road existed, despite the possibility of potential impacts on the environment. The applicant was encouraged to reconsider the realignment of the proposed Sittingbourne Northern Relief Road.
40. As proposed, Route B is a single carriageway road, 7.3m wide with 1.0m wide margin strips. It would commence on Kemsley Down, from a new roundabout on Ridham Avenue adjacent to the Paper Mill, and extend the existing roundabout on Castle Road

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in the Eurolink Industrial Estate. The Scheme would run over previously used 'brownfield' land for a substantial part of its length, and would divert the route away from residential properties. The amended alignment would, however, move closer to established businesses, and would require one existing business adjacent to Ridham Avenue to relocate to new premises.

41. Whilst Route B benefits the local community to a greater extent than the original route, it does affect the private sector, commercial and land interests in the Kemsley area. I advise that it is necessary to balance the impacts of the location of the road on both residents and on local businesses. No objections have been received from residents regarding the new alignment of the road (although concern has been raised regarding the height of the proposed bridge over Milton Creek). However, a number of concerns have been raised by local businesses, in particular M.Real and Fletcher Challenge Forest Industries (Appendix 3). M.Real and Fletcher Challenge Forest Industries (along with other businesses within the area) are landowners affected by the proposed scheme and believe that this scheme would have a substantial adverse effect on both its land and business interests in the area.
42. I consider that although the realignment does impact more detrimentally upon business interests and has similar potential impacts on environmental issues, it does address the original concerns raised by consultees and residents regarding the original proposal, reducing noise and visual intrusion impacts. Many of the original concerns raised (Appendix 2) centred around whether alternative routes had been considered and whether there was an overall need to locate the road so close to residential properties. Issues relating to pollution, noise nuisance, light pollution, visual impact, traffic and general amenity issues, including the disturbance to lifestyles, loss of quality of life from constant disruption were raised. Following the consideration of the two alternative routes it is accepted that by moving the route further away from these properties, the impact of the above issues will be reduced. Following the notification of residents regarding the amended scheme, many have welcomed the realignment, and offer support the changes proposed, particularly with regard to the repositioning of the Ridham Avenue roundabout.
43. I understand the concerns raised by local businesses, in particular M.Real, and am aware that the road scheme would have some detrimental impact on their operations. On balance I consider the realigned route would be more appropriate, given the level of residential concern, in terms of serving the community as a whole, including local businesses. There has been some concern raised about the weighting given to residential concerns in the considerations on the amendments for the proposed route and questions have been raised regarding whether residents should have been made aware of the planning history of the site from the start. However, the presence of an intended road scheme does not put an obligation on the house purchaser to accept it and they still have the right to make representations at the planning and other statutory approval stages.
44. The applicant considers the proposal would support employment and would not prejudice the existing operation or employment of businesses. The County Council has no desire to prejudice the future of local businesses, and the applicant has stated that the land required for the scheme is relatively minor and partly crossed by overhead power lines that would already have some influence on any development. M.Real's concerns regarding the loss of carriageway storage space for HGVs approaching the weighbridge at their entrance has been taken into consideration by the applicant with the introduction of a bypass storage lane, which has been moved forward to minimise the effect on future land use.

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45. On balance, I consider the amendments to the alignment of the route do address the planning concerns raised on the original proposal. I understand that effects may be experienced by local business, but none that would be seriously detrimental to their business. I consider the location and alignment of the road as now amended as the most appropriate solution to various competing issues.

### **Milton Creek Bridge**

46. In the original planning application scheme, the height clearance of the bridge over Milton Creek was largely predicted on being able to accommodate the sailing barges undergoing restoration or associated with the Dolphin Barge Museum. During the review of the Relief Road route during 2005 it became apparent that the Barge Museum and barges would be relocated away from the Creek. This gave the opportunity for the applicant to review the air clearance and consultation was carried out for a lower clearance from 6.4m to 4.2m above Mean High Water Spring tide levels. The lower clearance has advantages of reducing the visual impact and being more easily accommodated within the land corridor available between Castle Way and the Creek.
47. There has been concern regarding the amended height of this bridge, and the potential inability of fixed mast sailing craft being able to navigate up the Creek. The applicant has confirmed that the navigation of motor boats would be possible and has confirmed that a fixed bridge of well in excess of 6.0m (and probably closer to 10m) would be required to accommodate even relatively small yachts. Such a bridge is impractical in cost, land constraint and visual intrusion terms. An opening bridge is the only realistic alternative but was not considered a viable option particularly bearing in mind the likely usage and higher capital cost, high ongoing annual revenue costs and that it would be the existing and probable future potential use of the Creek. The applicant has also confirmed that the Creek is not being closed to navigation.
48. The suggested use of a tunnel cannot be formally considered. Existing tunnels have high annual operating and maintenance cost. A further liability for another tunnel would be hard to accommodate. Tunnels are far more expensive than fixed bridges. In terms of practical aspects, the applicant has confirmed that a 'cut and cover' tunnel within substantial cofferdams and associated de-watering would be probably the only solution. A narrow corridor between Creek and Castle would however be an issue. Significant construction would also be required in the closed Church Marshes landfill site, which is contrary to current advice and policy to avoid encroachments.
49. The applicant acknowledges that the wider economic, social and transport benefits of the Sittingbourne Northern Relief Road could be seen as detrimental to the potential future exploitation of the Creek. However, the wider benefits of the Relief Road are considered to far outweigh the potential undefined benefits, none of which have been exploited to date. The Local Plan First Review Re-deposit draft (July 2005) refers to the Creek but does not major on its potential for increased boat activity. Concern over the Creek's closure could lead to potential housing developments, leisure and employment activities being lost. The applicant has referred to the Local Plan and states that the employment and housing growth for Sittingbourne is not predicted on full navigation of the Creek being maintained for Yachts.
50. The applicant considers that by lowering the crossing, the bridge becomes less visually intrusive, easier to achieve with the narrow land corridor available between Castle Road and the Creek, and it makes the future access to Church Wharf more achievable. The

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applicant has confirmed that Medway Ports Authority support a lower crossing, along with English Nature and Swale Borough Council.

51. Concern has been raised regarding the overall design of the proposed bridge, and disappointment that a more attractive crossing could not have been chosen. Cost and practicality were the two main reasons why this type of bridge was chosen. The proposed clearances for pedestrians and cyclists under Milton Creek Bridge have been set in accordance with the Highways Agency requirements as laid down in the Design Manual for Roads and Bridges.
52. I consider that restricting navigation for yachts on the upstream path of the Creek is unfortunate but must be seen in the wider context of the Medway and Swale. The restricted length of navigation for yachts in Milton Creek becomes, in my opinion, insignificant when compared to the length of the River Medway, The Swale, Conyer Creek and Faversham Creek that are available. Given that sailing activity is in fact moving away from the area with the closure of the Barge Museum, I can see no overriding objection to this aspect of the proposal.

### **Environmental Issues**

#### Ecological Impacts

53. As outlined above, the application site is located in a sensitive location being located within a Site of Nature Conservation Interest and a Local Landscape Area and Special Landscape Area. It is also adjacent to (approximately 400 metres) a Special Protection Area, a Site of Special Scientific Interest and a Ramsar Site. The attached site location plan shows the location of these designations. It would appear that in its proposed location that the development tries to minimise its impact on these areas being located as far as is practicable (given the start and end points of the road) from the Ramsar Site, SSSI and SPA. The road would run through the Milton Creek SNCI but again it would appear that the applicant has tried to keep the impact of this to a minimum.
54. The application site is also home to a number of European protected species and nationally and internationally important bird populations; the amended application was submitted with an amended Environmental Statement which includes assessments of the potential impact on each of these species as well as consideration of the designated sites.
55. The applicants held a joint meeting with English Nature and Kent Wildlife Trust in May 2006 to discuss the original comments made on the revised planning application. Discussions are still ongoing on several issues but the intention is to work together to reach an agreement on the provision of adequate mitigation and compensation measures. The suggested conditions have been agreed by the applicants.
56. It has been agreed by the applicants, English Nature and Kent Wildlife Trust that any mitigation measures must be practical, taking into account maintenance issues and likely success rates of installing structures, for example, tunnels and permanent fencing. With regards to a monitoring strategy for reptiles, the applicant has confirmed that the receptor site would be subsequently monitored (after the translocation of reptiles) to ascertain if the translocation has been successful. Monitoring would be carried out for 5 years after translocation. The scheme would also leave the current flight lines, identified as being used by bats, intact. The applicant has confirmed that previous surveys did not identify any bat roosts, only bat activity. However, 10 bat boxes would be erected on existing mature trees throughout the site to encourage roosting.

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57. English Nature has identified a number of priority species on site; including Turtle Dove, Reed Bunting, Song Thrush, Shril Carder Bee and the Picture Winged Fly. These species would have mitigation within detailed landscaping plans, taking into account necessary food sources and habitats to maintain populations.
58. I consider the above concerns and any potential harm to the environment and wildlife can be mitigated by the imposition of suggested conditions by English Nature and Kent Wildlife Trust on any planning decision. It should be noted that the relevant environmental agencies are supportive of the outstanding ecological requirements being addressed by way of planning conditions in this particular case.

### Landscape and Visual Impact

59. There is the potential for the development to have both direct and indirect impacts on the landscape and on the landscape character and for the development to have a visual impact.
60. With regard to visual impact, this impact relates to changes in views of a landscape and the effects that these changes have on people. The visual impact needs to be considered both in the locality and in the wider setting. Existing views of the application site are generally from first floor windows and these consist of views across the Country Park and the marshes set against the backdrop of the Eurolink Industrial Estate, electricity pylons and the Kemsley Paper Mill. There are also views of the site from the nearby Public Rights of Way, from the Church Marshes Country Park and from the surrounding marshes. A single house on the creek side at Gas Lane has open views out over the Creek to the housing at Church Milton. Concerns have been raised that these existing views could be lost and that what is proposed would have a detrimental visual impact.
61. A visual impact assessment was undertaken and submitted with the application. The assessment considered both the visual impact of the road in the winter of the opening year and in the summer of the fifteenth year (once planting has had the opportunity to establish). The visual impact assessment determined that overall, the scale and proximity of the road to residential properties create an unavoidable adverse visual impact. However, it was considered that in the longer term, mitigating planting would mature to soften the boundaries and to provide screening particularly at first floor level for residential properties. The assessment considered that there would be moderate to substantial visual impact on the Country Park and Public Rights of Way and that this impact would remain similar in the longer term due to the limitations on mitigation for the bridge and the blocking effect of the embankments on the characteristically open flat landscape. It was also considered that the single property on the creek side would experience a substantial adverse impact and opportunities for mitigation would be limited and would remain substantial in the longer term.
62. With regard to long distance views, the assessment considered that there are potentially views across the open marshland and the Swale to the high ground in central Sheppey. However, it was considered that this would be viewed against the backdrop of the northern edge of Sittingbourne with its industry, housing, pylons and lighting.
63. With regard to the impact on the landscape and landscape character, the road would be sited partly within the urban area and partly within the Milton Creek Mudflats and Marshlands Local Landscape Character Area and partly within the Church Milton Urban Fringes Local Landscape Character Area. The County Council's landscape consultant has advised that the area which it is proposed for the road to run through has been

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altered to such an extent that a more formal, urban edge scheme would be appropriate and that whilst this may be an acceptable solution, they have advised that the ecological interest of the site and the adjacent areas of international wildlife importance should favour a landscape scheme that reflects the area's marshland character rather than extending the urban edge character. It is further stated that where the ecological interest is not a priority, the landscape proposals should seek to adequately meet the requirement to mitigate undesirable views of the road whilst respecting landscape character.

64. I would advise that issues relating to the ecology of the area are discussed in paragraph 27 and that in order to try to mitigate the impact of the road, a landscaping scheme is proposed (see attached plans). This landscaping scheme needs to balance the sites ecological interest in order to provide suitable habitat for species in the area as well as softening the impact of the scheme when viewed from the local area and from a distance. I acknowledge that it would not be possible to entirely mitigate the visual impact of the road through the use of a landscaping scheme, particularly from the nearest residential properties, from the property on the Creek side, from the Public Right of Ways or from the Country Park, and that as the applicant has recognised, although the landscape planting would not entirely screen the tall structures that are proposed, it would provide a degree of softening. Overall, I consider that the visual intrusion and the landscape impacts are not of sufficient detriment to presume against the proposal.

### Heritage and Archaeology

65. Due to the location of the development, consideration needs to be given to the local potential impact of the road on cultural heritage features, including direct impacts on buried archaeology and palaeo-environmental remains and the potential impact of the development on the Scheduled Ancient Monument and the historic Milton Creek. Consideration must also been given to the wider impacts of the scheme on Sittingbourne and Milton Regis where a number of Listed Buildings are located along with a number of Conservation Areas.
66. I would advise that the County Archaeologist considers that there would be a number of slight or moderate impacts on a number features and that on a wider scale the scheme should provide a slight benefit to the amenity of a significant number of Listed Buildings and the respective Conservation Areas. It is considered that the scope of the mitigation set out in the Environmental Statement would provide an appropriate level of mitigation and it is recommended that a condition is attached to any grant of planning permission requiring the implementation of a programme of archaeological work in accordance with a written specification and timetable. Under the circumstances, I see no objection to the proposed development on heritage or archaeological grounds.

### Water Quality, Drainage and Flood Risk

67. The proposed development is located in the tidal floodplain and flood protection measures are visible in the area. For example, a flood protection bund is located to the west of the proposed route of the road around the housing estate in Church Milton (see attached plan). Concerns have been raised that the development would compromise the flood defence system in the area and that the development would be a potential flood risk.
68. It is proposed that water drainage from the scheme would be collected and discharged into local natural watercourses. A combination of kerb and gullies, combined kerb and drainage block systems are proposed to collect surface water and this water would then



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be discharged to either Kemsley Drain or Milton Creek. It is proposed to install a bypass Class 1 Separator on all outfalls to retain pollutants for collection during maintenance operations. The Environment Agency has advised that the use of attenuation lagoons and bypass oil/petrol interceptors is acceptable and that in the longer term, a maintenance programme for the removal of oils/sediments should be set up for the permanent structure once it is operating. The Agency has also commented that they would like to see the use of penstock valves in the discharge design in case of emergency.

69. The Environment Agency has also advised that the application documents outline appropriate water quality pollution prevention measures for the permanent crossing of the creek and they have requested the imposition of a number of conditions on any planning permission granted. These conditions relate to contaminated land, the use of soakaways only in areas that would not present a risk to groundwater, the use of specific infill material and the submission of details relating to piling foundations. In addition to the above the Lower Medway Internal Drainage Board has detailed its requirements relating to details within the design for the Relief Road, namely the culvert size. The Board wishes to ensure that the maximum possible size culvert is used between chainage 500 and 600.
70. Further details regarding the proposed pollution prevention measures to be adopted during the construction phase, including any specific mitigation measures to protect surface watercourses from contamination have been requested by the Agency prior to the commencement of any works. I consider that these could be required by condition if the scheme was permitted. Comments are also made on the storage of any plant and equipment and/or oils/fuels/chemicals for use in construction and the applicant could be advised of these by a suitably worded informative on any grant of planning permission.
71. The original scheme did originally affect the flood defence bund near to residential properties in that the road embankment would have merged with the bund and the existing track/cycleway would have been raised both to join the new road and to avoid it being at the bottom of a valley. The applicant has confirmed that no work to the flood bund surrounding Church Milton is currently envisaged with the revised route. A connection to the cycle track would be impractical. Land to the bottom of the bund has been included within the site boundary due to the remote possibility of working space being required through the Country Park being developed by Swale Borough Council.
72. Overall, I see no objection to the proposals on the basis of water quality, drainage or flooding issues and am satisfied that adequate mitigating measures have been incorporated into the scheme.

### Noise Impacts

73. The introduction of the Sittingbourne Northern Relief Road would have a noise impact both from the use of the road and from construction (approximate construction period is 18 months). The main sources of noise from the use of the road are from the engine, exhaust system and transmission and from the interaction of tyres with the road surface.
74. The Environmental Statement recognises that the proposed scheme traverses an area, close to a large housing development where currently background noise levels are low and therefore consequently substantial and severe adverse impacts are predicted for properties in the housing estate. The revised route would provide noise level reductions of between 1 and 3 dB for properties in the area of Recreation Way in comparison with

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the original route. To mitigate this impact, the applicant is proposing to provide noise barriers/bunds and the use of low noise road surfacing. A combined 1.5m high bund and 1m high noise fence running adjacent to the was considered by the applicant to provide the optimum overall noise attenuation for properties in the adjacent Church Marshes housing estate road (see attached plans). The County Council's noise advisor has identified that even with the proposed noise mitigation some properties may still experience an adverse significant noise impact. However they have also identified that noise does not exceed levels where noise insulation would be required.

75. The Environmental Statement also recognises that increasing the height of the barrier could provide additional noise reductions. This benefit has also been identified by Swale Borough Council's Environmental Health Officer who strongly recommends an increase in the height of earth bunding and barrier fence to provide additional noise reduction to properties at Walsby Drive. It is stated that an increase in the overall height of the bunding and barrier fence by 1 metre would lead to a significant noise reduction for these properties. Nevertheless, due to the openness of the landscape and, especially as it would be sited on an elevated section of the roadway, any noise barrier introduced on the approach to the SKLR bridge would be very prominent. Because of its constrained location near the existing poplars, drainage lagoon and watercourses, there would not be sufficient space to have planting either side of the barrier to provide softening and screening by vegetation.
76. The applicant's agent has identified that the extent of the noise impact during construction would vary throughout the construction period and would depend on the contractor's chosen method of working as well as the timing and phasing of certain operations. They have further advised that whilst transient noise levels may be relatively high, the longitudinal nature of the site would ensure that the working areas would constantly move. To mitigate the noise impact of the development during construction the Environmental Statement recommends that local residents be informed of when and where work is to be carried out, the likely duration of the work and measures to be taken by the contractor to reduce noise levels. It is also recommended that during construction, noise monitoring be carried out at the site boundary and at selected properties to ensure that noise levels remain within reasonable limits (set in consultation with Swale Borough Council's Environmental Health Officer). These recommendations should be required to be implemented by condition and this should include a requirement for the applicant to obtain consents from Swale Borough Council under the Control of Pollution Act 1974.
77. Taking the above into consideration, I would advise that the road alignment has been moved away from the housing estate from that originally proposed, which has resulted in significant noise reductions for a number of properties in the nearby housing estate. Overall, therefore, I consider the current layout to be the best balance between noise mitigation and visual impacts, and I accept that the net change in the noise climate as a result of the proposed scheme would inevitably be significant across the area as a whole, but that would be counterbalanced by reduced traffic noise on the existing routes through Milton and Kemsley.

### Vibration/Structural Issues

78. There is the potential for vibrations to be experienced from both the construction work and from vehicles travelling along the road. The effects of these vibrations were considered by the applicant who established that properties close to the proposed scheme would experience some vibration nuisance from the use of the road by traffic, however, this would be greatly reduced following the submission of the amended

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alignment. It was considered that these predicted increases in vibration nuisance were low and should not require mitigation and that there is little evidence to indicate that vibration at the level induced by road traffic might cause damage to roadside buildings or structures. Additionally it was established that the extent of vibration impacts would vary throughout the construction period, depending on the contractor's chosen method of working and the timing and phasing of certain operations. It was asserted that by the appropriate selection of construction methods that it would be possible to restrict vibration at the closest property to well below the cosmetic damage limits defined in BS 7385. Under the circumstances, I see no objection to the proposal on the basis of vibration.

### Air Quality

79. The applicant undertook an assessment to determine the properties that may be subject to a change in air quality. The assessment found that there would be no significant residual impacts in relation to the air quality and that no mitigation measures are required. However, the study did state that the planting of trees and shrubs could help to reduce the concentration of air pollutants by the process of deposition and absorption. Planting is proposed as part of the landscaping scheme and this will be required by condition.
80. The County Council's environmental specialist has advised that there is not predicted to be any significant change in air quality as a result of the scheme, and I would therefore not raise an objection to the element of the proposed development.

### Lighting

81. Street lighting is proposed along the whole route of the road. The applicant is proposing to use flat glass, sharp cut off lanterns on 10 metre high columns. Whilst a number of different lighting schemes were considered for the project, the applicant considered that the chosen scheme was the most appropriate as it enabled the road to be lit using 150W lamps at 40 metre spacings. By reducing the height of the columns, more columns would be needed along the route of the road as the spacing between lamps would be reduced to 32 metres. Increasing the height of the columns would make them more visible in the wider area. The Landscape Assessment that has been undertaken asserts that whilst the lights that are proposed would be visible above the screening and would illuminate the road at night, due to the type of lighting that is proposed light spillage would be restricted to neighbouring areas.
82. The County Council's Lighting advisors have not yet commented on the application, however, I do not consider the lighting to have an adverse impact on the character of the area or to have a detrimental effect on residential and visual amenity. Given the realignment has moved the road further way from residential properties, light spill into residential space would now be reduced.

### Contaminated Land Issues

83. No objection has been raised by the Environment Agency regarding land contamination and any contamination issues can be dealt with via conditions on the planning consent should Members be minded to permit.

### Local Transport Issues and Public Right of Way

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84. There are no unresolved concerns regarding Local Transport aspects and no objections have been received regarding the amended alignment from the Divisional Transport Manager.
85. Public Right of Way ZU1 (Saxon Shore Way) would be affected by the proposed development. This Public Right of Way runs alongside the banks of Milton Creek and there would be a need for a deviation to footpath ZU1 around the western abutment under the Milton Creek Bridge. This diversion would need to be formally progressed with the Public Rights of Way Unit and the applicant should be advised of this by a suitably worded condition.
86. During construction, there would be amongst other things, a visual and noise impact on users of the Public Right of Way and after construction the views from it would be altered. Development Plan Policies seek to protect and enhance Public Rights of Way and the experience of their users and whilst there would be a detrimental impact on the Public Right of Way during the construction of the road, the applicant has advised that they have been progressing the required footpath diversions and the connections to enhance the current network with the Public Rights of Way Unit.
87. A suggestion has been made that connections are made to link the two sections of the Saxon Shore Way with the new bridge so that walkers using it would be able to cross the bridge as an alternative to walking into Sittingbourne largely by road, to connect the two banks of the Creek. I would advise that there is a pedestrian/cycle link off of the south/west side of the road to PROW ZU1 and that it would be possible to get pedestrian access to the bridge from the Castle Road roundabout by taking a detour from where PROW ZU2 joins Castle Road.
88. Whilst there would be a temporary impact on the Public Right of Way during construction, I would advise that overall due to the increased accessibility to the Public Right of Way network the Relief Road would be of some benefit to the network. The applicant should be advised of the comments of the Public Rights of Way Unit by informatives on any grant of planning permission. Existing use of footpaths during construction would be maintained wherever possible on existing, proposed or temporary alignments.

### Construction Issues

89. Should planning permission be granted for the development, the applicant has advised that the contractors would be mobilised during late 2007 and construction would commence in early 2008. It is anticipated that the project would be completed in late 2009. There would be four phases to the construction period: Phase 1 – Advance Works, Phase 2 – Structures, Phase 3 – Earthwork Improvements and Phase 4 – General Earthworks, Road Construction and Landscaping. Access to the site during construction would be via Ridham Avenue for areas of the site west of the railway. Access would also be via the Country Park construction site access, off Safron Way and over Burley's crossing. Access to the site on the eastern side of the creek would be via the existing Castle Road roundabout.
90. Spoil issues have been considered and the applicant has confirmed that very little excess material would be generated because of the relatively flat terrain and absence of cuttings. However, the Scheme includes embankments and mounding and therefore it is more likely that material would need to be imported for this particular Scheme.
91. The Contractor's offices and main materials storage compound is proposed on the western bank of the creek at the site of the old ship breaker's yard. The applicant's

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agent has advised that it is likely that sub offices would also be set up on the eastern side of the Creek if suitable land is available.

92. The noise and vibration impacts of the construction period are outlined in paragraphs 73 and 78. In addition to this, there are potential impacts from increased traffic from construction vehicles (although this is for a temporary period of time). No concern has been raised by the Divisional Transport Manager to the proposed compound and I see no objection to the choice of site given its proximity to the main engineering activity and its separate from residential areas.

### **Need for the Scheme**

93. The applicant has outlined the need for the scheme and these reasons are summarised in paragraphs 23 and 24 above. It can be noted that the need for and importance of this scheme is supported at Regional, County and District level for amongst other reasons, the significant environmental, economic and social benefits that the scheme would bring to Sittingbourne and the Thames Gateway area. I consider that a strong need for the development has been established with firm policy backing in the Structure Plan, Local Plan and Regional Planning Guidance. However, given the potential environmental impacts of the scheme, it is also necessary to weigh up this policy support with the environmental impacts of the proposal in the context of the locality.

### **Other Issues**

94. Concern has been raised regarding a level crossing and proposed bridge over Sittingbourne & Kemsley Light Railway (SKLR), with suggestions that this type of development would require approval from Her Majesty's Railway Inspectorate (HMRI). The applicant has stated that previous requirements administered by HMRI required that applications for such approvals were made by the railway operator. There are currently ongoing discussions with Sittingbourne & Kemsley Light Railway to determine current requirements so that appropriate approvals can be progressed. The temporary construction access is required across Burley Crossing and this is being pursued with HMRI with the assistance of SKLR as railway operator. It is considered that the future of Burley Crossing in the longer term is not relevant to the planning application as the highlighted issue currently exists and the proposed road would not alter the existing situation. Access to the served plots of land is provided on each side of the railway and does not depend on the crossing point in any way. It has been suggested by the applicant that Sittingbourne & Kemsley Light Railway take up the issue of the crossing legality with adjacent landowners and users. I do not consider this issue a concern and should not influence Members in considering this application.

### **Conclusion**

95. The principle of completing the Sittingbourne Northern Relief Road is confirmed in both Regional Planning and Regional Transport Policy. Accordingly, there is substantial Planning Policy backing for the principle of this Scheme with Policies in both the Structure Plan and Local Plan supporting the completion of the Relief Road. However, this area is also important in ecological terms and there are therefore equally important Development Plan Policies that presume against potentially damaging new development. Under the circumstances, a balanced view will therefore need to be reached in deciding this planning application.
96. The relevant environmental issues have been examined as part of the Environmental Impact Assessment, and have been subject to ongoing negotiations with the relevant

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environmental bodies and the applicant. I consider that the main environmental issues relevant to this proposal – ecology, landscape, residential amenity and the Creek at Milton - have been properly assessed and I am satisfied that the EIA procedures have been fully complied with in this particular case. However, as part of the EIA process it will be important to deliver the proposed environmental mitigation, including landscaping and enhancement, together with the ongoing commitment to maintain and monitor environmental conditions. I am satisfied that such matters can be adequately addressed by the imposition of planning conditions should planning permission be granted for this scheme.

97. In my opinion, the balancing of evidence weighs in favour of planning consent, given the substantial policy support for the Scheme and the scope for addressing environmental and amenity concerns through planning conditions and subsequent submissions. The applicants have been responsive to environmental concerns, as well as points raised by local residents and neighbouring businesses, and have made appropriate adjustments to the scheme and amendments to the planning application, including a significant realignment of the proposed route. However, since the precise amended alignment of the Relief Road differs from that indicated in the currently approved Development Plan, I would advise that the application and Environment Statement be referred to the Secretary of State before any final decision is made.

### **Recommendation**

98. I RECOMMEND that the application be REFERRED to the Office of Communities and Local Government as a departure from the approved Development Plan and that SUBJECT TO her decision, PERMISSION BE GRANTED SUBJECT TO conditions including:

- the standard time condition;
- the development be carried out in accordance with the approved plans;
- the submission of details (including external materials) of all proposed structures, including bridges, roundabouts, walls/fencing railings, gates, traffic signage, paving scheme and all hardened surfacing (including pedestrian/cycle routes) and highway lighting;
- the submission of long sections and typical cross sections of the proposed scheme;
- the submission of details of all drainage proposals (including drainage lagoons and culverts) and water pollution control devices;
- the submission of details of the contractors' access and compound(s);
- the submission and implementation of a scheme of landscaping (including all new planting and earth bunding and wildlife protection) and a programme for its maintenance;
- the submission of a tree protection scheme;
- the submission of details of any landfill or surplus spoil arising from the construction project;
- controls over the hours of construction activity and the routing of construction traffic;
- controls over handling of excavated material (including storage of topsoil);
- controls to suppress the generation of dust and prevent the deposit of mud on the public highway;
- the submission and implementation of a programme of archaeological work and written specification;
- the submission of detailed management plans for the mitigation for all protected species;
- the submission of other protected species mitigation measures;

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- the restriction of construction works over the winter months, and construction works for the Milton Creek Bridge to cease during period when the criteria for a severe weather ban of wildfowling are met;
- request for bird monitoring strategy;
- the installation of effective drainage from the road, minimising pollution of Milton Creek;
- request the submission of a specialist report on the effect of Milton Creek crossing on inter-tidal sedimentary deposits;
- further details relating to bat protection and work being carried out on trees;
- the submission of a desk top study identifying potential contaminants and the carrying out of a risk assessment and provision of a Method Statement detailing remediation requirements.

99. I FURTHER RECOMMEND that the applicants be advised of the comments made by the Public Rights of Way Unit.

Case officer – Helena Woodcock	01622 221063
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Background documents - See section heading
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### **APPENDIX 2**

#### **A summary of the comments received regarding the original proposal:**

##### *Location*

- Agree with the road but strongly object to the proposed route
- The proposed route is too close to housing. Question why it has to be so close to residential properties
- Wish for the route of the road to be away from houses and suggest alternative routes believes these alternative routes should be considered even if they cost more
- Question whether alternative routes have been considered, which are further away from housing and follow a more sensible direction. Asks why these were discarded. Believes that more funding should be applied for from the ODPM so alternative routes could be considered.
- Moving the road would reduce its impacts on residents and would create a more usable family area and provide a noise and sound barrier
- Believes the proposed route to be finance driven rather than ecologically or quality of life driven.
- Other plans for a road which went alongside Ridham Docks have been ignored despite the fact that it would be much further away from the houses and so cause fewer problems for residents.
- Why is there a need for the route of the road to keep away from the pylons and power lines – they have been crossed previously in the road's path?
- Believes the route of the road has been chosen as there were start and end points and someone drew a straight line between these points – this person may have had an out of date drawing and was not aware of the housing and if they were aware had no common sense.
- Believes alternative routes would diminish problems.
- Believes the route has changed from what was believed to be its location on the other side of the field, around the mill

##### *General Pollution Issues*

- Concerned about air pollution/fumes and its effect on human and animal populations
- Would be unable to open windows because of the pollution
- We should be trying to reduce pollution and the number of cars on the road, not introducing more roads that increase the volume of traffic and the amount of pollution.
- Residents already experience pollution from the Mill and pylons - these pylons have been relocated once and they could be relocated again
- Concerned about dirt and dust levels
- Pollution currently occurs from the new road into the mill complex resulting in a loss of quality of life

##### *Noise*

- Concerned about noise pollution and that the proposals to mitigate this, i.e. landscaping and fencing are not suitable and will not be adequate.
- More dense planting is required to absorb the noise,
- Comment that even if Government levels for noise pollution are not breached, the noise levels for residents would greatly increase, spoiling the ambience of the area and in particular the Country Park
- Questions how it can be ascertained whether noise and air pollution levels would not exceed Government tolerance levels when there is currently no such additional pollution.



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- Concerned that noise would be increased in windy spells
- The noise increase of 20db would be noticeable and would affect a quiet and relatively remote modern housing estate.
- The noise increase in the centre of Sittingbourne will only be around 4db – does this mean that much of the existing traffic will not use the new road and that its construction will generate a large amount of additional traffic?
- Are there any constraints set out for working hours and hours that noisy activities can be carried out?
- Concerned about construction noise – believes this needs to be monitored
- No noise mitigation measures are proposed to mitigate the fact that lorries will be passing on a level with upstairs windows
- The Statement recognises that a 2 metre noise barrier is required yet 1 metre fencing with planting is proposed.
- The mitigation measures would be more effective if they were put on top of the flood bund and not behind it – the road would then not be visible
- What are acceptable levels of noise that will be lived with during construction and then for ever when the road is in use.

### *Lighting*

- Concerned about light pollution and that this would be excessive
- There are no suitable measures in place to minimise light pollution.
- If the project is approved, mature foliage and suitably high noise reduction barriers should be provided to combat noise and light pollution.
- It would be more effective to have more columns at a lower level. This would keep light spill to a minimum
- The impact of the lighting would have a huge impact on both humans and wildlife
- The construction of the fence would have a visual impact and would adversely effect the natural lighting around the neighbouring properties
- Questions the accuracy of the drawings and believes that when it is dark, head-lights would shine through the front windows of properties.
- Will be unable to sleep at night due to the lighting proposed and due to the light from vehicles.

### *Visual Impact*

- Concerned about loss of peace and quiet and the loss of views
- The road would be an eye sore
- Concerned about the visual impact of the development from residential properties
- How will the new road not be visible if it will be elevated?
- Does not believe that every effort has been made to minimise visual intrusion
- The noise barrier would be visually intrusive

### *Traffic*

- Concerned about traffic accidents, believes there will be one per week and that this will cause traffic chaos.
- Asks how emergency vehicles would get to any accident
- Concerned about illegal quad bikers accessing the road
- Just moves congestion from one area to another without addressing the fundamental causes of it.
- Concerned about traffic pollution and its impact on health, particularly at the roundabouts at the end of the road.
- How will off-road vehicles be discouraged from accessing the adjacent marshes and impacting on the habitat and ecology?
- The road could become an accident black spot – there are very few crossing points so people will probably try to cross the road at various points.

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- The usage figures quoted are irrelevant as traffic figures are variable.
- It is unlikely that the 40mph speed limit would be adhered to. No measures are proposed to make sure that the speed limit is adhered to
- The development does not consider what most of the traffic is doing during congested periods or the type of vehicles being used – it is mainly people travelling to schools and to the Station who is causing the congestion and these people will not use the proposed route.
- The proposed barriers would be ineffective. Concerned that an accident would smash through the barriers into residents gardens
- Believes a certain angle of curve is required on a 40mph road. Currently lorries pass through 5 roundabouts to reach the mill and 7 to get to the A2. Believes another roundabout to change the angle on the distributor road would still be a massive improvement for lorries travelling from the A249 to the A2 as they would still have a reduction in the number of islands they encounter.
- Believes the road will be an open invitation for boy racers, car thieves and motorcyclists to race between the roundabouts at excessive speeds

### *Wildlife/Environment*

- Recreational land would be lost and the pollution may kill off wildlife
- Are the environmental groups aware of the wildlife in the area
- Were advised that the nature reserve was a SSSI and would be protected against development
- Building work has already taken place in the area with the loss of shrub land and wildlife and resulting in another housing estate.
- Concerned about the impact on wildlife/protected species, the wildlife has already been relocated once why should it be relocated again.
- Concerned about the impact on trees and other vegetation - this provides a habitat for animals
- The Countryside will be ruined and there is not enough nature around as it is
- Concerned about the environmental impact of the road, it takes away/encroaches on the environment
- Believes the Department's appraisal criteria promote pollution to the environment
- The development would remove the only remaining wooded areas in Church Milton
- Wildlife cannot be endangered but why are people not so important.
- Wildlife can adapt to changing lifestyles up to a point but people seem to take second place

### *Country Park*

- Concerned about the impact on the Country Park including access to the park, the fishing lake and country walks, the impact on the bridge environmental centre and the impact on users of the park
- Part of the Park would be lost, where would the Country Park be?
- What other local authority would approve a major route through a Country Park?
- The Country Park is a valuable asset, it is already threatened by off-road motorcycles and if constructed may become a playground for trial bikes and become unsuitable for the public.
- The park to the east will become unused as people will not cross the road to get to it.
- The road will cut off the use of the marshland to local residents – the only area of accessible marshland will be the man made country park
- The road would allow access to the developed part of the Country Park but the whole area is already a well used country park.
- Building the road through a Nature Reserve, whilst not ideal, is more sensible than creating havoc and ruining residential amenity

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- Why is it acceptable for a similar acreage of the Country Park to be used as a road route, apart from being on the edges, rather than through the middle? Believes this may be due to the Council owning much of the land that runs through the proposed route.
- The Country Park is now a building site for an environmental café, which no one is likely to use.
- The Country Park is supposed to encourage nature lovers. Questions how they will see any nature with the route of the road running through the park. Believes the view from windows in the café will be more suited to the M25 than a country park.

### *Amenity issues*

- Believes a tranquil setting would be lost if the development is permitted
- Concerned about loss of standard of living/quality of life
- The proposal affects residents and encroaches on people's lives
- Concerned about children's and animals' health and safety
- It has been stated that the road will enhance the lives of people however, this is at the detriment to those living near to it. Are the needs of those who will benefit more important than the needs of those who will suffer?
- People will have to negotiate a major road to get to the pond and the peace and tranquillity at the pond will be lost
- If wanted a busy road outside houses, they would have bought a house near a main road
- The application would dramatically change the quality of life of local residents, the wildlife and the people who current walk and fish on the marshes
- The proposal will impact on the community with effects on mental and physical health
- The bund is well used – concerned about the risk and safety of pets and their owners and children from the road and that the development would prohibit the use of the bund
- Believes residents have been treated badly, the estate is big enough already
- It is hard to reconcile protecting the countryside with building a new road through an open space used by people, flora and wildlife, especially as the Statement recognises that there will be 'moderate adverse' impact on biodiversity.
- How will the loss of agricultural land, recreational area and nature conservation habitat make the lives of Sittingbourne's residents better?
- Lorries travelling to and from Kemsley Mill using the new roundabout currently cause noise and light disruption. If the road is built, this situation would be made worse.
- Concerns about children being snatched if they walk up and down the pathway
- Believes the building of the distributor road will ruin this corner of Kent and will allow Kemsley to fall into disrepute again
- Healthier lifestyles are being promoted by the Government but residents will not be able to site in their gardens due to the pollution from vehicles

### *Drainage*

- The site is in a high risk flood area. Has the drainage of the site been fully considered? The development will change the way natural drainage of water occurs from the Church Milton estate
- Believes the proposed drainage would adversely affect a number of ponds and could affect the natural pond life that resides in them
- The drainage lagoon is currently a well used fishing lake. Concerned that as there is no direct access to the lagoon that people would vandalise/vault the noise reduction fence to access it.
- Alternative routes would safeguard the drain culvert and drainage lagoon and would free up valuable funds

### *Flooding*

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- Concerned about the potential flood risk that may be caused by the construction of the carriageway – the area is currently registered as a potential flood area.
- What damage would be made to the tidal bund – would these be compromised by the development?

### *Structural*

- Concerned about structural damage during construction and during the use of the road from traffic vibrations
- What damage will the pile driving do to houses?
- Will structural inspections on the properties be carried out before and after construction to ensure that properties remain structurally sound?
- Concerned residents would be able to feel vibration from traffic and that cracks will occur in properties

### *Milton Creek*

- Object to the proposed crossing and the design of the crossing of Milton Creek
- Milton Creek is a navigable tidal waterway – the proposed bridge design and construction would prevent navigational rights from taking place.
- The proposals do not provide the necessary air-draft span height for the navigation of the creek by sailing vessels
- Believes the application would affect the future liability of the Dolphin Barge Yard and Museum as the development would deter current and future visitors and resident craft from the Creek. The lowering and raising of the mast with 2,00 sq. ft of sail attached on a Thames Barge to pass under the crossing is not something to be undertaken on a regular basis.
- Believes the application to conflict with Swale Borough Council's Local Draft Plan Area Action Plan No 10 – Land Around Milton Creek.
- Silting in Milton Creek is caused mainly by lack of use and water abstraction. The developments in Area Action Plan No 10 if realised, and complemented by the provision of waterfront moorings and marina development, would improve the quality of Milton Creek and enhance the attraction of the area. If access is curtailed then the benefits of water movement would be lost.
- There is a high court precedent case where the navigation of Swale was impeded by the Sheerness Railway Company by its failure to provide an opening span on the first Kingsferry Bridge. Sheerness Railway Company lost the case and a precedent was set, that a private Act of Parliament could not override Common Law interests.
- A solution can easily and economically be put in place and most of the additional costs can be recouped from planning gain.
- In view of the High Court Precedent the current application must be rejected or deferred pending a solution.

### *Light Railway*

- The bridge over the light railway will raise the level of the road and will increase its cost. Could the railway be closed instead – it is not a huge public attraction and by doing this the level of the road could be reduced making it less obtrusive.
- Question the need for the railway and whether a bridge for the train would be a better idea
- The crossing of a public passenger carrying railway has specific implications for planning and construction.
- The construction will require prior approval by Her Majesty's Railway Inspectorate division of the Health and Safety Executive – changes may be required to the proposals to obtain the necessary Order.
- Object to the proposal on two grounds: the failure to improve safety for pedestrians, cyclists and authorised road vehicles by the closure of Burleys Level Crossing over the railway – believes that HMRI will require the diversion of all users of Burleys Crossing to

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the new overbridge and the complete closure of the railway level crossing therefore ask that these changes are incorporated as a pre-condition to any planning approval.

- Burleys Crossing has been recorded by Sustrans as part of the Off-Road National Cycle Route. This is premature as no application has been made to upgrade the crossing for this purpose.
- Contractors will need access across the railway line. A lack of progress over recent years towards an application to upgrade the crossing may prejudice the willingness of HMRI to agree to a further period of licensing of a contractor's crossing at the site. Guarantees may be required to close the crossing by diversion over an amended access and egress route using the new bridge or funding may be required for the upgrading of the crossing to the status required for public use
- Object to the bridge detail. Steam trains have emissions of steam and smoke. There is a risk in certain weather conditions of these emissions drifting across the roadway. Traditionally to reduce this risk, smoke hoods have been fixed to the underside of bridges above railway tracks and extending beyond the bridge structure. Request that these are provided and maintained above both the existing line of railway and above the route of the second line that is planned as part of a new station for the Country Park.
- If the concerns raised are addressed, would be happy to withdraw the objections. In general, the provision of this road and its eventual link to the A2 will be a long overdue improvement to the Sittingbourne area that has been too many years in the waiting.

### *Cost*

- Question the cost of the bridge over the right railway
- Cost seems to have been thought of and not much else – believes the scheme to be a waste of taxes and would rather have other things built for the money
- Questions why minimal landscaping is proposed and whether this is due to cost.
- Considers the money could be better spent

### *Need*

- Recognises a need for the road however, the proposed route for the road is wrong
- There is no need for a bypass as there is no traffic problem
- The only people that would benefit from the road are the car and lorry drivers who are non residents of Sittingbourne.
- Appreciate the need for the road but does not feel that the alternatives have been fully investigated.
- The town has changed since the 1970s – this is now not a suitable place to put the road
- Other areas need a new road
- Appreciate the need to balance cost and practicality and the need for the road

### *General*

- Not in favour of the road - Wish for the application to be refused as there are a number of objections to the scheme
- Disgusted with the proposal a lack of thought gone into the proposal and into the route
- Generally support the application but it must be done correctly
- Infringement of human rights
- The road has few advantages to local residents and many disadvantages, those most adversely affected will not gain any benefit from the road
- Planning is a formality now that the finance for the scheme has been raised
- Believes the road has been accepted by KCC and that any protests are too late
- The project will go ahead as planned regardless of the residents' concerns and objections. It is rubber stamping – KCC considering a KCC proposal.
- What reassurances are there that residents' views would be fully and genuinely taken into consideration?
- Why was this choice made?

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- The road did not come up on searches when buying house
- Searches revealed the route of the road being further east, closer to Kemsley Mill – who changed the route, when and why?
- Questions the timing of the road i.e. the route has been revealed just after all the housing was sold
- Was advised that the road would never get funding
- Was unaware that the housing was built on contaminated land – concerned that children are playing on this land
- Concerned about the impact on house prices and the future ability to sell houses
- Concerned about the consultation procedure, particularly for the Public Exhibition
- Poor communication about the road generally and whether it was definite or not
- Wish to have compensation or a reduction in Council Tax
- As the proposed construction programme is deliberately aspirational it is unlikely to be finished on time and this will cause stress and concerns for local residents.
- There will be no compensation available for inconvenience suffered during the building programme
- Why in the absence of a planning permission for the 2 new roads (to include the road which would link Saffron Way and the Trinity Trading Estate to the Northern Relief Road, has a traffic island already been constructed? Is the construction a foregone conclusion?
- Why was the original idea of connecting Ridham Dock to the north east of Milton Creek discarded?
- Why was the receiving end of the bridge on the marshes side reinforced/strengthened 8 years ago?
- Quotes from the Local Plan – new development need to respect environmental concerns, poorly planned development should be prevented to minimise the adverse impacts of the development on the environment, seek to minimise the impact of noise between near and existing uses and road will take heavy traffic out of residential areas – all you are doing is moving traffic from one residential area to another.
- If the road has been planned for years, why were the houses given planning permission?
- Believes the Deputy Prime Minister should look at his own policies of creating large clean green areas in urban spaces before funding this road.
- There remain outstanding technical and procedural issues related to the section of the Milton and Kemsley Distributor Road between Grovehurst Junction and Ridham Avenue – submit a holding objection until these issues are addressed
- Their clients provided a foul and surface water drainage system
- Some of the land is in the ownership of their clients – special consideration and procedures apply
- The proposed fencing is inadequate and its height needs to be raised
- The future possible linkage to the A2 at Bapchild will form a Sittingbourne Bypass. Asks whether residents are being misled about this final stage and whether it will be built.
- Refers to comments made by the Leader of the County Council about housing figures and need to protect the countryside and asks where the 5000 new housing units that are mentioned in the application would be built. Has the local community infrastructure been considered?
- There is no clear way for anglers to leave the road to get to the fishing lake. Concerned about accidents as people try to cross the road.
- The development would alienate commuters who bring money into the town.
- The land reserved on Eurolink could easily be used for other purposes and it should not be assumed that permission is going to be granted.
- The fishing lake is an artificial lake, which could easily be moved.
- The pathway and cycleway are unlikely to be used. Makes reference to the Western Link in Faversham and the number of people that walk along that.

## **Sittingbourne Northern Relief Road, Milton Creek Crossing (Ridham Avenue to Castle Road) – SW/04/1453.**

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- Believes no planning permission has been granted for the route yet work has already started on the road – this indicates that the scheme is to go ahead despite residents objections
- If this was an existing route which had houses built up to it, there would be less outcry as people would have chosen to live near the road
- The development has appeared very quickly and has changed from that in the Local Plan
- Comments on the need to follow agreed plans and that the Council seems to be able to change their plans at will and begin work prior to any grant of planning permission.
- Was told that there are historical reasons for the route of the road and the need to preserve Castle Rough, the Wildlife and the Light Railway. Questions the importance of these things when compared to quality of life and health.
- Who will stop fly tippers, travellers, off road motorcycle riders and quad bikers from accessing the land between the road and the café? These problems already occur and there is only limited access at the moment.
- Believes KCC should plan the housing and industrial development that they are going to undertake and attempt to keep those who live and work in the community, in that community and happy.
- Question why the roundabout was built in such close proximity to housing when it has such an intense impact.
- The houses in Marsh Rise should never have been allowed to be built so close to the roundabout.
- Government is demanding higher density housing, the community needs industrial estates for jobs but consideration needs to be given to how all these developments affect people in the long term
- Considers at least a half a mile exclusion zone, which is landscaped is required
- The fear that has been instilled into people regarding the road is not acceptable
- Asks what will happen in the future when the road system cannot cope with the traffic, believes money will be spent on widening the road and then traffic will grind to a halt again
- Believes it to be almost too coincidental that now the housing estate is finished and people have moved in that the route of the road has been presented

Additionally, 38 letters of representation were received from the Public Consultation that was held prior to the submission of the planning application. The points raised have been summarised below:

- Public use area to enjoy wildlife – it should remain this way
- Impair/affect quality of life
- Why not improve Ridham Dock Road?
- No benefit to residents who are most affected
- Will it really improve traffic flow of Sittingbourne?
- Public transport network improvement would mean relief road unnecessary
- Survey should be carried out to assess need and public transport alternatives
- Noise reduction for existing road layout negligible, but worse for local residents
- 3.4.74 mitigation measure appears to be incomplete
- Proposal will lead to more housing, therefore what are infrastructure plans
- What compensation will there be for the property devaluation?
- New bridge to Sheppey and A249 to M2 causes congestion, new housing will make it worse
- Moved to area to be by country park and away from urbanised area
- What's happened to £3,000,000 raised for Country Park?
- Safety of children in local area at risk
- Diesel (vehicle) and dust pollution likely

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- Access, road crossing to Country Park is important
- Plant up bund to reduce upstairs view of lorries, plant trees close to Walsby Drive
- What about newts, cuckoos and slow worms in Country Park
- Will affect lorry drivers, Ridham Avenue will not be the same
- Want wooden fence and trees along section close to Walsby Drive
- What's happening to road between new bus link and new roundabout, worried it will be used for fly tipping and burnt out cars
- South of Ridham Avenue roundabout has noise fence, but north doesn't
- Concerned about position and safety of pylons. Asks whether the pylons will be taken down
- Concerned about drainage
- Is Newman Drive to be opened up for through traffic to Kemsley Village?
- Will lose heritage and wildlife and it will take away business from the town centre
- The road link to Trinity Estate would put more traffic on the roundabout at Lower Milton and the surrounding area, which is already busy
- Length of construction period queried
- The cycleway will need something to stop motor cycles going up and down it
- An improvement awaited for years, very progressive, it will enable more people to view the scenery, very good
- A low noise road surface should be used
- Believes the road to be good in principle if everyone's points are taken into consideration
- General concerns about consultation, the Public Exhibition and that the road would be built regardless of residents' views
- Agree with the need for the road but disagree with the location
- Why was this route chosen and not an alternative route?
- Concerned about the distance from residential properties
- Alternative routes should be considered. Make a number of suggestions on what these could be
- Question the height of the lamp posts and raise concerns about light pollution
- Concerned about structural damage from traffic vibrations
- Concerned about noise pollution during construction and on completion of the development
- Believes residents should be offered noise reducing facilities
- Question whether the congestion that would occur at the roundabouts has been taken into account when measuring pollution levels.
- Concerned about the impact of the development on species and nature areas
- Comment on the 'minimal' landscaping. Asks whether mature trees can be planted
- Asks whether the noise barrier fence could be located along the embankment to reduce light pollution
- Suggests additional funding is sought
- How will the proposed fence reduce noise?
- How were the noise pollution figures arrived at when there is nothing there at the moment?
- Phase 1 is currently being built and phase 2 looks like a Sittingbourne Northern bypass and if joined up to the A2 at Bapchild would be carrying substantial amounts of traffic
- Sittingbourne needs a bypass and Sittingbourne Town Centre needs traffic relief
- Concerned about potential traffic volumes
- Wishes for the impacts of the development to be minimised
- Surprised about the lack of discussions/public consultation and that the road did not come up on property searches
- Concerned about the speed limit. Does not believe that the 40mph speed limit would be enforced. Believes the speed limit should be 30mph



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- Believes that the road would make the creation of the Country Park pointless
- What safety measures are proposed to protect the users of the Country Park and fishing lake?
- What noise and dirt mitigation measures are proposed, hours of working, the number of large machines and what policies are there to ensure that gypsies cannot access the country park?
- The bunding should be planted now
- Understands the need but is concerned about the impact on the Country Park and the safety of users of the park
- Health and safety and quality of life concerns
- Concerns that at its low points that there would be easy access to the road for children
- Concerns about the safety and security of children, animals and property
- Visual impact of concern
- Will the road really improve Sittingbourne's traffic flow?

Comments have also been received from the manager of the Church Marshes Country Park who comments as follows:

- The number of parking places for the fishing lake should be at least 6
- Access to all parts of Church Marshes Country Park should be maintained during construction work on the road and, most importantly, after road completion.
- The construction works access road, which runs through Church Marshes, should be finished at the end of the road works to the standard agreed with Rural Arisings by Swale Borough Council.
- There is no provision for bicycle access to the park from the road

Letters of support:

- There is an urgent need for the road to maintain growth within North Kent and to maximise the benefit of past and current investment in the area not least through the sustainable communities plan and improvements to the A249 trunk road
- The scheme is the key component of providing an effective road network for Sittingbourne and is vital to the future regeneration and commercial success of the town, which is currently hampered by constant traffic problems
- The provision of the road was a key factor in the relocation of a company to the area as it would provide easy access and would prevent the need to drive through the town centre and residential areas.
- Was advised that this road would be built before the Millennium
- Consider the road to be vital to Sittingbourne's commercial success and safety of the residing community
- The scheme will improve local infrastructure and alleviate congestion, allowing traffic to avoid residential areas during peak times
- The scheme will ensure vehicle movement from M2 and A249 is channelled efficiently to industrial and commercial areas avoiding residential communities and supporting the competitiveness of local industry and commerce
- It will ensure that the town grows in a sustainable manner, it will provide jobs to complement the new housing development that is envisaged as part of the Thames Gateway
- The road will enable constructive growth so avoiding negative consequences of ill conceived expansion.
- The scheme would give a better quality of life to residents in the area
- Wish for early completion of the full Sittingbourne Northern Relief Road
- Congestion adds to business costs and the road would enable goods to be moved more efficiently and cost effectively without the need to enter the congested areas of town

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- The road would provide the opportunity for businesses to maintain or improve service to local residents, provide them with value for money and allow businesses to remain competitive.
- Hopes the project will be given the priority it deserves and that the local community will enjoy an early solution to the problems currently faced.
- Is aware of the congestion problems that occur in central Sittingbourne and the need to improve infrastructure
- It will ease congestion on roads that were originally designated for housing not industry
- The scheme is vital to the existing road network and to the continued success of the town
- Sittingbourne is used as a bypass when there are problems on the M2 and its road cannot cope with it, causing frustration to residents/occupants of the town and the people trying to travel through/arrive
- The increase in traffic over the last 10 years has been phenomenal
- The majority of industry in the town is sited on the Northern side and traffic that needs to access this industry comes mainly from the three remaining directions.
- Dedicated transport links are desperately required to allow traffic to reach its intended destinations instead of standing in traffic jams. It will relieve pressure on domestic users and reduce pollution from exhausts so benefit the environment
- Understands the concerns of the Church Milton residents but a large amount of wildlife was lost when the housing was built, moving the road further north will cause more wildlife disturbance and it is time to put the environment first.