

**Provision of a new strategic dual carriageway and associated works (East Kent Access Phase 2), Minster, Cliffsend and Richborough – Ref. TH/05/964**

A report by Head of Planning Applications Group to Planning Applications Committee on 20 June 2006.

Proposal: Provision of a new strategic dual carriageway, to improve traffic links between Thanet, Dover and the key highways of Kent, encouraging development / regeneration, including new roads, earthworks, drainage, lighting, structures at two railway crossings, utility diversions with improvements to cycleways and footways, plus advance environmental mitigation and archaeological investigation (East Kent Access Phase 2).

Location: A linear location primarily in the District of Thanet between Richborough Power Station (A256), Minster Roundabout (A299) and Lord of the Manor Junction at Cliffsend.

Recommendation: Permission be granted, subject to conditions and subject to referral to the Secretary of State for Communities and Local Government.

Local Members: Mr C Hibberd, Ms E Green, Mr A Poole &  
Mr L Ridings

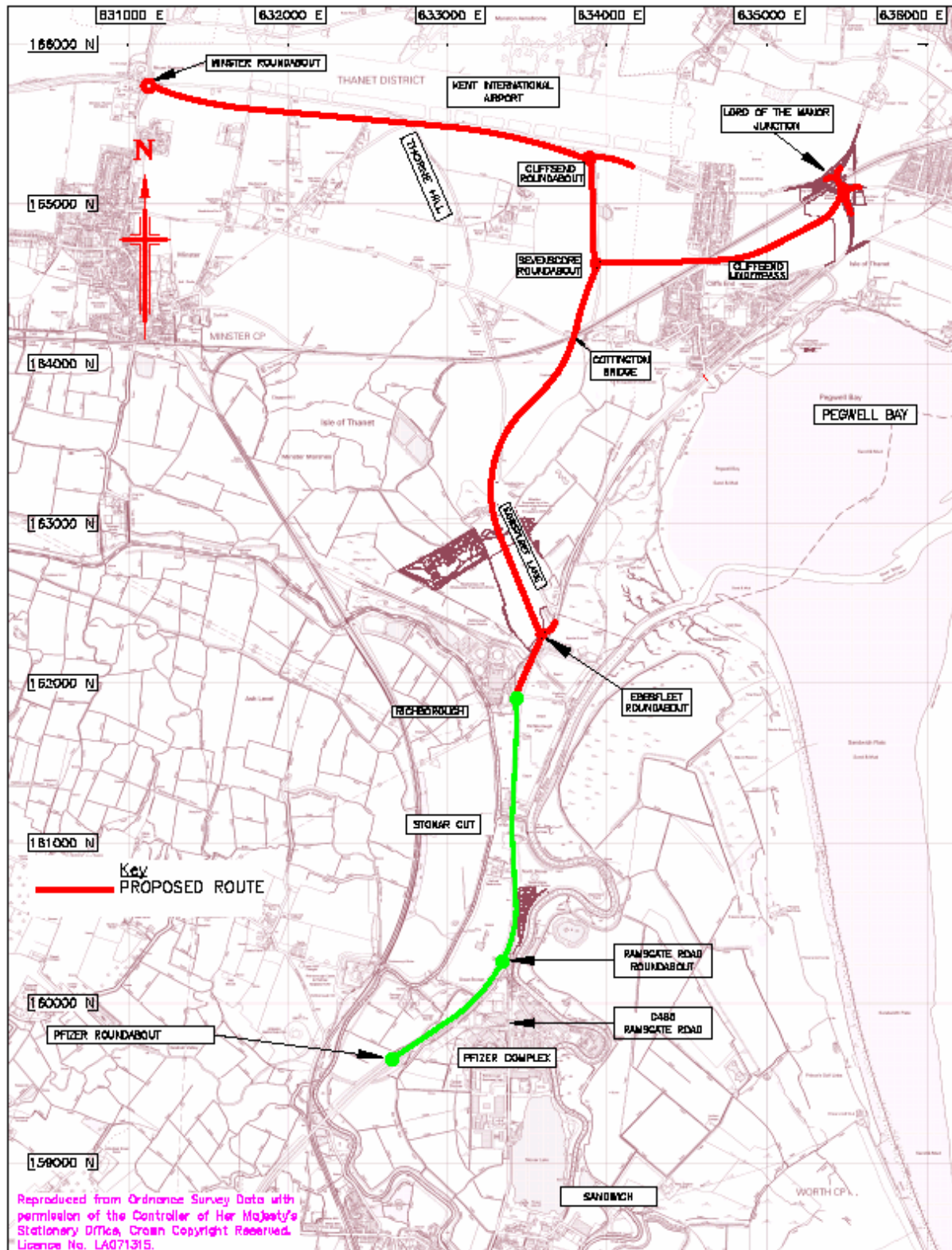
Unrestricted

1. This application was the subject of a Members' site tour on 30 January 2006, accompanied by representatives from the District and Parish/Town Councils and other local organisations. The Council Secretariat's Minutes of that tour are included in appendix.

**Introduction and background**

2. This application, submitted in June 2005, proposes a new strategic dual carriageway highway to link the A256 at the former Richborough Power Station, the A299 at Minster Roundabout and the Lord of the Manor junction on the outskirts of Cliffsend and Ramsgate. The applicant (KCC Regeneration and Projects Division) states that the aim would be to improve traffic links between Thanet, Dover and the key highways of Kent and to encourage development and regeneration in East Kent generally. The proposed dual carriageway represents the second and largest full phase of the transport scheme known as East Kent Access.
3. Earlier sections of East Kent Access have either been completed or are under construction. Phase 1A of the scheme has now been constructed and involved the construction of a two-way single carriageway north of Sandwich between Ramsgate Road and the A256 Sandwich bypass (ref. DO/02/320). Phase 1B of the scheme, the dualling of the A256 Sandwich bypass, did not require the benefit of planning permission as the works fell within the existing carriageway alignment. Phase 1C of the scheme was permitted in August 2003 and involves the dualling of the existing A256 from the existing Ramsgate Road Roundabout north of Sandwich to the former Richborough Power Station (ref. DO/03/172). Construction works for Phase 1C are currently underway.

**Provision of a new strategic dual carriageway and associated works (East Kent Access Phase 2) – Ref. TH/05/964**



EAST KENT ACCESS – PHASE 2  
PROPOSED SCHEME LOCATION PLAN

**Figure 1.1**

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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(East Kent Access Phase 2) – Ref. TH/05/964**

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**Location Plan**

4. The planning application is subject to Environmental Impact Assessment and is accompanied by an Environmental Statement (ES), including a Non-Technical Summary of the Environmental Statement's findings. The application has been the subject of a series of amendments since its first submission, including further information to support the Environmental Statement in December 2005. Each amendment has been subject to further publicity and further consultation with relevant consultees.
5. The Environmental Statement covers the whole range of environmental effects including the transport implications, air quality and climatology, heritage and archaeology, ecology and biodiversity, landscape and visual impact, community impacts, drainage and water quality, geology and soils, employment considerations, construction impacts, alternative solutions and schemes and mitigating measures.

**Application site and route of road**

6. The proposed dual carriageway would run from Minster Roundabout along the southern side of Kent International Airport (Manston), parallel to the existing A299 Thanet Way, to a new Cliffsend Roundabout, then southwards over the railway by way of a new bridge at Cottington and to a new Ebbsfleet Roundabout on the A256, near to the Richborough Power Station. Additionally, a spur road from a new roundabout at Sevenscore would link through an underpass at Cliffsend, under the railway between the northern and southern parts of Cliffsend, to join a reconfigured Lord of the Manor junction (where the A299 and the A256 meet west of Ramsgate. A site location plan showing the route of the proposed road, as well as the consented Phase 1 elements, is attached.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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(East Kent Access Phase 2) – Ref. TH/05/964**

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7. The linear site of the proposed dual carriageway affects, or is near to, the following land use designations or other features: *Thanet Coast and Sandwich Bay Ramsar Site and Special Protection Area (SPA)*, *Sandwich Bay candidate Special Area of Conservation (SAC)*, *Sandwich and Pegwell Bay National Nature Reserve*, *Pegwell Bay Local Nature Reserve*, *Ash Level and South Richborough Pasture Site of Nature Conservation Interest (SNCI)*, *Sandwich Bay to Hacklinge Marshes Site of Special Scientific Interest (SSSI)*, *Pegwell Bay-Sandwich Bay Special Landscape Area (SLA)*, an Area of High Landscape Value, the *Stour Valley Walk*, the *Saxon Shore Way*, *Pegwell Bay Country Park*, three Scheduled Ancient Monuments (*Ozengell Anglo-Saxon Cemetery*, *St Augustine's Cross*, *Laundry Road Bronze Age Enclosure*), *Ebbsfleet* (supposed site of the landing of the Saxons and also St Augustine), Areas of Archaeological Potential, a number of Listed Buildings, the *Airfield Safeguarding Zone for Kent International Airport*, the *Wantsum Channel Flood Risk Area*, *Aquifer Protection Zones*, a Minerals Area of Search, a number of former chalk pits and inert landfill sites, areas of land hazards (landfill gas), productive agricultural land and several Public Rights of Way. The land crossed by the application site is generally open and exposed to wider view in the landscape, dipping gently from north to south.
8. The proposal also affects, or relates to, land designated or safeguarded in the Thanet District Local Plan 1998 for an improved A229 north of Cliffs End, areas of Undeveloped Coast and Village Separation Corridors, and additionally, in the emerging Local Plan, as Island Approach Routes.

**Detailed proposals**

9. In justifying the need for road improvements, the applicant states that the A256 and A299 both carry traffic flows well in excess of that appropriate for the standard of the existing roads. The two roads have seen major highway improvements over recent years but the sections that are subject to this application still require improving. The proposed scheme would offer a better level of service and a wider choice of travel through the encouragement of public transport and car sharing. The applicant states that the incorporation of a High Occupancy Vehicle (HOV) lane on Phase 1 is yet to be decided on and could yet become a future option for Phase 2.
10. In the Environmental Statement (ES), the applicant sets out the alternative schemes that were considered before the preferred option was reached. Rejected options include a dual carriageway on the seaward side of Cliffsend (through the old Pegwell Bay Hoverport site), and a route to the north of Cliffsend skirting the edge of Manston Airport.
11. In summary, the proposed works incorporate the following:
  - New roads, including some 8km of dual carriageway, four new roundabouts, a new junction at Lord of the Manor, links to the local network and new service roads.
  - Structures at two railway crossings, including Cottington Road Bridge and Cliffsend Underpass (135 metres in length, with retaining walls extending beyond this).
  - Improvements to cycleways and footways, with two new 'Toucan' crossings for cyclists/pedestrians.
  - Earthworks, including infilling and landraising of land near to Lord of the Manor junction.
  - Drainage works, including a positive surface water drainage system for the entire route, drainage lagoons and a drainage outfall into Pegwell Bay.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

- Streetlighting for safety reasons at all the new roundabouts, between the proposed Sevenscore Roundabout and Lord of the Manor Junction, and between the proposed Ebbsfleet Roundabout and Richborough Power Station, using 10m high columns.
  - Various utility diversions (drainage, power and telecommunications, etc.).
  - Noise mitigation, including noise barriers at certain locations, low noise road surfacing for all off-line sections of the new road and noise insulation for eligible residetail/commercaill properties.
  - Ecological mitigation works and landscape planting.
  - Archaeological investigations to be carried out in advance of construction.
12. Construction would be expected to take around two years, with the excavation of some 500,000m<sup>3</sup> of material and the reuse of around 300,000m<sup>3</sup> in forming the raised embankments of the road, as originally submitted.
13. The applicant aims to acquire the land required for the scheme by use of a Compulsory Purchase Order. A Side Roads Order would also need to be published to deal with ancillary access re-arrangements. The proposed dual carriageway would pass across land currently owned by some 26 landowners, most of which is in arable agricultural use. It would pass near to existing residential properties in and around Minster and Cliffs End, and close to the Stonelees and the St Augustine's Golf Courses, Weatherlees Hill Wastewater Treatment Works and other commercial properties and businesses.

**Government Guidance and Development Plan Policies**

14. The national planning guidance that is relevant to this application includes:

Planning Policy Statement 1: *Delivering Sustainable Development* (PPS1)  
 Planning Policy Statement 7: *Sustainable Development in Rural Areas* (PPS7)  
 Planning Policy Statement 9: *Nature Conservation* (PPG9)  
 Planning Policy Guidance 13: *Transport* (PPG13)  
 Planning Policy Guidance 15: *Planning and the Historic Environment* (PPG15)  
 Planning Policy Guidance 16: *Archaeology and Planning* (PPG16)  
 Planning Policy Guidance 24: *Planning and Noise* (PPG24)  
 Regional Planning Guidance 9: *South East* (RPG9)  
 RPG9 amended Chapter 9: *Regional Transport Strategy 2004*

15. There are numerous Development Plan policies that are relevant in consideration of the proposal. The key policies are summarised below:

**Kent Structure Plan 1996**

S1	Seeks to achieve a sustainable pattern and form of development.
S2	The quality of Kent's environment will be conserved and enhanced.
S3	It is strategic policy to stimulate economic activity and employment in Kent.
S4	Promotes the stimulation of economic activity and employment in East Kent whilst recognising the environmental constraints that apply.
S7	Relates to transportation improvements.
EK2	Relates to the regeneration of the local economy in Thanet.
ENV1	The countryside will be protected for its own sake.
ENV2	Kent's landscape and wildlife habitats will be conserved and enhanced.
ENV4	Provides for the long-term protection of Special Landscape Areas.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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ENV5	Development that would materially harm the scientific or wildlife interests of certain designated sites or areas (see policy) will be refused.
ENV7	It is policy to maintain tree cover and the hedgerow network in the County.
ENV11	Seeks to conserve and enhance the environment within river corridors.
ENV12	Environmental enhancement along road and rail routes will be promoted.
ENV15	The character, quality and functioning of Kent's built environment will be conserved and enhanced.
ENV18	Relates to the protection of archaeological and historic sites or landscapes.
ENV19	Listed Buildings will be preserved, protected and enhanced.
ENV20	Development will be planned to avoid or minimise pollution impacts.
ENV25	Deals with projects involving significant amounts of aggregates or spoil.
NR3	Relates to the quality or potential yield of groundwater resources.
NR4	Relates to surface water quality.
NR5	Relates to the risk of river or tidal flooding.
NR14	Seeks the minimisation of demand for energy.
ED6	Seeks to protect the long term productive potential of agricultural land.
T1	Promotes facilities for pedestrians, cyclists, and bus/train users.
T2	Relates to new and improved transport facilities.
T3	Promotes the best alignment and design of road transport schemes.
T4	Improvements to primary routes should accommodate 15 years traffic growth.
T5	Provides criteria for assessing new strategic routes.
T11	Full account will be taken of the needs of cyclists and pedestrians.
RS1	Development permitted in the open countryside should be well designed.
RS5	Cites where development would not normally be permitted in rural locations.

**Kent & Medway Structure Plan (Deposit) September 2003 (Approved) June 2006**

SP1	States the primary purpose of conserving and enhancing Kent's environment and ensuring a sustainable pattern of development.
SS1	Sets out spatial priorities for development and investment in Kent.
SS7	Restricts new development in the countryside.
EK3	Relates to development in Thanet District.
E1	Kent's countryside will be protected for its own sake.
E2	Kent's undeveloped coast will be conserved and enhanced.
E3	Kent's wildlife habitats will be conserved and enhanced.
E5	Special Landscape Areas will be protected and enhanced.
E6	Relates to development affecting international & national wildlife designations
E7	Relates to development affecting county and local wildlife designations.
E8	Important wildlife habitats will be protected, maintained and enhanced.
E9	Tree cover and the hedgerow network should be maintained and enhanced.
E12	The environment within river corridors will be conserved and enhanced.
E13	Enhancement of the landscape along primary routes will be promoted.
QL1	Relates to the quality of development and design.
QL8	Relates to archaeological sites and remains.
QL9	Listed Buildings will be preserved and enhanced.
QL10	Relates to historic landscape features.
FP8	Seeks to protect the best quality agricultural land.
TP1	Sets out assessment criteria for transport proposals.
TP7	Relates to future strategic transport schemes, including East Kent Access P2.
TP10	Facilities for pedestrians and cyclists will be provided and their use promoted.
TP24	Relates to the future development of Manston Airport.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

---

NR4	Seeks to avoid or mitigate pollution impacts.
NR7	Protects water quality.
NR9	Relates to development and flood risk.
WM7	Relates to construction related spoil
M2	The use of recycled or secondary materials will be maximised.

**Local Transport Plan for Kent 2000**

Lists the East Kent Access scheme as a priority local major scheme.

**Thanet District Local Plan (Approved) 1998**

CB1	Seeks to ensure new development is of a high standard of design.
TR2	Ways to channel traffic from unsuitable routes will be investigated.
TR4	Seeks the widening of the A253 Mount Pleasant to Lord of the Manor.
TR7	Relates to the provision of roadside services on the A253 near Minster.
TR12	Needs of cyclists will be addressed.
CL1	Presumes against new development in the open countryside.
CL2	Aims to protect visual & environmental quality of major approaches to towns.
CL3	Identifies Pegwell Bay-Sandwich Bay as a Special Landscape Area.
CL4	Seeks to protect former Wantsum Channel Area of High Landscape Value.
CL7	Priority will be given to maintaining Village Separation Corridors.
CL9	Trees and woodland will be conserved and enhanced.
CL10	Relates to the provision of landscaping required for new development.
R2	Relates to development in rural settlements and the open countryside.
AG1	Seeks to protect the best and most versatile agricultural land.
AG2	Seeks to prevent casual access to agricultural land.
AG3	Relates to planning applications for new agricultural buildings.
CW3	Relates to proposals at or adjacent to the undeveloped coast.
CW5	Relates to the Wantsum Channel Flood Risk Area.
CW7	Seeks to protect the quality of surface and groundwater resources.
NC2	Seeks to protect Sites of Special Scientific Interest
NC3	Seeks to protect SPAs, SACs and Ramsar sites.
NC4	Seeks to protect Sites of Nature Conservation Interest.
NC9	Relates to new development and damage to nature conservation interests.
AM1	Promotes the protection of heritage sites and features.
AM2	Seeks to protect Scheduled Ancient Monuments.
AM3	Seeks to protect important archaeological sites.
AM4	Relates to the need for archaeological assessments.
AM5	Relates to other archaeological sites not covered by AM2 and AM3.

**Thanet District Local Plan (Revised Deposit Draft) March 2003**

EC3	Supports the development and expansion of London Manston Airport.
TR3	Seeks to channel traffic onto the most appropriate routes of the road hierarchy.
TR5	Seeks the implementation of East Kent Access Phases 1 and 2.
TR13	Promotes the increased use of cycling.
D1	Sets out a number of design principles.
D3	Sets out the requirements of landscape schemes.
D12	Relates to new agricultural buildings.
HE1	Protects Listed Buildings.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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HE3	Relates to rural Listed Buildings.
HE9	Promotes the importance of archaeological resources.
HE10	Seeks to protect Scheduled Ancient Monuments.
HE11	Seeks to protect important archaeological sites.
HE12	Relates to the need for archaeological assessments.
HE13	Relates to other archaeological sites and preservation by record.
CC1	Deals with new development within the countryside.
CC2	Relates to Landscape Character Areas.
CC4	Seeks to protect Island Approach Routes.
CC7	Seeks to protect certain rural lanes.
CC9	The best and most versatile agricultural land will be protected.
CC13	Relates to the coastal park initiative.
NC2	Seeks to protect Nature Reserves and SSSIs
NC3	Seeks to protect SPAs, SACs and Ramsar sites.
EP9	Deals with light pollution.
EP13	Relates to Groundwater Protection Zones.

*Note: Policies in **Dover District Local Plan (2002)** are also relevant for the part of the development within Dover district. In particular, Policy TR5 relates to road improvements.*

**Consultations**

16. Given that the application has been amended three times in response to the first round of consultations, some of the responses below are initial comments on the original application and some are more recent further comments in response to the submitted amendments. Some further views are still awaited and will be reported verbally to the Committee Meeting if received by that date.
17. **Thanet District Council:** Raises no objection. Whilst the County Planning Authority is fully cognisant of the relevant adopted and emerging Local Plan Policies for this area, specific attention is drawn to the landscape policies relating to the protection of views of Pegwell Bay. If permission is granted, full and precise details of all landscaping works, tree planting, bridge and underpass construction, lighting and all associated materials should be provided. *Further views on subsequent amendments expected.*
18. **Dover District Council:** No objection, subject to clarification being provided to demonstrate the overall coherence, safety and implications of the proposed cycle facilities throughout the route, and the imposition of a condition requiring the maintenance of unimpeded two-way flow between Richborough Roundabout and Ebbsfleet Roundabout between 0700-0915 and 1600-1800 hrs. Between 0915 and 1600 hrs temporary traffic controls may be introduced but must be controlled by manual operation. No restrictions need to be imposed between the 1800-0700 hrs. [The District Council also supplies a copy of the delegated officer's report and the following further advice: the Council reserves its position with respect to any inclusion of a High Occupancy Vehicle (HOV) lane; any requests for traffic management approvals should be made in the first instance to the local Highway Office]. No objection is raised to the amendments, subject to imposition of the condition previously requested.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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19. **Cliffsend Parish Council:** No observations to make on the further information / amendments, but Members are surprised that the opportunity has not been taken to introduce traffic calming measures on the section of the A299 going through the upper part of the village. *Further views on subsequent amendments expected.*
20. **Minster Parish Council:** No comments received.
21. **Manston Parish Council:** Supports the proposal, in the belief that the road improvement would benefit Thanet and its regeneration. Grave concerns are expressed regarding:
- no reference to the impact on the A256 north of Lord of the Manor Junction, the inadequacy of which is a significant concern;
  - the much-needed proposed improvements of the junction of the B2050 (leading to Manston village) and the A256 will be delayed, as it is understood that it was to be funded through a S106 agreement with Planestation [Manston Airport].
- Detailed concerns include:
- traffic to/from Ramsgate would be unduly impeded by it being light-controlled at the proposed Lord of the Manor junction, and that a large conventional roundabout would be a better option.
  - the routeing of the cycleway from Cliffesend to Ramsgate via a remote and sharply angled path over the old railway bridge is inappropriate and that in practice the shorter route over the new bridge would be used. Provision should be made in this scheme to improve non-vehicle routes, including horse-riders, travelling east-west.
- In response to amendments has stated: Whilst believing that this road improvement is necessary, this Council continues to be concerned at the traffic layout at the Lord of the Manor and would welcome information on the projected maximum flows at this junction. With regard to infilling at the Lord of the Manor, it is difficult to see why this is permissible, whilst it has not been possible to fill the borrow pit at Spratling Court Farm, both sites being within the water catchment area.
- In response to further amendments has stated: There are still concerns regarding the capability of the Lord of the Manor Junction to cope with traffic from the south, turning right through traffic lights to Ramsgate, and from Ramsgate turning north. Significant northbound queues are likely south of the junction, particularly with new housing and other development planned for Thanet. Such traffic congestion would cause undue risk taking and be detrimental to road safety.
22. **Sandwich Town Council:** Fully supports the proposal and has raised no objections to the amendments. Further comments on the more recent amendments are deferred pending further plans regarding the development of Tubbs Corner.
23. **Ash Parish Council:** Fully supports the proposal.
24. **Monkton Parish Council:** No comments received.
25. **Worth Parish Council:** No comments received.
26. **Acol Parish Council:** Comments as follows:
- The new road would encourage even more traffic through the narrow lanes (with blind bends and no footways) of Acol, if no consideration is given to traffic travelling from Birchington, Westgate, Westbrook and Margate to Sandwich and Ramsgate. Current traffic levels are unacceptable, having increased with development at

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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Manston, Westwood Cross and Haine Road. Additional vehicles would compound the problem and justify placing Acol at the top of the priority list for traffic calming.

- Now would be a good time for Columbus Avenue on Manston Industrial Estate to be extended to Shottendane and Manston Roads, as an Acol Bypass, with several advantages. Otherwise a vastly increased volume of traffic and congestion will be caused in Acol village.

27. **DEFRA:** No comments received.

28. **South East England Development Agency (SEEDA):** Comments as follows:

In terms of the Regional Economic Strategy, the application meets Priority 13 on the South East's Transport Network. SEEDA therefore supports the application and considers that the benefits accruing will assist in the regeneration of this part of East Kent.

29. **Countryside Agency:** No comments received.

30. **English Heritage:** Is content that the impacts on the historic environment have been assessed and where appropriate suitable mitigation measures have been proposed. Impacts on a number of scheduled monuments have been identified and it is recommended that further discussion is undertaken with English Heritage to ensure that these impacts are kept to a minimum. In the case of the Ozengell Anglo Saxon cemetery any physical impacts of the works, and associated drainage and landscaping, would require Scheduled Ancient Monument consent.

31. **English Nature:** Initial holding objection. The further information / amendment submission is still insufficient to determine whether there is likely to be a significant effect on the important wildlife designations in this area. The following information is requested:

- An assessment of potential disturbance to birds in the vicinity of the Hoverport apron during the installation of the pipeline along with details of mitigation measures.
- Information on impacts upon designated sites of the pipeline's construction and details of alternative routes considered.
- Detailed information on the working area near to Richborough Power Station.

The Council should not determine the application until further information is provided by the applicant.

In response to further information has commented:

The revised route for the Pegwell Bay outfall is welcomed and we are satisfied that the timing of the works minimises disturbance to wintering birds, one of the SPA's interest features. **Objection is withdrawn** subject to a condition requiring prior approval of the discharge apron, to avoid adverse impact on the SAC, Ramsar Site and SPA. Also satisfied with impacts on interest features of the SSSI at Richborough and withdraw objection, subject to a condition requiring prior fencing of the SSSI to prevent accidental incursions. No further comments to add regarding consideration for protected species. The ongoing management of all habitats created in mitigation for protected species should be incorporated into a management plan for the scheme as a whole, and incorporated into the landscaping scheme as a conditional requirement.

However, a protected moth species (fiery clearwing) is known to breed in Pegwell Bay, together with a moth species of principal importance (bright wave). Neither of these species were identified in the ES or subsequent information, so a condition should also

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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be imposed requiring a survey for these two species in advance if any works commencing on the Hoverport pad or approach road, with any necessary mitigation to be approved before works commence.

32. **Environment Agency:** No objection provided that the condition and informatives referred to below are imposed on any planning permission granted.
- Disposal of spoil would require a Waste Management Licence.
  - A licence may be required for any water abstraction for dust suppression.
  - Any dewatering activities would require a transfer licence.
  - It is recommended that further investigations are carried out to assess the sites identified as affected by contamination or landfill. Appropriate remediation works should be carried out and relevant details agreed with the Planning Authority before any works are commenced.
  - Part of the site lies on the upper chalk formation, which is classified as a major aquifer. The site lies across Source Protection Zones (SPZ) I, II and III for the Lord of the Manor public water supply. Soakways shall only be used in areas on site where they would not present a risk to groundwater. If permitted, their location must be approved in writing by the Planning Authority. Appropriate measures should be taken to prevent discharges of polluting matter to the ground during construction.
  - A scheme for the methods of site construction and operation shall be submitted for the prior written approval of the Planning Authority.
  - Any discharge of surface water drainage from the site to controlled waters would require a consent from the EA under the Water Resources Act 1991.
  - Prior consent would be needed from the EA for any works in, over or under the channel of Minster Stream, or within 8m of the top of the bank.
  - We would like to see further details of mitigation and method statements for the following species: Water Vole & Marsh Warbler.
  - More information is required on: all watercourses and water features affected by construction activities must be surveyed for Water Voles and Great Crested Newts; a method statement for the mitigation of Water Voles must be provided for each ditch/water feature likely to be affected by construction activities where Water Voles are present.
  - Requests a meeting to discuss concerns relating to surface water drainage and discharges with the Water Quality and Ground Water Teams.

In response to amendments and further information has commented:

The drainage outfall at Richborough is at Minster Stream where tidelock may be experienced and attention should be given to avoid localised flooding. Negotiations are progressing regarding the deposit of 150,000m<sup>3</sup> of spoil at Lord of the Manor. There are concerns over the proposed surface water drainage pipe and we require a detailed method statement, given the sensitive cliffs and contamination potential of the Hoverport pad if disturbed. Timing of the proposed works is of prime importance, since this area is internationally important for wintering birds and marine life. Additional volumes of freshwater drainage at Pegwell Bay might disturb the salt marsh and mudflat communities, but only at low tide in the inter-tidal zone. Improvement works would be required to the existing outfall to increase its capacity if it were to be combined with the new highway outfall. There will be minimal impact on water quality overall from the additional drainage resulting from the scheme.

The Pegwell Bay outfall should have a pad structure to prevent scour of the beach and may need a storm flap to prevent seawater ingress at high tides, subject to final levels. Land Drainage Consent may be required for the proposed Cottington highway drainage;



**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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note that there are two surface water abstraction points at the end of the Cottington Lane proposed ditch.

**Highways Agency:** As the trunk road network is not affected by the proposal, the Highways Agency has no comment to make on this application or its amendments.

33. **Kent International Airport (Manston):** Will have to refer this matter to the Civil Aviation Authority for approval.

34. **Civil Aviation Authority:** No comments received.

35. **Network Rail:** Objects to the proposal, in particular to the two rail crossings, which would require railway land and easements or construction with associated Land and Works agreements identifying ownership and future maintenance responsibility.

36. **Southern Water:** No objections in principle, however there are a number of concerns:

- Much of the proposed road lies within Groundwater Source Protection Zone 1 for Lord of the Manor Source. In response to the further information / amendments, some concerns remain. The location of some of the works within Zone 1 and 2 of the Lord of the Manor source does not adequately reflect the high risk to the Public Water Supply. Some of the works are directly above the adit leading to the source pumps. The risk of contamination is greatly enhanced in these locations and it is essential that totally inert material is used for fill. Despite the later amendments for reduced infill, due to the vulnerability of the source, it is imperative that Southern Water are consulted with regard to the protection of the aquifer and the public water supply.
- The provisions of the New Roads and Streetworks Act should ensure the protection of plant affected by the proposals.
- The proposals may affect the twin pumping mains from Margate to Weatherless Hill currently under construction, and our existing Lord of the Manor operational site.
- The proposed access to Weatherlees Wastewater Treatment Works is not shown in detail. The width of access shown is not clear and may not be adequate in terms of safety for the increasing number of HGVs and tankers accessing the works.

37. **Other utility companies:** The **British Pipeline Agency, EDF Energy, Southern Gas Networks Ltd, Energis Communications, and Transco plc** confirms that their facilities / apparatus would not be affected by the proposed development. No responses have been received from **BT** and **National Grid**.

38. **Council for the Protection of Rural England (CPRE):** We do not consider that the above proposal should be progressed in its present form, due to major adverse impacts on open countryside and historical sites. In addition, the scale of the works involved are such that the costs involved could prejudice its construction within a reasonable time frame, meaning that the present problems are unlikely to be corrected.

39. **Kent Wildlife Trust (KWT):** No objection in principle, and broadly support the proposals for mitigating negative environmental impacts, particularly those that seek to protect priority and protected species and water quality of watercourses discharging into Pegwell Bay. KWT would welcome the opportunities for biodiversity enhancement indicated in the ES. However, the absence of any details about the nature, extent and location of the contractors' compound is cause for concern. The ES is incomplete without this

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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information / assessment and KWT therefore lodges a holding objection. If permission were to be granted the following planning conditions should be attached:

- implementation of all mitigation and compensation measures as specified;
- the appointment of an ecologist prior to works commencing to monitor and report on the implementation of those measures;
- routine monitoring of water quality and the effectiveness of the habitat protection, species translocation and habitat creation programmes, and 5 years after completion of the works, a programme of any necessary further mitigation and enhancement works shall be submitted for approval and implemented within 3 years of approval.

In response to the further information / amendments, KWT states:

- the deferment of the selection of site(s) for the contractor's compound(s) runs counter to project assessment procedures which seek to expose and deal with construction as well as long term impacts at the outset, and we remain disappointed that no assessment has been made of their environmental impact.
- no objection is raised to the use of some highway verges as receptor sites for reptiles, and welcome the relaying of disturbed chalk grassland turves, but also suggest that where appropriate other verges should be created using sub-strata soils with no sowing, or low density sowing of chalk grassland species, and we would reinforce the value of a carefully prepared management regime for all verges and batters.
- we are reassured by the amended route for the Pegwell Bay outfall, intentions for the highway drainage and habitat proposals at Ebbsfleet and accept the removal of the badger tunnel and mitigation for the construction impacts on birds at Pegwell Bay.

**40. Ramblers Association:** Most of the footpaths in the vicinity would not appear to be affected too much. However, Footpath TR32 crosses the planned road between Sevenscore Roundabout and Lord of the Manor junction. It is not clear how the proposal would deal with the footpath. To keep walkers away from expected fast moving traffic a footbridge or underpass should be provided at this point, failing these a suitable diversion to a point where walkers can cross safely.

**41. Kent Highway Services:** The further information / amendments provided by the applicant are a comprehensive response and the ES now incorporates key information to do with justification and operation. It is noted in particular the modifications made to enhance the cycle facilities to be provided. The added ability to compare the 'Alternative Schemes Considered' with the 'Proposed Route' identifies why this route alignment has been adopted as the preferred option. It is now possible to fully endorse the conclusion that the scheme is technically sound, has public support and in overall terms is superior to the alternatives in tackling the problems and objectives identified. There are no highway and transportation implications that give cause for concern. Although it is a freestanding application, justifiable in isolation, it is noted that the scheme is a second phase of a larger project of infrastructure improvements aiming to benefit the East Kent area.

There are no highway objections to the amended alignments at Wayborough, given that the same service level would be provided, eg. the combined cycleway/footway and safety strip.

**42. KCC Archaeology:** The new road would be constructed in a landscape of very high archaeological value and it is very likely that important archaeological remains would be significantly impacted, including in places of national importance. The measures in the

## Provision of a new strategic dual carriageway and associated works (East Kent Access Phase 2) – Ref. TH/05/964

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ES are appropriate to the mitigation of the scheme's impacts on buried remains. Slight modification of the route to avoid particular monuments may be possible, but would almost certainly lead to impacts on other known or unknown buried remains. Given that scheme cannot be located to avoid significant impacts, detailed investigation in advance of construction would be appropriate, except where engineering measures can achieve preservation of remains in-situ.

Archaeological mitigation should include further assessment and evaluation to achieve in-situ preservation where possible, with prior detailed investigation elsewhere. Early entry to the land affected should be sought to ensure sufficient time for investigation, with a watching brief for other areas. Following excavation and recording, results of investigation should be analysed, researched and published, and the archive deposited with an appropriate museum.

Archaeological mitigation measures should be carried out in accordance with specifications to be agreed with the County Archaeologist, and works within the Ozengell Scheduled Monument would need to be agreed with English Heritage (subject to Scheduled Monument Consent from the Secretary of State). Specific conditions to address mitigation and any in-situ preservation of remains are recommended.

43. **KCC Biodiversity:** The proposal does not directly impact on any land with a designation for nature conservation. However, the proposal is in an environmentally sensitive area within close proximity of an SSSI, an SAC and an SPA and Ramsar site. An SNCI is also within 300m at its closest point. The proposal largely avoids direct impacts on protected/rare/Kent or UK BAP [Biodiversity Action Plan] habitats, with most land to be lost to development currently in agricultural production. However, some small areas of semi-natural habitat with the potential to hold protected species would be impacted. Indirect impacts arising from the proposal (pollution, disturbance, etc.) also have the potential to impact on the protected sites and species. In respect of protected species, I would like to raise the following points.

- Bats – Any trees or other suitable structures to be removed should be assessed for their potential to host roosting bats. If bats are present, the applicant would need to develop a suitable mitigation plan and apply for a licence from DEFRA.
- Otters – No further surveys for otters have been undertaken since 2001. An updated survey should be undertaken to see if otters have re-colonised the site in the interim.
- Water Voles – The ES has identified water voles in suitable habitat, including at least one ditch and pond that are to be directly impacted. The applicant has briefly summarised the intended mitigation / compensation. Prior to determination, a detailed mitigation plan would need to be submitted.
- Dormice – The 2001 survey indicates that dormice are likely to be absent and given the limited mobility of the species and the relevant isolation of suitable habitats, it is unlikely that they would have re-colonised in the interim. English Nature will be able to advise whether there is a need for an update survey.
- Birds – Nearby designated sites are important for wintering and migratory birds. English Nature would need to be satisfied that the proposal would not have an adverse effect on the avian interest. No bird survey work appears to have been undertaken since 2001 and the distribution of birds in the area may have changed.
- Reptiles – The reptile survey (2004) recognises the need to develop and implement a reptile mitigation strategy in advance of works. The applicant has submitted a brief description of the proposed mitigation measures, but I would also want to see a copy of the full reptile mitigation strategy.
- Habitats – There would be a loss of areas of chalk grassland and standing open water, and of areas of the UK BAP broad habitat types neutral grassland and broad-

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

---

leaved, mixed and yew woodland. It is not clear the precise area of each of these habitats which is to be lost and the area of habitat which would be provided in mitigation/compensation. It is essential that the proposal does not result in a net loss of habitat or increased fragmentation of existing habitats. The applicant should provide clear diagrams showing the extent of proposed habitat enhancement together with details of the proposed planting regime and long term management.

In response to amendments has commented as follows:

We have concerns over changes to water quality and hydrology and the impact on aquatic flora and fauna, as well as the proposed outfall in Pegwell Bay. We welcome the compensatory wetland at Weatherlees Hill pond in advance of construction, and detailed design should maximise biodiversity benefit. A follow-up survey of otters should be carried out. All material used in habitat creation should be the most appropriate for the site and for the habitat. Bats – planting should take account of mitigating impacts to bat flight line and foraging. Badgers – all possible efforts should be made to minimise impacts on the only active main sett in Thanet. Birds – the best possible solutions to minimising impacts should be used. Reptiles – it is important that the monitoring and creation of links between areas is undertaken. Invertebrates – it is important that the maximum possible existing habitat is retained, remains in a continuity of management and is linked by suitable habitat.

Clarification and amplification of mitigation for reptiles, bats and birds is welcomed, including the commitment to undertake a further otter survey, but recommend that the mitigation be conditioned to ensure its implementation. An ecologist should be on site at all times to ensure compliance and a cohesive mitigation strategy should be included in the propose landscaping scheme. I would support the use of conditions to manage the Pegwell Bay outfall and await further survey and any necessary mitigation for protected moth species. I also support a condition to ensure the proposed fencing of the SSSI.

**44. KCC Public Rights of Way:** In the further information / amendments submission, the applicant has not responded to our original response: The proposed development directly affects Public Rights of Way TR32, TE37 and TE39. Whilst no objection is raised in principle the following confirmations / revisions are requested prior to determination:

- TR39 – confirmation that a footway / cycleway would be provided from the severed north section of Ebbsfleet Lane to the proposed service road that carries on down to the Ebbsfleet roundabout; that a crossing would be provided at the Ebbsfleet roundabout; and that the small remaining section of TE39 (between the new road and Ebbsfleet Lane) would be stopped up.
- TR32 – the need to divert the footpath to the Foads Lane crossing point is accepted, however the new route should ‘cut corners’ as appropriate rather than turn at a right angle when it meets the new road.

Footpath TE37 would pass under the proposed road and it would therefore be unaffected. The PROW officer also provides general advice for the applicant.

**45. Environmental consultant (noise/vibration/air quality):** Comments as follows:

- The Supplementary Report on Noise and Air Quality satisfactorily addresses my [earlier] concerns raised with the proposed mitigation measures incorporated into the noise predictions made.
- [On air quality] I note that the applicant has changed the significance criteria and therefore the impact of the scheme has altered slightly. I am however satisfied that air quality is not predicted to approach Air Quality Objective Levels at any property,

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

---

and as such should not cause detriment to amenity at the closest sensitive properties.

- The proposed Cliffsend underpass would create a large noise barrier to many properties in Cliffsend. Although the carriageway is to be raised {under the amendments}, the increase in noise levels would not create a significant change that was predicted before.

**46. Landscape architect:** Comments as follows:

- The proposed road scheme runs through a varied landscape, but always with an open character. Existing vegetation tends to take the form of isolated small blocks and linear belts, for example along the railway. These are particularly significant from the higher land close to the boundary with Manston airport.
- In summary, no objections are raised to the landscape principles of the scheme. The landscape strategy plans contain sound principles including suitable mounding provided in critical areas. Detailed plans should show all proposed species, densities and planting sizes. The choice of species and densities is critical to providing the required variety of planted forms from woodland down to lower level scrub. Mounding should be disguised and where the critical visual impacts occur they should be responded to with suitably dense planting. Evergreen species could be carefully used in the plant mixes to achieve adequate screen where appropriate, these areas are discussed above. Detailed planting proposals should take full account of existing planting areas, localised management and planting enhancement details should be provided to ensure that they flourish long term. Details of protection to existing trees and wooded areas should be shown.
- Richborough to Ebbsfleet – This area is visually degraded, and the highway detail and landscape proposals should seek to rationalise existing clutter and provide a stronger more sustainable landscape framework.
- Ebbsfleet Roundabout to north of Ebbsfleet Farm Cottages – Screening of the properties on Ebbsfleet Lane should be the priority, with bunding and dense planting. Off site by agreement planting east of Weatherslees Hill would be desirable.
- Ebbsfleet Farm Cottages to Cottington Road Bridge – The landscape setting here is less constrained by local visual impact except for the users of the golf course. The character of the continuous planted belt to the south eastern side of the road alignment could be a little more open in nature. At the Cottington bridge the objective should be dense screening. The buildings of the golf course and in particular one residential unit are visually impacted; the combination of the 2 metre screen mound, a proposed planting depth of between 40 and 60 metres (including some evergreen species) and some existing planting should adequately mitigate the impact.
- To Sevenscore Roundabout – The embankment continues and would form a notable feature in the open landscape, in this situation the planting should link to the existing railway embankment planting and form a contiguous landscape feature. There should be some variation in the grouping of the plant species to avoid a solid unchanging line, in this respect the enlarged area close to the roundabout should be seen as a more significant visual feature.
- Sevenscore, Cliffsend Underpass to Lord of the Manor – The planting to the railway embankment will screen Cliffsend to the east, however it is felt that in the detailed scheme planting should be provided on the embankment to the west of the route. Dense planting should be provided around the new junction south of the railway.
- Sevenscore to Cliffsend Roundabout – The planting detail should show a scrubby or hedge scale type of planting to soften the road line running up the hill, as linear belts are not atypical of the area. The roundabout at the top should form a wooded copse.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

---

Planting on the eastern approach should contain larger species to mitigate the streetlighting columns.

- Cliffsend Roundabout to Minster Roundabout – It is noted that planting along this section has some restrictions in relation to the airport. The proposed use of intermittent planted blocks is considered to be the correct approach but regular spacing should be avoided. There are some long distance visual impacts from the south, however they cannot be considered to be significant over and above the existing situation.
- Cottington Road Lagoon – This feature is very functional in visual terms, and it would be preferable to provide a dense tree and shrub screen
- Roundabouts – The strategy plan shows planting on some and not others, with no apparent logic. At the Lord of the Manor there is a definite need to screen so there is a clear function. The other roundabouts' detailed design should aim to create notable points, which act as subtle landmarks with slightly different characters.

**Local Members**

47. The Local Members, Mr C Hibberd, Ms E Green, Mr A Poole & Mr L Ridings, were notified of the application on 21 July 2005 and of the amendments at subsequent dates.

**Publicity and Representations**

48. The application has been advertised by way of site notices and a newspaper advertisement, and on three further occasions in response to amendments and further information. In addition, over 1200 properties were notified individually by letter when the application was first received. Letters of representation have been received from 15 different addresses. The points raised in representations are summarised as follows:

**GENERAL POINTS**

- We do need better roads to take commercial traffic in Thanet, but why take a sledgehammer to crack a nut? Thanet will turn into a vast urban sprawl.
- Employment and regeneration are important in Thanet, but a major potential earner, the leisure industry, seems to be entirely forgotten. The potential for tourism remains just so long as Thanet is not ruined environmentally, scenically and culturally.
- The last thing we need is another dual carriageway, devastating the countryside of the Wantsum channel, both its culture and wildlife. The coastline from Broadstairs to Foreness Point is full of pretty bays and golden sands but the beaches are empty. The approach from Canterbury or Dover is so off-putting.
- Not enough consideration has been given to the welfare and environment of nearby dwellings, some of which were built in the 17<sup>th</sup> Century.
- The scheme would be environmentally damaging, is being planned in the wrong place, and does not serve the traffic needs of the area viz. access to Thanet, the Westwood retail development and the possible expansion of Manston Airport.
- The A229 actually copes more than adequately with the traffic. Other roads should be given priority for improvement instead, such as the A28 between Canterbury and Birchington or the A2 at Dartford.
- The newly dualled A229/A256 would not solve the major bottleneck at Lord of the Manor. The main problem is still Haine Road.
- Canterbury Road West and Sandwich Road would be used as rat runs.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

---

- The benefits such as increased employment are overstated.
- The original concept was to ease traffic congestion to Pfizer, yet Pfizer has just made 400 people redundant. Plane Station and EU Jet have gone into administration and the airport commercial future is limited because of high oil prices and its remoteness to centres of population. The existing road network is coping at the present time and will be more than able to in the future.
- You should not be covering more farm land with concrete, since it adds to global warming and deprives us of ground water.
- Building on open countryside would have a significant impact on the natural environment. The excessive lighting would cause fatalities to the barn owl and bat population at Thorne; the only known badgers sett in Thanet is also at Thorne.
- There would be the possibility of infill housing on the fields bordering the new road.
- The proposed Lord of the Manor junction should not have traffic lights. They would cause significant delays to traffic flow. Roundabouts should be used instead.
- There are badgers and bat roosts present very near the proposed road. The road scheme would have a devastating effect on wildlife, causing infill and destruction of habitat, and the proposed badge tunnel is too far east for movement between the setts.
- The proposed area is rich in settlements from Iron Age, Saxon and Roman Britain.
- If the scheme goes ahead, a screening or tree planting programme should be implemented at an early stage.
- The new road should have a 50mph speed limit, to reduce the risk of accidents, similar to Phase 1A alongside Pfizers.
- Overall objection to the plan in terms of impact on landscape and the environment, since an upgrade of the original road would be less costly and less destructive of the area.

**NOISE AND LIGHTING**

- A number of respondents raise concerns about noise impacts and lack of bunding/acoustic screening on the road south of the airport runway, particularly as it passes properties in Way.
- Residents in Way already suffer noise from the Airport; let us do everything we can to spare them the (constant) noise from the new road.
- The proposal breaches the right to respect for private and family life. My home would be within 100m of a major arterial route and would be adversely affected by noise.
- The proposal would affect the tranquility of my property.
- It seems only reasonable that our lives and comfort should be considered, along with the convenience of road users.
- Insufficient concern has been taken over the pollutants and noise levels from this road, with the prevailing wind from the south west.
- Exactly how close does a property need to be to qualify for noise insulation?
- The noise assessment does not consider the type of road surface; the quietest possible surface should be used.
- No consideration is given to noise impact from the rest of the new road where it does not run in the underpass at Cliffsend.
- The noise table does not cover any properties in Walmer Gardens, Foads Lane, Oakland Court, Oak Hall Drive or Beech Road, all of which will clearly be affected by noise pollution from the proposed road.
- If this road must be widened or moved, the provision of a soundproofing bank would make the road better for its neighbours than it is at present.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

---

- What noise reducing measures would be taken for the new road? Sandwich Road [A256] is noisy as it is, and it is only single carriageway.
- Raises concerns about the use of streetlighting and light pollution.
- Pilots may be confused by the streetlighting; the A299 should not be lit.

**CLIFFSEND AREA**

- Cliffsend would be blighted by the new road.
- Putting a dual carriageway through the middle of a village [Cliffsend] is wholly inappropriate. It is quite feasible to bypass the village altogether.
- There would be a significant impact from the road passing under Foads Hill [Cliffsend Underpass] and across the farmland.
- Restrictions to access are needed at either end of Cliffsend to prevent the old A299 becoming a rat-run.
- It is entirely inaccurate to suggest that Cliffsend will not suffer severance because of the underpass proposal, since it will only pass under a small section.
- It is inaccurate to suggest that the impact on Cliffsend would be only moderately adverse and would be only slight with planting, and does not consider those properties that look directly across open fields (Oakland Court, Walmer Gardens, Foads Lane, Oak Hall Drive, Beech Grove).

**COTTINGTON ROAD AREA**

- The proposed Cottington Bridge would destroy one of the two main views deemed worthy of protection in the Thanet Local Plan. It is an exceptional area of attractive, unspoilt countryside with sea views across the channel.
- The proposed Cottington Bridge should not be visible from the rear of my property [in Oakland Court, Cliffsend]; nor should any lighting or headlights on the raised part of the road cause light pollution. An unnatural skyline may result if trees are planted on raised land. Any trees planted should be evergreen to reduce the impacts.
- Cottington Road would become a rat-run to access the new roundabout at Sevenscore, particularly by residents of Cliffsend trying to avoid hold ups at Lord of the Manor. Cottington Road is not suitable or safe for heavy traffic.
- The closing off the various lanes would result in increased local traffic along the back road between Minster and Cliffsend, which is narrow and dangerous for cyclists.
- It is inaccurate to suggest traffic will not increase on Cottington Road, since Cliffsend residents can only access the new road at the Sevenscore Roundabout.
- The proposed bund at St. Augustine's Golf Club will not benefit the residential properties; are Golf Club more important the people who will have to suffer constant noise and light pollution?
- How high will the road be as it rises from the Sevenscore Roundabout over the railway to Ebbsfleet? The street lights could be 50 feet in the air, with lorries viewed some 30 feet in the air.

**WAY AND WAYBOROUGH**

- Several respondents object to the proposed A299 dual carriageway sweeping to the south near between Minster roundabout and Thorne Hill, close to residential



**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

---

properties. Nearby properties, such as Dellside, Ashenmeade and Mill Cottage, would suffer from extra noise, air and light pollution.

- The road would be 3-4 metres from our boundary and would have an extreme impact on our quality of life both in environmental terms and visual outlook.
- Options of putting this section of the road in a cutting or creating a substantial embankment or noise bund are put forward.
- Even a modest earth bund will protect Way from noise and nuisance, given the relatively flat and open landscape.
- The intermittent planting along the improved A229 should be significantly increased.
- The proposed road sweeping to the south would cover hundreds of acres of green field in concrete unnecessarily.
- Any argument about pilots mistaking the road for the runway are unfounded due to modern aircraft instrumentation and procedure. Gatwick and Heathrow have many surrounding roads, so it is obvious they make no difference to airport operations.
- The link joining the cut-off ends of Way Hill and Thorne Road should be removed.
- We live in a Grade II Listed Building in Wayborough Hill and secondary glazing may not be an option.
- There are no references to the inhabitants of Way, who live in Wayborough Hill and Way Hill, and who would be directly and detrimentally affected by the proposal.
- As the top of Wayborough Hill would be stopped off, our only access out would be via Way Hill to the B2058 Minster to Cliffsend Road; this junction is very hazardous as each side there are blind bends in the road.
- Provision of cycle lanes / footpaths from Wayborough Hill to Ramsgate and Minster would be essential.
- We see no suitably sited turning point for vehicles, particularly in our case, for caravans to our CL [Certified Location] site [residents of Wayborough Hill].
- Raises concerns about noise from increases in traffic speed, traffic calming, control of light spill from streetlights, and whether there would be planting and bunding with respect to the A299 section fronting the Airport. What alternative access would there be to Wayborough Farm?
- If the existing road is to be dug up, can the material be used to create an earth bund between the new road and the housing? I have still not been told why the new road must move nearer to the houses at Way.
- There is an opportunity to save money if the spoil is used to build a bank 7 metres high on the south side of the road; it would save the cost of dumping it as well as making a sound barrier, plus reduce aircraft noise and fumes whilst they are on the ground with their engines running.
- The plan includes shrub and tree planting, but they do not stop traffic noise.
- Could the road not be moved nearer to the Airfield, rather than alongside properties in Wayborough Hill, or if not some form of noise protection be built?
- The only reason for moving the road is to accommodate Manston Airport, to facilitate their radar system; if it is important to them, they should pay for it.
- Pleased to see a bank and planting is now to be constructed at the top of Wayborough Hill and Way Hill, but should be extended to meet with Laundry Road.

**ALTERNATIVE SCHEMES / ROUTES**

- One alternative would be for the road to go to the north of Cliffsend across the edge of the airport (as the future of the airport looks uncertain), or to have a tunnel underneath it.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

---

- The closure of Manston Airport removes one of the major objections to online improvements of existing roads, which would be cheaper, more direct and environmentally more sound.
- The dual carriageway should follow the existing A299 as far as possible, and leave the farmland more or less intact.
- It would be more favourable to build a second road next to the existing.
- The new road should follow the line of Thorne Hill directly down to Ebbsfleet Lane to, thereby having less impact on Cliffsend village. Thorne Hill is already being used as a rat-run for Pfizer employees.
- The A256 along the seafront at Cliffsend should be dualled and pass through the old Hoverport site, with a link from Lord of the Manor roundabout to a new roundabout north of Manston, which would then connect with the Westwood retail development and via a route to the north of Manston Airport to the A299.
- The proposal uses large areas of green land when an alternative route using the old Hoverport site exists but was not properly explored.
- Questions the route through an agricultural barn off Ebbsfleet Lane, rather than along Ebbsfleet Lane or across part of the golf course.
- The scheme should be considered in relation to discussions of a new route the other side of Manston Airport to service Westwood.

**PEDESTRIAN AND CYCLE ROUTES**

- The pedestrian / cycle bridge over the railway east of Lord of the Manor roundabout is 3 times the length of the new (1992) bridge. It serves no useful purpose and is an inconvenient dogleg that most cyclists would avoid.
- There is no connecting cycleway on the A256 towards Haine; this is a narrow dangerous stretch without a footpath or space for cyclists to travel safely.
- There is no connecting cycleway on the A256 towards Sandwich until past the Chalk Hill turning and the road here is not that easy for a cyclist.
- The plan needs a re-think for cyclists before any such design is put in place.
- The proposed cycleways should be sited away from the dual carriageway.
- Could the old A299 be converted into a cycle path on completion of the new road, since the present cycle route along Foxborough Lane and Grinsel Hill is narrow and dangerous?
- Footpath TR 32 is a popular walk and needs to be retained.
- Why does the footpath/cycleway run on the Airport side of the road when it is to the south side on prior sections? There would be more separation between housing and the traffic, and better views for users, if it was on the south side.

**ST AUGUSTINE'S GOLF CLUB (RAMSGATE) LTD**

- The application as initially submitted ignored the debilitating aspects of traffic noise and visual degradation on the golf course and clubhouse environs, [particularly near to the proposed Cottington railway bridge, where the club professional's house is located]. This has only now been belatedly addressed through the recent submission, which states: "even with the bunding in place the impact at the Golf Course is substantial when compared with the exiting situation". The company has therefore employed acoustic consultants to carry out an independent assessment. The scheme would be of a magnitude that may engulf and destroy the inherent character and peaceful ambience of the golf club. The Club, established in 1908, provides significant contributions to the community and the tourist industry.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

---

- The Golf Club's own consultants dispute some of the calculations and conclusions of the applicants' consultants on both the predicted changes to the local noise climate and air quality. The Club continues to be concerned at the County Council's lack of appreciation of the debilitating consequences that the new road would have on the Golf Club's future. Particular emphasis is laid on the environmental surroundings of the patio, terrace and bordering land, together with the vitally important financial benefits from the associated leisure facilities.
- There will be a substantial increase in noise for the Clubhouse and the professional's house and the Land Compensation Act will apply. Legal advice is being sought on compensation for the deterioration of the noise climate for outdoor activities. A key issue is the noise level on the Clubhouse terrace, and the fact that events are held in marquees at some distance from the building where noise levels would be higher than the County Council's calculations. The WHO noise criteria used only relate to residential areas and are not applicable to the outdoor area of a golf club used for entertainment functions. Provisions of the Noise Insulation Regulations are only relevant for internal noise and not the deterioration in outdoor noise level.
- There would be a substantial increase in noise, with the environment changing from a quiet background without traffic noise to one of continuous traffic noise. The existing quiet area of the Clubhouse should be preserved according to WHO advice, which would mean relocation of the facilities.

**NON MATERIAL PLANNING MATTERS**

- A number of respondents comment on the cost of the scheme, the potential for falling house prices and blight, the need for compensation or soundproofing, and the possibility of compulsory purchase of land/property.
- Also, several letters have been received from directly affected landowners raising various issues about compensation, alternative proposals, local access arrangements, etc. These matters are the subject of individual, and in some cases ongoing, correspondence with the Highway Authority which will address such matters through Compulsory Purchase procedures, compensation negotiations, and/or accommodation works, in the event of the scheme proceeding. However, some general points have been included below.

**LAND OWNERSHIP MATTERS**

The scheme is not cost effective, is environmentally damaging, and does not serve the traffic needs of the whole area, eg. Westwood and Manston Airport.

A better scheme would to continue the dual carriageway to the north side of the airfield, linking to Westwood and then via the Lord of the Manor Junction and via the old Hoverport site, which would be less costly and require no bridges or tunnels.

Alternatively the existing A299 should be dualled and routed under the Jentex plant at Cliffsend to meet the Lord of the Manor Junction.

The scheme is no longer required given the scaling down of operations at the Pfizer plant and the recent failings of Manston Airport.

The serving of the land ownership notice was not legal being later than for other landowners, who have already been involved in discussions with KCC over access to their land for later development. This whole matter needs to be referred to the Office of the Deputy Prime Minister and/or European Court.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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The scheme does not need to come onto my land and destroy an Ancient Monument, and could easily be site elsewhere.

I insist on being heard at public inquiries for the planning application and the scheduled monument consent application.

The scheme would affect all farmers and landowners very substantially both in the short term and the long term and the following general objections are raised:

- New roads rather than upgrading existing has a severe impact on the open landscape, protected by the Local Plan, and the proposed planting would be an alien feature.
- New roads in open landscape is contrary to the presumption against development on greenfield sites.
- Upgrading existing highways is entirely feasible, but KCC chooses to impact on farmland, businesses and the countryside.
- There is over protection of the A256 corridor, since the existing road itself has no special nature significance.
- There is severe impact on agricultural land because it is mainly Grade 1 (the best and most versatile), it used for vegetable cropping, irrigation will be difficult with smaller, awkward shaped fields, more concrete access roads will be needed simply to access severed land, and pollution will be increased in previously unpolluted areas.
- There would be severe impact during construction, with noise, dust, crop damage and additional traffic.
- There would be direct impact on businesses, such as the resiting of the coldstore.
- A network of country lanes would be rendered less accessible for houses and farmland because of being stopped up or more heavily used as short cuts.
- The likely eventual closure of the Sevenscore level crossing would be disastrous for farmers, and would force more farm traffic onto main roads.
- The proposed protection zone for the airfield is unnecessary, and creates awkward severed areas, given the likely closure as an airport.
- The lighting and high level crossing of the railway at Cottington would not contribute at all to the countryside.
- Dual carriageways imply a significant increase in road capacity which is not necessary, with closure of the Airport and uncertainty at PfiZers, and general lack of demand for business space in Thanet.

Objection is also raised to the proposed passing bays on Thorne Hill and Cottington Road, plus amendments to the Sevenscore cross road, since they intrude into Grade 1 horticultural land and would hamper efficient farming around them and reduce productive capacity.

Objection is also raised to the lighting of the new road between the proposed Sevenscore Roundabout and the Lord of the Manor Junction as excessive and drawing attention to the road.

In response to the latest amendments:

The new road is now proposed to be 25 metres further north, so as to include the bund between Laundry Road and the top of Thorne Hill, but the area of land acquisition has increased substantially. Although partly counterbalanced by less land being sterilised between the new road and the airfield, the increased loss of agricultural land is significant. More localised noise screening could be constructed in the immediate vicinity of affected houses and we would ask the Committee to consider that. The height of the mound is also not clear and if to be 2.5 to metres would be better as tree and landscaping planting.

**Discussion**

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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49. The application seeks planning consent for a major transport proposal by the County Council and needs to be considered in the context of the relevant Development Plan Policies, and in accordance with Environmental Impact Assessment procedures, together with any other material considerations from consultations and publicity. In this case, the proposal is above and beyond the scheme envisaged in the approved Thanet District Local Plan and the proposal therefore represents a departure from the currently approved Development Plan.

**Background**

50. The Scheme relates to the two main transport arteries of the A256 from Dover to the Thanet towns of Ramsgate, Margate and Broadstairs, and the A299 Thanet Way from Canterbury to the Thanet towns. Together with the existing A2 Trunk Road from Canterbury to Dover, these two routes form the skeleton of the East Kent Triangle and are therefore the main conduits for the movement of people and goods in East Kent as whole.

51. Phase 1 of the East Kent Access has already been through the planning and other statutory procedures, with Part 1a (a link from Ramsgate Road, Sandwich to the Sandwich Bypass) is already completed, and Parts 1b and 1c (dualling of the A56 from Sandwich to Cliffs End) is currently under construction. Phase 2 proposes a completion of the north-south A56 improvements by creating a new alignment to the west of Cliffs End, together with improvements to the east-west A299 Thanet Way route from Minster to Ramsgate.

52. Phase 2 has been subject to lengthy public consultations in recent years, because of the need to investigate the optimum solution for a new off-line route for the A256. Public exhibitions and local consultations (in March 2001 and July 2004) have influenced the final choice of route, initially approved by the County Council's Highways Advisory Board in July 2001 (with amendments approved subsequently in September 2005 and March 2006), although there remain some differences of opinion locally over the preferred route. In particular, there has not been unanimous support for the route finally selected, but it does have the benefit of support from the majority of local community interests. It should be noted that some affected landowners and businesses, as well as some local residents, would prefer some alternative route. Although the potential for alternative routes and solutions is an aspect examined in Environmental Impact Assessment, the decision on the planning application must focus on the proposals that are currently before the Planning Authority.

**Procedural Aspects**

53. The Planning application is one which is subject to formal Environmental Impact Assessment (EIA), and it is therefore accompanied by an Environmental Statement prepared by the applicants. EIA is a process which runs in parallel with the planning application process, but extends well in advance and some way beyond the planning application itself. However, the two processes combine at the planning decision stage, in that the Planning Authority cannot actually determine an EIA planning application unless or until it has taken account of all the relevant environmental information. It cannot for example come to a view on such a planning application in advance of receiving or assessing any relevant environmental information.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

---

54. The planning application itself is also a departure from the approved Development Plan, in that the route currently being pursued varies from the proposals indicated in the approved version of the Thanet Local Plan. Should Members be minded to permit the planning application, it would be necessary therefore to first refer the application, the Environmental Statement and all consultee responses and representations to the Secretary of State to afford her the opportunity of deciding the case herself. The planning application has been subject to wider publicity because of its departure status.
55. The planning application has also been subject to wider consultation because of its EIA status and also a series of amendments. English Nature, the Countryside Commission and the Environment Agency are key consultees on EIA cases. In response to objections and concerns from these and other consultees and local residents, the applicants have amended the proposals three times since its submission, including:
- amendments to the submitted Environmental Statement and further information and responses to assist the planning consultation exercise;
  - revisions including lower depth of underpass, and reduced landfill at Cliffsend, plus an alternative route of the outfall pipe to Pegwell Bay;
  - realignment of the new A299 Thanet Way carriageway northwards between Minster Roundabout and Wayborough Hill.

**Planning Policy Context**

56. Planning policy relating to this particular scheme applies at all layers. First, the Government's Regional Planning Guidance 9 seeks to make better use of land and manpower resources in the east of the region as a key element of economic policy and sustainable development. The East Kent coastal towns and former coalfield are identified as a Priority Area for Economic Regeneration, following the undermining of the local economy with the decline of both mining and tourism in recent decades. Investment through 'regeneration and renewal' is a key priority, involving a range of public and private sector initiatives to improve the environment, housing, leisure, education and the transport system. Much of the urban areas have European Regional Development Fund (Objective 2) status, to promote economic regeneration and the stimulation of enterprise.
57. The Regional Economic Development Strategy (produced by the South East England Development Agency) also promotes the retention and nurturing of key sector companies, such as the existing pharmaceutical, high-technology and power generation cluster in East Kent, through measures such as improved road and rail accessibility. The proposed transport scheme clearly accords with the main thrust of the Regional Policy, although the Guidance also recognises the importance of protecting the region's countryside and environment.
58. Secondly, there are many policies of relevance to this application in the Approved Kent Structure Plan. In particular, Policies S1 and S2 seek to promote sustainable development and conserve the Kent environment. S3, S4 and EK2 together seek to stimulate economic activity in East Kent. Policies S7 and T2 relate to transport improvements projects, such as the East Kent Access scheme. The soon to be approved new Kent and Medway Structure Plan carries forward these policy motives within its new suite of policies, as summarised under paragraph 12 above. The East Kent Access

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

---

Phase 2 scheme is specifically identified and safeguarded under new Policy TP7 as a scheme being promoted in the current Local Transport Plan. Overall there is a strong strategic planning policy backing for the proposed scheme, through policies already embodied in the approved Development Plan for Kent. However, there are other strategic planning policies, which for example seek to protect the countryside and environment, which are also of importance to the determination of this planning application.

59. Thirdly, there is a similar raft of relevant planning policies embodied in the Local Plan. In particular, approved Policies TR2 and TR4 relate to local transport improvements, whilst draft Policies TR3 and TR5 jointly promote the implementation of the East Kent Access scheme. Similarly, these policies do not in themselves override all other policy considerations, and there are many other policies in the Local Plan of relevance to development in the countryside, affecting designated protection areas, etc. which also need to be investigated and balanced against this otherwise formidable policy backing for the project.

**Transport Issues**

60. The 2004 Regional Transport Policy stems from the earlier RPG 9 and cites the need for improvements to the transport system, with the development of infrastructure and port diversification as the 'springboard for economic regeneration'. Policy in particular promotes the support of the region's international gateways, development of the network of 'regional spokes and hubs', and more sustainable transport connections to the region's ports. Given that the East Kent Access scheme will enable improvements in public transport and better management of the highway network, as well as improving the arterial accessibility across the area to the ports, I consider that the proposals fully accord with the Regional Transport Policy.
61. At the strategic and local level, the proposed scheme comprises a package of potential benefits, including improved accessibility for the area, better access to the ports and areas of economic activity, enhanced provision for alternative modes of travel to the private car, better opportunities for management of the highway network, local traffic calming opportunities, together with local environmental improvements for many residents affected by the existing congested highway corridors. Additionally, the scheme would provide improved access to, and between, certain key sites such as Manston Airport, Ramsgate Harbour, Westwood Cross and the Pfizers development at Sandwich. Accessibility to Thanet has improved significantly in recent years with the stage by stage improvement of the A299 Thanet Way, and this scheme would include the completion of the east-west missing link to Ramsgate, as well as north-south to Sandwich and Dover. Under the circumstances, I consider that the application also fully accords with the strategic and local transport aspirations for the locality.

**Residential Amenity Issues**

62. A large number of local residents would be affected by the proposals, particularly in the communities of Cliffsend, Wayborough and those fronting the existing A256 between Richborough and Pegwell Bay. A significant number of homes would benefit from reduced visual intrusion, traffic noise, dust, fumes and localised congestion along the existing A256, which the Environmental Statement (ES) identifies as some properties.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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However, a lesser number would be inevitably affected by increased visual and noise intrusion if the scheme proceeded, by virtue of the fact that they are currently distanced from the main transport corridors. The ES has examined the various effects on these properties and assessed that some properties would qualify for noise insulation through secondary double-glazing, although none would suffer a deterioration in air quality exceeding the objective levels in the National Air Quality Strategy. Nevertheless, the proposals do include some mitigating measures in the form of earth bunding and some noise fencing, together with a more sound absorbent road surfacing compared to the existing roads.

63. The construction of the scheme would take some two years, which would cause some inevitable temporary noise disturbance, dust nuisance and access inconvenience for neighbouring residents. The applicants propose to time works and activity, and to manage traffic movements, to minimise such impacts where practicable. Additionally, conditions could be imposed on any planning consent to exercise some further controls over construction activity. However, it is not possible at this stage to assess the impacts of any construction compounds, because the location of such is a matter for negotiation between the contractor (once appointed) and affected landowners.
64. Similarly, it is not possible at this stage to assess the proposed traffic management proposals for the residual highway network, if the scheme were to proceed because such details have yet to be finalised. The applicants have confirmed that it is the firm intention to carry out such measures as necessary, and in particular works to the A299 between the Cliffsend Roundabout and the Lord of the Manor Junction and to the A256 between the proposed Ebbsfleet Roundabout and the Lord of the Manor Junction. A sum of money has already been allowed for such measures being carried out in the scheme cost estimates. Traffic calming measures, and possible access restrictions, will be especially important on these lengths of carriageway to deter their use by through and extraneous traffic. Moreover, I consider that such works are essential if the local environmental benefits and improvements to residential amenity of the scheme are to be fully realised.

**Community Impacts**

65. Aside from introducing through traffic into areas currently more distanced from it, there are other impacts on local communities which are assessed in the ES. Removal of through traffic through the northern part of Cliffsend would reunite that community which is currently severed by the existing A299. An attempt has been made to reduce the potential severance effects of the new link to the Lord of the Manor junction by lowering the road into a cutting and an underpass under the railway line and Foads Lane. That would also reduce its noise and visual impacts, but still have a severing effect for Cliffsend. However, the existing railway line already has a significant dividing effect in the centre of the village, so the overall change is unlikely to be significant in my view.
66. Public Rights of Way are also affected, with three Public Footpaths severed and requiring re-connection through formal diversions. The most unpopular diversion is that of TR32 which runs north-south to the west of Cliffsend, which would need diverting to cross the new road where it would be in the underpass under Foads Lane. It is unfortunate that its existing straight alignment could not be maintained, but that would only be possible by either constructing a footbridge across the cutting or lengthening the underpass, neither of which could be justified on cost grounds. However, the



**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

---

acceptability of this diversion would ultimately be tested through the later Statutory Orders process. Diversions to the other Public Footpaths can generally be accepted as minor, or adequately compensated by the significant improvements to cycleways if the scheme was to proceed.

**Socio-Economic Aspects**

67. The potential significant benefits to economic activity in the area have already been referred to above, with an overall removal of some of the barriers to inward investment and commerce. Thanet is one of the most socio-economically deprived areas in the South East with pockets of high unemployment, and the ease of access to the Thanet towns, Manston Airport and Sandwich, etc. would greatly assist in generating new employment and trading opportunities.
68. Some existing businesses close to the new road might be initially disadvantaged though by more circuitous access arrangements. The Highway Authority would undertake to minimise such impacts where possible, and is duty bound to maintain existing means of access on the public highway; where agreement is not reached through negotiations, disputes are settled through the later Side Roads Order process. Several farm holdings are affected by the scheme, as referred to below, and can be similarly disadvantaged by the proposals.
69. The proposals would also affect local tourism and recreation. I consider that the applicants have been cognisant of local historic features, Pegwell Bay Country Park, Public Rights of Way, etc. in finalising the precise road alignments, but there remains an unresolved dispute with one of the Golf Clubs impacted by the scheme.
70. The St. Augustine's Golf Club opposes the scheme because of the increased noise and visual intrusion of the road. Although not directly affected, the Golf Course is adjacent to the proposed road where it cross the railway at Cottington Road, and the impacts on the professional's house, the Clubhouse and its external terrace area are considered to be unacceptable to the Club. Notwithstanding the disputed criteria for calculating and assessing the noise impacts, whether the overall change in noise climate is judged to be significant or not would be a matter for settlement through compensation procedures. From a planning viewpoint, I accept that there would be an appreciable change in background noise for the Golf Club, particularly if they choose to use the premises for ancillary activities like outdoor social gatherings, but that is not sufficient reason on its own to justify refusing the application or insisting on a re-alignment. In particular, the road is capable of being satisfactorily screened in visual terms at this point by a combination of fencing and planting, but to move the road further away sufficient to offset the noise impacts, would transfer the alleged noise nuisance from a primarily non-residential operation to residential properties to the west.

**Other Environmental Issues**Landscape and Visual Intrusion

71. The proposed route passes through a relatively open and visually exposed landscape, with clusters of built development at Wayborough, Cliffsend and Ebbsfleet/Richborough. Vegetation cover is generally sparse on the higher chalk topography, other than where part of residential curtilages/boundaries. Further south there is more seclusion because

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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of the lower ground contours, more extensive tree cover and more extensive built development. Intensive farming and human settlement has gradually altered the natural landscape but the gently undulating contours remain largely undisturbed. To route a new road through such an open landscape is inevitably going to introduce a visual change, which would be discernible in longer distance views as well as from some local vantage points.

72. Using the standard nomenclature of landscape character assessment, the overall impact of the road on the landscape is judged to have a 'moderate adverse impact'. However, to attempt to shield the road from view by providing extensive and linear planting and/or earth mounding would be merely emphasise the existence of the road since such elements are themselves alien features in this particular landscape. Some landscape planting, bunding and fencing is necessary though in places to afford reasonable screening from particularly exposed properties, and the scheme therefore proposes a mixture of predominantly native planting and subtly contoured earth modeling to soften the overall landscape intrusion.
73. Visual intrusion is also normally assessed by means of a standard assessment process to enable rational comparisons between different proposals and different localities. The visual impact assessment in the Environmental Statement follows the guidelines in the Government's Design Manual for Roads and Bridges, which takes into consideration the impact of highway structures, street lighting and the traveling traffic, as well as the road itself. Overall, the visual impact of the scheme is categorized as 'moderate' because of the relatively few properties that would be in close proximity. However, the level of intrusion would vary from one part to another and is likely to be the most significant at Ebbsfleet Lane, Wayborough Hill and Ivy Cottage Hill, where some mitigation has been proposed in the form of earth modeling and tree and shrub planting. Properties on the west side of Cliffsend would be less impacted because of the intervening railway embankment and its mature tree screen, although concerns have been raised by local residents about the elevated section where the new road would need to cross the railway and Cottington Road.
74. Mitigation for intrusion by street lighting has been proposed by restricting lighting to the junctions only and the link road through Cliffsend to the Lord of the Manor Junction. Additionally, the lighting would be of the high pressure sodium type with flat glass lanterns and sharp cut-offs to prevent lightspill beyond the carriageway. This specification of lighting has been successfully used on other County Council schemes in recent years and I would commend its use on this scheme because of its superior performance in reducing light pollution.

#### Air Quality

75. An air quality assessment of the proposals has also been undertaken as part of the Environmental Impact Assessment. Pollutants from vehicle emissions (nitrogen dioxide and particulates) from the existing roads already greatly influence current air quality in the locality. Those properties closest to the new road, such as in the Cliffsend, are the most likely to be affected by a reduction in air quality, although many other properties to the north end and south end of the village would benefit from improved air quality with the removal of through traffic.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

---

76. No mitigation for changes in air quality is required because the resulting levels are still below the accepted thresholds for such pollutants. The County Council's independent environmental consultants are also satisfied that the air quality impacts are generally acceptable.

Archaeology and Heritage

77. The proposed road passes through an area which is very rich in archaeological remains, with evidence of both prehistoric and more recent occupation. For centuries this part of Kent has been attractive for settlers arriving from overseas because of its proximity to mainland Europe and the easy landing opportunities at Pegwell Bay and the earlier existence of the Wantsum Channel. Under the circumstances, it is highly likely that construction of this scheme would unearth some artifacts of interest, as did construction of the nearby Ramsgate Harbour Approach Road and the dualling of the Thanet Way to the west of Minster. Re-aligning the proposed road to avoid likely remains is unrealistic since it would merely affect other known (or as yet unknown) remains. The County Archaeologist has therefore required that adequate provision be made for detailed archaeological investigation in advance of construction work, together with a watching brief to be maintained over other parts. In view of the historic importance of the locality, I would concur with this view and would advise that these requirements could be secured by the imposition of specific conditions on any planning consent.

78. The scheme also indirectly affects Scheduled Ancient Monuments, by passing close to Ozengell Anglo-Saxon Cemetery, Laundry Road Bronze Age enclosure and, to a lesser extent, St. Augustine's Cross off Cottington Road. However, these monuments are already adversely affected by passing traffic and the overall change is not likely to be significant. The road would also affect the setting of some Listed Buildings which would be nearer to through traffic than at present.

Ecology and Biodiversity

79. The proposed road passes alongside some major ecological protection areas, with varying levels of importance, including European designations of Special Protection Area, Special Area of Conservation and Ramsar Site, nationally identified Site of Special Scientific Interest and Nature Reserve, and locally identified Site of Nature Conservation Interest and Local Nature Reserve. Whilst the route of the new road has been specifically chosen to avoid any direct impacts on these formidably protected areas, the construction of the Cliffsend underpass necessitates provision of a drainage outfall into Pegwell Bay. The amount and quality of the fresh water involved in this discharge is not itself a matter of any serious concern, since it would be passed through appropriate interceptors to remove any pollutants. However, the route and excavation for the pipeline has been a matter of concern because of the potential breaching of the geologically and ecologically important cliff line and the likely disturbance of the former (collier shale based) Hoverport landing pad. In the light of these concerns, the application was amended to re-route the outfall pipe to avoid these features and English Nature and the other nature conservation bodies have now accepted this change.

80. Ongoing liaison with the nature conservation bodies has also identified impacts on various species, including protected ones, and the need for adequate mitigation to be agreed. Potentially affected species include birds, bats, badgers, water voles, dormice and moths. Appropriate surveys have been carried out and the results analysed, and

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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suitable mitigating measures agreed, for each of these species with the exception of the moth species, which have only recently been identified as a possibly inhabiting the Pegwell Bay area. The new road does not actually have any direct impact on Pegwell Bay, so English Nature has accepted that the need for further survey work of the moths can, in this particular instance, be a matter governed by an appropriate planning condition.

81. English Nature, the Environment Agency and Kent Wildlife Trust have each identified certain aspects which they would wish to be secured by planning conditions, if the scheme was to be permitted, and I see no objection to incorporating these aspects. Mitigating measures offered by the applicants include re-location of water voles and reptiles, wetland habitat creation at Weatherlees Hill and Cottington Road, replacement native planting, fencing of certain areas to safeguard fauna and flora, appropriate timing of works to avoid prime seasons for bird breeding and wintering, bat roosting, etc. as well as employing street lighting with minimal light impacts on nocturnal species. Although one of the key environmental issues for this application, I consider that the ecological impacts have been adequately investigated and an appropriate range of mitigation negotiated.

#### Drainage and Water Quality

82. The proposed scheme would include a fully engineered system of positive drainage, with appropriate interceptors to filter out any oil and other contaminants before release of any run-off water to the natural environment. I consider that this is especially important in this locality because of the sensitivity of the existing freshwater ditches, ponds and watercourses and the internationally important marine environment of Pegwell Bay. In order to avoid localised flooding in the Cliffsend underpass, a pipeline to an outfall in Pegwell Bay is required which also feed through oil interceptors.
83. Opportunity would also be taken to enhance wetland habitat by extending the existing pond at Weatherlees and designing all culverting to enable species such as water voles to pass through. Should the scheme be permitted, full details of drainage and the proposed aquatic habitat creation would be reserved for further consideration by relevant consultees.
84. Whilst water quality is generally of a good standard in local watercourses, there is some evidence of metals, hydrocarbons and pesticides in the catchment area, which would be more likely to originate from existing industrial and agricultural operations than from the existing road system. Nevertheless, there is likely to be an overall improvement in water quality in the locality because of the superior anti-pollution measures to be incorporated in the scheme compared to the existing road network.

#### Geology and Soils

85. The northern part of the route crosses the fringe of the former Isle of Thanet, which is underlain by Chalk and the Thanet Sand. Where the route descends to the south it enters an area of more recent Brickearth, Chalk Head and Alluvial deposits. Made ground is only likely to be encountered where the road would meet existing highways, or be close to earlier engineering operations such as the railway embankment and the Lord of the Manor Junction.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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86. The intention is to minimise the amount of excavation on the scheme and to reduce the amount of imported material, by recycling the excavated material or using locally sourced material. In constructing the Cliffsend underpass, careful attention would be given to ensuring that there would remain an adequate impermeable covering layer of material to prevent any contamination of the groundwater aquifer.

#### Agriculture

87. Where the new road alignment strays away from the existing highways, it passes through a largely agricultural area, which is mostly in arable use. Clearly there would be some disruption to existing farming practices and severance of farmholdings, which are matters for land compensation if the scheme was to proceed. No views have been received from DEFRA, but several local farmers have lodged objections to the scheme. Planning policy presumes in favour of retaining the best and most versatile agricultural land, and a balancing exercise has been involved in minimising the loss of farmland and providing satisfactory local environmental protection for adjacent communities. In all some 39 hectares of farmland would be lost to the scheme, which is largely of high grade, and which cannot be replaced or mitigated other than through financial compensation. Members will note the strong concerns voiced on behalf of the local farming community above.

88. To mitigate the impacts on agriculture it is proposed to carefully time construction activity to avoid crop loss and dust contamination, responsibly maintain water supply and drainage provisions and to adhere to strict handling requirements for the removal, transport and storage of topsoil. Additionally, the applicants have negotiated alternative access points and accommodation tracks for farmers where necessary, including a replacement cold store, but some have contested the need for the scheme to affect farmland at all. My view is that if the scheme is to proceed at all it will inevitably take a significant area of farmland, or sever existing holdings, because suggested alternatives such as a route across Pegwell Bay is wholly unacceptable due to the formidable ecological and landscape constraints.

#### Other Construction Impacts

89. The scheme as originally submitted involved the excavation of some 500,000 cubic metres of material, due to the excavation of the underpass at Cliffsend. 300,000 cubic metres of that material would be used in other parts of the scheme, as part of a cut and fill exercise, and to minimise the generation of surplus material and the need for importing material. To accommodate the surplus material, the proposals originally included some earthworks infill alongside the new road on land to the west of the Lord of the Manor Junction, which has subsequently been deleted following objections from the Environment Agency. Since the proposals have been amended to reduce the depth of the proposed underpass by some 6 metres, the amount of surplus spoil has been substantially reduced. As pointed out by Manston Parish Council, there is a longstanding issue concerning the need to fill the earlier borrow pit at the nearby Spratling Court Farm, which has hitherto not been achievable because of prohibitive costs associated with Environment Agency requirements. Under the circumstances, I would wish to explore further the opportunities for resolving this matter in the light of the East Kent Access scheme, and other proposals, and would ask that Members delegate this particular aspect to myself to pursue with the applicants.

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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**Alternative Schemes and Solutions**

90. Although the Planning Authority is charged with deciding the actual proposals which have been submitted, the question of alternative routes or solutions is relevant to Environmental Impact Assessment, and these are addressed in the Environmental Statement. The notion of an alternative route which would pass through, under or even immediately abutting Manston Airport is unrealistic and wholly unacceptable to the aviation authorities. In particular, some separation between the new road and the airfield is required to avoid conflict with the Airport's Instrument Landing Systems, and to provide ready access to the south side crash gates in the event of an emergency. Moreover, despite recent difficulties, there is no certainty at the present time that the airfield will not continue in aviation use in some form for the foreseeable future. However, negotiations with the Airport have enabled part of the new road to be moved closer to the airfield, providing greater separation from the houses at Waybrough and scope for some earth bunding. These adjustments have been incorporated in the most recent amendments to the application.
91. The possibility of aligning the new road along the existing Thorne Hill is also not feasible because there is a need for both a dual carriageway to convey through traffic as well as retention of the existing lanes for local access and as routes for other road users, such as cyclists and horses. Upgrading the existing A256 along the coastline is one of the options which was previously investigated, but it was discounted because of the unacceptable encroachment on the strongly protected land designations at Pegwell Bay, and the loss of local environmental benefits for some 80 properties which front the A256 and would still require some means of access. The use of any land at the former Hoverport site would also be unacceptable to the nature conservation bodies.
92. Suggestions for extending the scheme to provide a bypass to the village of Acol, are beyond the scope of the East Kent Access scheme and therefore the current planning application. However, the points raised can be investigated by Kent Highways as a separate matter and not therefore prejudiced by a decision on the current application.

**Conclusion**

93. The principle of completing the last phase of the East Kent Access is well established and firmly embedded in regional planning and transport policy. Accordingly, there is substantial planning policy backing for this particular scheme, because of the undoubted economic benefits it clearly would bring to a economically deprived area. Policies in both the Structure Plan and Local Plan support the urgent completion of this vital missing link in the infrastructure of East Kent. However, this particular part of the County is also rich in environmental assets, including unique archaeological and ecological areas, and there are therefore equally important Development Plan policies which presume against potentially damaging new development. Clearly a balanced view will need to be reached in deciding this planning application.
94. The environmental issues have been examined in some depth as part of the Environmental Impact Assessment, and have been subject to ongoing negotiations with the relevant environmental bodies. I consider that the key relevant environmental issues for this particular development project – ecology, landscape, archaeology, agriculture

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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and residential amenity – have been properly assessed and I am satisfied that the EIA procedures have been fully complied with. As part of the EIA process there will be a need to deliver the promised environmental mitigation and enhancement, together with an ongoing need to maintain and monitor environmental conditions. I am satisfied that such matters can be fully addressed by the imposition of planning conditions should consent be given.

95. My own view is that the balance of evidence weighs in favour of planning consent, given the considerable policy support for the project and the capability of 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 have made appropriate adjustments to the scheme and amendments to the planning application. However, because the precise alignment of the scheme is at variance from the policies in the currently approved Development Plan, I would advise that the application and Environmental Statement be referred to the Secretary of State before any final decision is made.

**Recommendation**

96. SUBJECT TO no direction to the contrary from the Secretary of State for Communities and Local Government and SUBJECT TO the receipt of any further consultee responses by the date of the Committee Meeting,

I RECOMMEND that PERMISSION BE GRANTED to the proposal, SUBJECT to conditions, including conditions to cover the following matters:

- the standard time condition;
- the submission of details (including external materials) of all proposed structures, including bridges, roundabouts, walls/fencing/railings, gates, traffic signage, paving schemes and all hardened surfaces (including pedestrian/cycle routes) and highway lighting;
- the submission of long sections and typical cross sections for the proposed scheme;
- the submission of details of all new agricultural accesses and the treatment of all redundant lengths of carriageway;
- the submission of details of all drainage proposals (including the Pegwell Bay outfall pipe, drainage lagoons and all culverting) and water pollution control devices;
- the submission of details of the contractor's access and compound(s);
- the submission and implementation of measures to protect existing trees to be retained during construction;
- the submission and implementation of a scheme of landscaping (including all new planting and earth bunding) and a programme for its maintenance;
- the submission of details of all landfill of surplus spoil arising from the construction project (including aquifer protection measures);
- controls over the hours of construction activity and the routing of construction traffic);
- controls over the handling of excavated material (including the storage of topsoil);
- controls to suppress the generation of dust and prevent the deposit of mud on the public highway;
- the submission of specifications for prior archaeological field evaluation works, and details of all below ground foundation design;

**Provision of a new strategic dual carriageway and associated works  
(East Kent Access Phase 2) – Ref. TH/05/964**

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- the provision of protective fencing of the Sandwich Bay to Hacklinge Marshes Site of Special Scientific Interest;
- the submission of detailed management plans for the mitigation for all protected species, including water voles, and a detailed reptile mitigation strategy;
- the submission of a survey of protected moth species at Pegwell Bay, in advance of any works in that survey area, together with any necessary mitigation proposals.

I FURTHER RECOMMEND that the applicants BE ADVISED of the following items:-

- the need to liaise further with the Head of Planning Applications to ensure the optimum solution for spoil disposal associated with this scheme in the light of local circumstances
- the request of Dover District Council regarding proposed traffic management arrangements;
- the need to progress traffic calming proposals for the sections of the existing A299 and A256 to be relieved of through traffic to enable their introduction immediately on completion of the new road;
- the concerns of Manston Parish Council regarding the design capacity of the proposed Lord of the Manor Junction;
- the advice of the Environment Agency regarding the need for waste management licence, water abstraction licence, dewatering transfer licence, surface water discharge consent, the timing of works affecting Pegwell Bay and need for a detailed management study, etc.
- the advice of Southern Water regarding the prevention of risk of contamination of the public water supply;
- the advice of the Biodiversity Officer regarding the need for a mitigation plan and DEFRA licence to disturb bats, the need for an updated survey of otters, the need to avoid any disturbance to known badger setts, the need to retain invertebrate habitat and the need for details of wildlife habitat enhancement;
- the advice of the Biodiversity Officer and Kent Wildlife Trust regarding the appointment on an on-site ecologist;
- the advice of English Heritage regarding the impacts on the scheduled monuments and the need for Scheduled Ancient Monument consent;
- the advice of the Public Rights of Way Officer regarding the diversion of Public Footpaths.

Case Officer: Mark Funnell/Jerry Crossley
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Tel. no. 01622 221052
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Background Documents - see section heading
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