



Growth and Communities

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BY EMAIL ONLY

24 March 2023

Dear Ray,

Re: EIA Scoping Opinion for a proposed development at Winterbourne Fields, Dunkirk, Kent (Ref: 23/501071/EIASCO)

Thank you for consulting Kent County Council (hereafter referred to as the County Council) on the request for a Scoping Opinion for the proposed development of 1740 residential dwellings, 160 retirement homes, 27ha of publicly available open space and recreation including a community park, outdoor sports pitches, a 5km recreation trail, a two form entry primary school, an integrated bus link to the surrounding area, an employment park, improved pedestrian/cycle links across the A2, upgrade to the Dunkirk A2 junction through a new trunk road, and an electric vehicle charging hub for approximately 36 vehicles alongside associated facilities including public toilets and potential for cafe facility.

The County Council has reviewed the Environmental Impact Assessment (EIA) Scoping Report and sets out its comments below, following the order of the report.

General Commentary

The County Council, as Local Highway Authority, considers that the subsequent planning application for the proposed development will require the submission of a detailed Transport Assessment (TA) in order to properly assess the cumulative transport related impacts. Importantly, it should identify the measures that will be implemented to ensure such impacts can be appropriately mitigated.

The Scoping Report dated February 2023 identifies a range of potential impacts on the local transport network arising from the proposed development, and it confirms that a TA will be submitted in support of the planning application. The Local Highway Authority supports this.

As noted in the report, the Applicant has entered into pre-application discussions with the Local Highway Authority to agree the scope of the TA, and this communication will be ongoing.

3.0 EIA Methodology

Receptors

Highways and Transportation: The list of strategic/local road network and junctions identified within 7km of the site does not include Canterbury Road/Horselees Road or A251 Ashford Road /M2, but it should also be noted that the County Council, as Local Highway Authority, will not expect the assessment of the road network to be limited to just those listed in 3.4.

List of cumulative schemes

Highways and Transportation: It is noted that Table 2 only lists the cumulative schemes identified from a trawl of the Mid Kent planning portal covering the Swale and Maidstone local planning areas. It does not contain any schemes from within the Canterbury district, and many of these are much closer than those listed and likely to have a greater influence on receptors. The County Council would therefore ask that these also be considered.

Consideration of alternatives

Highways and Transportation: The alternative assessment scenarios listed are agreed by the County Council, as Local Highway Authority.

4.0 Topics with likely potential significant effects

Transport

Highways and Transportation: In respect of paragraph 4.11 – associated with the consideration of traffic impacts during the construction of the development, the submission of a Construction Traffic Management Plan should also be included with the planning application to support the assumptions made in the TA.

In respect of paragraph 4.12 – the County Council considers that the Swale (Saturn) Traffic Model is appropriate to use to form the basis of the transport and traffic assessment. However, it is expected that the junctions selected for further modelling will not be determined from just identifying high levels of development traffic passing through. The selection will also need to consider the sensitivity of the junctions from a capacity perspective.

In respect of paragraph 4.15 – whilst in accordance with the Environmental Assessment guidelines, it should be appreciated that the 30% change in traffic flows threshold will not be expected to apply to the Local Highway Authority's assessment of the network.

In respect of paragraph 4.22 regarding Driver Delay – referring to 4.12 and 4.15 above, the report acknowledges that the extent of the individual junction modelling will need to be agreed with the County Council, as Local Highway Authority, and National Highways post Saturn modelling. For clarity, the outputs of the models will need to provide full details of performance in addition to driver delay.

Public Rights of Way (PRoW): as a general statement, the County Council is keen to ensure that its interests are represented with respect to our statutory duty to protect and improve Public Rights of Way (PRoW) in the County. The County Council is committed to working in partnership with all parties to achieve the aims contained within the County Council's [Rights of Way Improvement Plan](#) (ROWIP). Specifically, these relate to quality of life, supporting the rural economy, tackling disadvantage and safety issues, and providing sustainable transport choices.

PRoW is the generic term for Public Footpaths, Public Bridleways, Restricted Byways, and Byways Open to All Traffic. The value of the PRoW network is in providing the means for residents and visitors to access and appreciate landscapes for personal health and wellbeing, enhancing community connectivity and cohesion, reducing local traffic congestion for economic benefit and improvement in air quality, and much more. The existence of the Rights of Way are a material consideration.

Public Footpaths ZR537, 676, 550, 549, 538 would be directly affected by the development, with the wider network significantly impacted in the ways mentioned above and below.

The substantial size of this development will have an **adverse/high impact** on the PRoW network, both on and off site through increased use, loss of amenity and future generation of traffic. Significant measures will need to be taken to help mitigate all these impacts and future proof sustainable active travel across both the development and the wider area. This applies to both construction and operation, over a significant time period.

In respect of a Scoping Opinion, the County Council, as Local Highway Authority, would advise that PRoW are included within the Scoping Opinion for the following points to be assessed and discussed within the criteria assessed. The applicant should also demonstrate that the PRoW network can be used for both leisure and active travel opportunities and should therefore be considered from both perspectives. This will provide recreational, tourism (Blean Conservation Area, proximity to Canterbury), health and well-being benefits as well as connectivity and modal shift.

In respect of the assessment, the County Council advise the following is taken into account:

- The likely high increase of usage, and significant landscape/visual and air quality impact on users participating in recreational activity on the PRoW network in both the affected area and the wider network.
- The likely loss of recreational walks within open countryside.

- The impact of increased vehicular traffic along rural lanes during construction, which currently provide valuable connections for equestrians and cyclists travelling between off-road PRow routes. The proposed development could deter public use of the PRow network if vehicular traffic increases along these roads.
- Path extinguishments and long-term severance of routes should also be avoided, to prevent fragmentation of the PRow network.
- This project provides an opportunity to improve the PRow network and develop upgrades or new links for active travel and outdoor recreation. The creation of new paths and upgrading of existing routes should be considered as positive outcomes of the scheme. The public benefits of such work would help to compensate for any disruption caused by construction and any negative effects on the PRow network, which would result from delivery of the development and are unavoidable.

The trend towards investment and policy from both central and local government towards a modal shift away from short car journeys should focus this project to provide a high-quality sustainable development for the future.

The County Council would also request that a financial contribution, in the form of Section 106 Agreement funding, is allocated to mitigate the loss of amenity, increased use and subsequent surface improvements that will be required in the wider network as the area is developed.

In consideration of Kent Design standards and Police guidance, any forthcoming master plan should keep PRow within overlooked areas of open space, to facilitate a safer environment for path users. Path extinguishments and long-term severance of routes should also be avoided, to prevent fragmentation of the PRow network.

Flood Risk and Drainage – including Surface Water Drainage Strategy, Foul Drainage and Nutrient Neutrality

Sustainable Urban Drainage Systems (SuDS): In respect of SuDS matters, the County Council, as Lead Local Flood Authority, will provide a direct response to Swale Borough Council in respect of this Scoping Opinion in due course.

Ecology and Biodiversity

Biodiversity: In respect of biodiversity matters, the County Council provided a direct response to Swale Borough Council in respect of this Scoping Opinion on 14 March 2023 (Appendix A).

Archaeology and Built Heritage

Heritage Conservation: In respect of heritage conservation matters, the County Council will provide a direct response to Swale Borough Council in respect of this Scoping Opinion in due course.

5.0 Topics not included within the Environmental Statement

Geology and Soils

Minerals and Waste: The County Council, as Minerals and Waste Planning Authority, confirms that the proposal site is not within 250 metres of any safeguarded mineral or waste facility, and thus would not have to be considered against the safeguarding exemption provisions of Policy DM 8: Safeguarding Minerals Management, Transportation, Production and Waste Management Facilities of the adopted Kent Minerals and Waste Local Plan 3013-30 (Early Partial Review 2020).

With regard to land-won minerals safeguarding matters, the proposal site is not coincident with any safeguarded mineral deposits in the area - as demonstrated below in the extract from the Swale Borough Council-Mineral Safeguarding Areas KMWLP Proposals Map and Figure 1 from the Scoping Report.

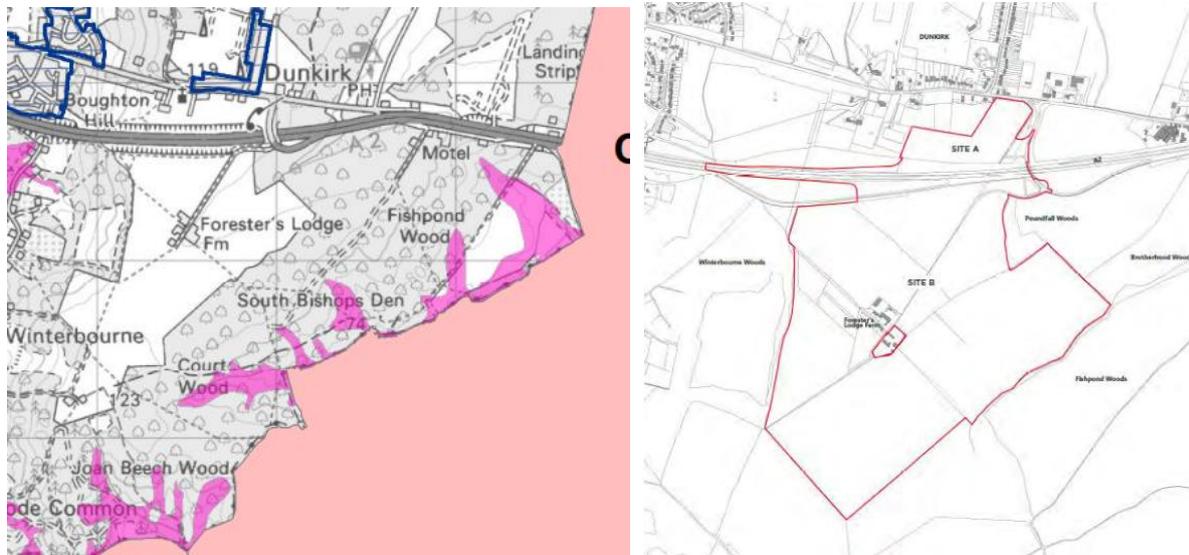


Figure 1 Site Location

Source CJ

The County Council therefore has no minerals or waste management capacity safeguarding objections or comments to make regarding this potential proposal.

Structure of the Environment Statement

Highways and Transportation: Paragraph 6.6 confirms that a Travel Plan will be included within the documents submitted for the planning application, and this is considered appropriate by the County Council.

The County Council will continue to work closely with the Borough Council to help to ensure the delivery of new housing and infrastructure in response to local needs. The County Council will welcome further engagement with the Borough Council and the applicant as this planning application progresses.

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

Yours sincerely,



Stephanie Holt-Castle
Director for Growth and Communities

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Appendix A: Biodiversity response dated 14.03.2023