

From: Matthew Balfour, Cabinet Member for Environment and Transport

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To: Environment & Transport Cabinet Committee – 11 March 2016

Subject: **Kent County Council Response to Maidstone Borough Council Regulation 19 Local Plan Publication: Integrated Transport Strategy**

Classification: **Unrestricted**

Past Pathway of Paper: N/A

Future Pathway of Paper: For Information

Electoral Division: All Maidstone divisions

Summary: Maidstone Borough Council are undertaking a Regulation 19 consultation on the emerging Maidstone Local Plan. The consultation includes a draft Integrated Transport Strategy prepared by the Borough Council that outlines how the impact of planned growth in housing and employment over the period to 2031 will be mitigated through proposed transport improvements. This paper updates Members on the work undertaken to date with Maidstone BC in seeking to agree a realistic and deliverable transport strategy. Despite KCC's efforts, the draft ITS produced by Maidstone BC does not reflect KCC's position so the paper explains why an objection should be raised by KCC on account of the unacceptably severe impact on the highway network evidenced by the traffic modelling work **jointly** commissioned by KCC and MBC.

Recommendation(s):

The Cabinet Committee is asked to consider and endorse the proposed KCC response to the Regulation 19 consultation on the draft Integrated Transport Strategy (ITS) that: the level of development will have a severe impact particularly on key transport routes in South and South East Maidstone which will not be mitigated by the measures contained in the draft ITS and that MBC and KCC should work together to develop a jointly agreed ITS in accordance with the resolution of the Maidstone JTB on 07/12/15 that:

“in the absence of an agreed transport strategy and in light of the evidence presented to this Board demonstrating Maidstone's significant highway capacity constraints, this Board recommends that a transport strategy be taken forward urgently by the Borough and County Councils covering the period of the Local Plan, with a further review completed in 2022

The aim of this strategy will be to mitigate the transport impact of future growth, in the first instance up to 2022. The strategy should comprise of the key highway schemes and public transport improvements agreed by the Board, and further traffic modelling will be required to identify its impact. It is proposed that the £8.9 million growth fund monies identified for transport be used to accelerate the delivery of these improvements. Existing developer contributions may then be used to support further measures.

The agreed transport strategy should also develop the justification for a relief road between the A20 to the A274 (the Leeds and Langley Relief Road), along with a preferred route, in order to allow testing with other strategic transport options and identify all source of potential funding to enable the schemes to be implemented at the earliest opportunity.”

1. Introduction

- 1.1 Maidstone Borough Council (MBC), in their capacity as local planning authority (LPA), is currently in the process of preparing a new Local Plan. This will replace the current Maidstone Borough Wide Local Plan that was adopted in 2000.
- 1.2 The new Local Plan will provide the policy framework to guide development over the period to 2031 and, once adopted, will inform decision making on planning applications.
- 1.3 The Borough Council has now published a new Regulation 19 consultation draft of the Local Plan. This primarily seeks to obtain views on ‘soundness’ and ‘compliance’ in advance of submission of the plan to the Secretary of State for Communities and Local Government.
- 1.4 The consultation has included the publication of a draft ‘Integrated Transport Strategy’ (ITS), which is intended to support the delivery of the growth in housing and employment envisaged within the Local Plan.
- 1.5 This report sets out the proposed Kent County Council (KCC) response to the draft ITS.

2. Cumulative Impact Assessment

- 2.1 The Local Plan proposes to deliver 18,560 new houses and 200,100m² of employment over the period to 2031. This growth will create additional travel demand on the surrounding transport networks and KCC, as Highway Authority and statutory consultee to the borough council, will need to consider whether and how this may best be accommodated.
- 2.2 The supporting ITS should enable the impacts of the planned growth to be understood and mitigated and provide a basis for identifying how any required improvements can be funded and delivered through new development. This

approach is set out within the Planning Practice Guidance (PPG)¹ as a means of ensuring that a Local Plan is underpinned by a robust evidence base.

- 2.3 The ITS that has been produced by MBC does not achieve these fundamental requirements. Despite intensive work jointly commissioned by KCC and MBC, the draft strategy is founded on a package of transport improvements that has not been agreed by KCC and, fundamentally, does not provide an acceptable means of mitigating the impact of the planned growth in housing and employment and will result in **severe impact** on parts of the highway network, most notably on the A229 and A274 in south and south east Maidstone.
- 2.4 The evidence to substantiate these concerns was jointly commissioned and funded by KCC and MBC and has been derived through the construction and testing of a VISUM traffic model by transport consultants Amey. VISUM has provided a means of simulating the effects of different development scenarios on the key strategic road corridors within the Maidstone urban area and informing judgements on whether the overall impact of planned growth can be effectively mitigated.
- 2.5 Appendix A provides a summary of the model tests undertaken to date, which have each been reported to the Maidstone Joint Transportation Board (JTB) over the period July 2015 – December 2015.
- 2.6 In July 2015, the first set of modelling results presented to the JTB highlighted how travel time increases of up to 38% during peak periods could arise by 2031 in the absence of effective intervention. Although the scale of impact varied across individual routes, the A229 and A274 corridors in south and south east Maidstone were identified as being the worst affected by additional development traffic.
- 2.7 A range of scenarios were tested to identify how this impact could be reduced through various interventions, including
 - a package of capacity improvements to key junctions.
 - testing based on the MBC instruction to include ambitious assumptions regarding the potential for mode shift to walking, cycling and public transport.
 - KCC's proposal to include the provision of a Leeds Langley Relief Road.
- 2.8 The key elements of these Do Something (DS) 2 and DS3 scenarios are set out in Appendix A.
- 2.9 The MBC perspective on the scope for mode shift has been reflected in the ITS content, where comparisons are made between Maidstone and towns

¹ 'Transport Evidence Bases in Plan Making and Decision Taking' (DCLG, March 2015)

elsewhere in England that have either benefitted from substantive investment, have better developed networks or demographics that are better suited to encouraging walking and cycling on a larger scale. Upgrades to bus frequencies on individual corridors have also been specified despite there being no certainty that they can be funded and delivered with agreement from the service operators.

- 2.10 The modelling results were presented and discussed at the Maidstone Joint Transportation Board meeting held on 22 July 2015, at which Members resolved:

“That this Board recommends to Kent County Council’s Cabinet Member for Highways, Transportation and Waste and to Maidstone Borough Council’s Strategic Planning, Sustainability and Transportation Committee that a combination of DS2 and DS3 form the basis of the Integrated Transport Strategy for Maidstone to underpin the Local Plan. This is with the exception of the following and subject to costing to ascertain affordability and the evaluation of feasibility, sustainability and deliverability:

Additional North/South Park and Ride removed from DS2;

All references to percentage targets removed from DS2;

That it is specified that with reference to parking costs, it refers to long-term car parks; and

That frequent bus services are encouraged with appropriate junction improvements but at no detriment to existing traffic capacity.”

- 2.11 In the light of this resolution, KCC provided a further written response to MBC on 23 July 2015 that highlighted how no further land allocations should be made within the Local Plan until the further work requested by JTB had been completed.

“the County Council as Local Highway Authority strongly objects to the allocation of any further housing sites at this point, as to do so would cause an unacceptably severe impact on the public highway without there being sufficient certainty that mitigation can be provided and most importantly funded.”

- 2.12 The subsequent meeting of the MBC Strategic Planning, Sustainability and Transportation Committee on 18 August 2015 approved the allocation of further housing within the Local Plan against the advice of KCC. The MBC decision to allocate this housing in the south east of Maidstone also positioned major new development on one of the most constrained parts of the highway network, namely the A274.

- 2.13 In accordance with the JTB resolution, KCC commissioned feasibility work to identify concept designs and headline costs for the package of junction improvements that formed an agreed part of the ITS to be taken forward. The early delivery of these schemes within the ITS has been made possible by KCC successfully securing an £8.9m Local Growth Fund bid. This work was reported at the 14 October 2015 JTB, alongside a recommendation to undertake further modelling work to reflect the increase in housing numbers to a total of 18,560 that was now included in the Local Plan.

- 2.14 At the specially convened JTB meeting on 4 November 2015 the results of the additional modelling work were presented. The results indicated that there would be a 20% increase in travel time on the network, which could be reduced to 13% in the event that a Leeds-Langley Relief Road (LLRR) was included within the package of transport interventions. Members subsequently resolved that a further Do Something 4 model run be undertaken:

“That the Board’s support be given to KCC and MBC officers to work jointly to provide a report with further detail on the results of VISUM modelling on DS4.

This should give consideration to the following:

- *Transport mitigation measures to support development. This should include consultation with bus and rail operator alongside methods to increase multi occupancy car use; and*
- *The phasing of new development.*

That the Board reconvene in approximately 4 weeks’ time to consider the report.”

- 2.15 A further update was presented to the Board at the December 7 JTB meeting, at which the following resolution was made:

“We agree in the absence of an agreed transport strategy and in light of the evidence presented to this Board demonstrating Maidstone’s significant highway capacity constraints, this Board recommends that a transport strategy be taken forward urgently by the Borough and County Councils covering the period of the Local Plan, with a further review completed in 2022.

The aim of this strategy will be to mitigate the transport impact of future growth, in the first instance up to 2022. The strategy should comprise of the key highway schemes and public transport improvements agreed by the Board, and further traffic modelling will be required to identify its impact. It is proposed that the £8.9 million growth fund monies identified for transport be used to accelerate the delivery of these improvements. Existing developer contributions may then be used to support further measures.

The agreed transport strategy should also develop the justification for a relief road between the A20 to the A274 (the Leeds and Langley Relief Road), along with a preferred route, in order to allow testing with other strategic transport options and identify all source of potential funding to enable the schemes to be implemented at the earliest opportunity.”

- 2.16 The version of the ITS now published by MBC on 5 February 2016 does not reflect the JTB resolution.

- 2.17 It does not therefore account for the scope to achieve a jointly agreed ITS covering the period to 2022, which could be founded on the 14,034 houses that MBC expect to be delivered within this timeframe and the accelerated delivery of highway improvements. The timeframe to 2022 also enables KCC and MBC to complete the feasibility and viability work on the Leeds and

Langley Relief Road, which will inform the planned review of the Local Plan and provide further clarity on the scale of growth deliverable beyond 2022.

- 2.18 Further modelling has demonstrated how such an approach could result in an increase of 10% in travel time across the network over the period to 2022, which compares favourably against the 2031 analysis and could generally be regarded as acceptable within the context of the Government's National Planning Policy Framework and with the exception of those parts of the network most constrained by congestion.
- 2.19 The package of highway improvements agreed by JTB is identified within the ITS, alongside a commitment that MBC will work with KCC to achieve early delivery within the next three years through the use of Section 106 Agreements and Local Growth Fund allocations. This will require MBC to adopt a more supportive approach to S106 negotiations than has previously been the case, as evidenced by their reluctance to secure monies from individual developments on Sutton Road that could be put towards strategic road improvements.
- 2.20 It is also important to note that the ITS fails to provide the necessary assurances regarding the LLRR in accordance with the JTB resolution and in recognition of the necessary preparatory and justification work which has been initiated by KCC with a view to taking forward the scheme within the earliest achievable timescale.
- 2.21 The reference within the ITS to potential delivery of the LLRR beyond 2031 does not achieve the mitigation necessary to accommodate the impact of the planned development within the plan period, which will otherwise have an unacceptably severe impact on the A229 and A274 corridors in south and south east Maidstone.

3. Financial Implications

- 3.1 The ITS has implications on the ability of KCC to secure funding towards the transport improvements necessary to accommodate planned new development. Although KCC will retain the ability to negotiate planning obligations in relation to individual planning applications, transport improvements that are included in the ITS are more likely to be supported by MBC in their decision making on planning applications.
- 3.2 This raises the prospect of transport improvements that KCC regard to be essential in support of new development not being secured as part of planning approvals. The absence of such provision is likely to result in a more substantive impact on existing communities and conditions for the travelling public, such that KCC may be required to fund and implement the necessary mitigation.

4. Legal implications

- 4.1 This report sets out the proposed KCC response to the Maidstone Borough Council's Regulation 19 consultation on the draft Integrated Transport Strategy for the Maidstone Local Plan.

5. Equalities implications

- 5.1 Equalities issues are not considered as part of this Regulation 19 consultation response. It is anticipated that an Equalities Impact Assessment will be provided as the Maidstone Integrated Transport Strategy is developed and by the County Council as schemes are designed and implemented..

6. Other corporate implications

- 6.1 Whilst this report is specifically about transport issues, clearly development and growth in Maidstone will have wide ranging implications in terms of other KCC responsibilities such as education and adult social care as well as provision of other infrastructure such as utilities.

7. Governance

N/A

8. Conclusions

- 8.1 The draft ITS prepared by MBC has not been agreed with KCC and is not aligned with the resolutions made by the JTB. It does not provide a robust means of mitigating the impact associated with the planned housing and employment growth within the Local Plan.
- 8.2 KCC regard the resulting impact on the highway network to be unacceptably severe, particularly on those routes where capacity is most constrained in south and south east Maidstone. This has been evidenced within the VISUM traffic modelling work already completed.
- 8.3 The National Planning Policy Framework (NPPF) sets out government's planning policies for England and how these are expected to be applied. The framework acts as guidance for LPAs and decision-takers, both in drawing up plans and making decisions about planning applications.
- 8.4 In considering potential transport related impacts, Section 4, paragraph 32 of NPPF states that '*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*'.
- 8.5 On this basis an objection should be raised in the KCC response to the Regulation 19 consultation on the grounds that the impact of the Local Plan on the highway network over the period to 2031 will be severe in the absence of effective mitigation.

9. Recommendation(s):

The Cabinet Committee is asked to consider and endorse the proposed KCC response to the Regulation 19 consultation on the draft Integrated Transport Strategy that: the level of development will have a severe impact particularly on key transport routes in South and South East Maidstone which will not be mitigated by the measures contained in the draft ITS and that MBC and KCC should work together to develop a jointly agreed ITS in accordance with the resolution of the Maidstone JTB on 07/12/15 that:

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Appendix A: Maidstone Transport Model - Option Testing Summary

Model Scenario	Transport Intervention Assumptions	Model Results: Network Performance	
		Travel Distance (Veh km)	Travel Time (Veh hours)
		AM	AM
2014 Base	None	122,000	8,300
2031 Do Minimum	Original housing and employment allocations (17,381 homes) Maidstone Gyratory scheme only	144,500 (+18%)	11,400 (+38%)
2031 Do Something 1	Original housing and employment allocations (17,381 homes) Package of transport improvements: <ul style="list-style-type: none"> Highway capacity improvements Leeds - Langlely Link Road 	146,700 (+20%)	10,800 (+30%)
2031 Do Something 2	Original housing and employment allocations (17,381 homes) Package of transport improvements: <ul style="list-style-type: none"> Highway capacity improvements Public transport improvements (7 min bus frequency) Linton P&R Increased walking and cycling (by 8.5%) Increased parking costs (by 50%) 	126,900 (+4%)	8,500 (+3%)
2031 Do Something 3	Revised housing and employment allocations (16,247 homes) Package of transport improvements: <ul style="list-style-type: none"> Highway capacity improvements Leeds-Langlely Link Road Public transport improvements (10 min bus frequency) Increased parking costs (by 50%) 	135,500 (+11%)	8,800 (+7%)
2031 Do Something 4a	Revised housing and employment allocations (18,560 homes) Package of transport improvements: <ul style="list-style-type: none"> Highway capacity improvements Leeds – Langlely Link Road Public transport improvements (10 min bus frequency) Discounting of walk/cycle trips up to 5km Increase in long-stay parking charges (by 50%) Removal of P&R at Linton and M20 J7 	140,100 (+15%)	9,300 (+13%)
2031 Do Something 4b	Revised housing and employment allocations (18,560 homes) Package of transport improvements:	135,600 (+11%)	9,700 (+17%)

	<ul style="list-style-type: none"> • Highway capacity improvements • Public transport improvements (10 min bus frequency) • Discounting of walk/cycle trips up to 5km • Increase in long-stay parking charges (by 50%) • Removal of P&R at Linton and M20 J7 		
2022 Do Minimum	Adjusted housing allocation (14,034 homes) and unchanged employment allocation (200,100m²) Maidstone Gyratory scheme only	141,400 (+16%)	10,700 (+29%)
2022 Do Something	Adjusted housing allocations (14,034 homes) and unchanged employment allocation (200,100m²) Package of transport improvements: <ul style="list-style-type: none"> • Highway capacity improvements • Public transport improvements (10 min bus frequency) • Discounting of walk/cycle trips up to 5km • Increase in long-stay parking charges (by 50%) • Removal of P&R at Linton and M20 J7 	132,000 (+8%)	9,100 (+10%)