

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

27 May 2009

Report of the Director of Planning Transport and Leisure

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision

1 PROPOSED STRATEGIC RAIL FREIGHT INTERCHANGES

Summary

This report seeks the endorsement for additional comments submitted to Maidstone Borough Council which is proposed to form the basis of the approach to be taken at the forthcoming Public Inquiry into the Kent International Gateway proposal. In addition the report provides some background on emerging proposals for an alternative strategic rail freight interchange in the Borough Green/Platt area.

1.1 Background

- 1.1.1 The Board will be aware that a major proposal for a strategic rail freight interchange (SFRI) known as the Kent International Gateway (KIG) proposal has been the subject of a planning application submitted to Maidstone Borough Council in respect of land in the Bearsted area to the north-east of Maidstone. This planning application is now the subject of appeal against non-determination and a Public Inquiry is due to be held in October.
- 1.1.2 On the 7 May, Maidstone Borough Council's Planning Committee considered a comprehensive report and resolved that had the planning application not been the subject of a non-determination appeal, it would have been refused planning permission on various grounds.
- 1.1.3 The planning application was the subject of extensive consultation by Maidstone Borough Council and was considered by this Board in January 2008. At that time a significant degree of uncertainty existed over various policy and practical implications of the proposed scheme. Indeed to a large extent that situation remains to be the case. In any event the Council took a position of outlining various practical factors with potential impacts on the Borough that needed to be satisfactorily resolved with objections raised if this could not be achieved.
- 1.1.4 Since that time both Maidstone Borough Council and the County Council have commissioned further work on alternative sites for SFRIs throughout the south-east region which we have only been able to obtain during recent weeks. In

addition members will be aware of a specific emerging proposal for an SFRI in the Borough Green/Platt area which has a direct relevance to the Kent International Gateway Planning Inquiry. Indeed we know that the promoters of the Borough Green/Platt scheme will be appearing at the KIG Public Inquiry.

- 1.1.5 In order to address the emerging situation I took the opportunity to make some additional overall comments on alternative sites in relation to planning policy and these are incorporated in a letter sent to the Maidstone Borough Council on the 24 April 2009 and which was referred to in the report to the Maidstone Planning Committee.
- 1.1.6 In the light of the emerging situation, it is of course appropriate for Tonbridge and Malling to take part in the KIG Public Inquiry and we have taken steps to secure this position with the Planning Inspectorate. There is still considerable work to be done on the technical aspects of the impact of the KIG proposal on Tonbridge and Malling and officers are working closely with colleagues at Maidstone to bring as much clarity to issues such as noise and air quality prior to the submission of statements. Clearly the debate on alternative proposals specifically in relation to the Borough Green/Platt site will have particular relevance for us and we will need to be prepared to provide statements and evidence on that matter specifically depending upon the position of other parties at the Inquiry.

1.2 The Proposed Borough Green/Platt SFRI

- 1.2.1 Members will be aware that broad proposals for the development of a SRFI extending to approximately of 100 hectares of land to the north-east of Borough Green and Platt emerged earlier this year. The site lies between the M26 and the A25/railway line extending eastwards to the A20/M26 junction at Nepicar and Wrotham Heath. At present the proposals are still in outline but would seem to include new railway sidings with access to the London-West Malling line, warehousing and freight transshipment facilities, an aggregates depot, associated commercial development and the incorporation of a new road accessing the site from the A20 at Nepicar extending through the proposed development area to the A227 and then onwards to the A25 roundabout at Dark Hill. This road has been shown on various drawings and sketches that have been displayed by the consultants acting for the promoters of the scheme although details of alignment and funding have not been spoken of in precise terms.
- 1.2.2 We are informed that the primary purpose of the transport interchange would be to transfer goods brought in by rail into smaller consignments for onward transport by road. However there has been no submission of business and market plans to demonstrate more precisely how the proposal will operate. The information to hand says that 12 trains per day would be envisaged travelling mainly between continental Europe and the site and that some 200,000 containerised units would be handled per year. Beyond that I have little detailed information although it is understood that various consultants are currently working for the two principal landowners to provide information to support a planning application in due course.

We are advised that a planning application is envisaged during 2010 and that in itself would be dependent upon the outcome of the KIG inquiry.

- 1.2.3 Clearly this scheme if it proceeds to a more formal proposal will raise significant planning and transport issues for the local communities, the Borough and indeed raise strategic issues further afield. There is little more that can be said about the proposal at this stage other than to note that there are some very significant planning policy considerations to take into account, not least Green Belt considerations and matters relating to the mineral reserves on the site. There are also a wide range of more practical and local considerations that would need to be taken into account in due course.
- 1.2.4 So far there has been a briefing organised for local Borough Council Members and a separate briefing session has taken place for members of Wrotham, Borough Green, Platt and Ightham Parish Councils. I believe that these have been helpful at least in sharing information from the promoters of the scheme as consistently as is practicable.

1.3 Conclusions

- 1.3.1 Over the forthcoming weeks and months it will be vital for officers to work towards the KIG Public Inquiry in liaison with colleagues at Maidstone and the County Council, both in respect of the practical implications of that scheme and the consideration of potential alternative sites. In this respect members are asked to endorse the approach so far outlined in my letter to Maidstone Borough Council of the 24 April 2009 as attached - **Annex 1**.
- 1.3.2 In the longer term if the proposals for the Borough Green/Platt site do gain momentum there will clearly be considerable work and implications for the Council to consider.

1.4 Legal Implications

- 1.4.1 The Borough Council is a statutory consultee in connection with the Kent International Gateway proposal and will be a Rule 6 Party at the Public Inquiry. The proposals for the Borough Green/Platt site as yet have no formal status until such time as a planning application is submitted.
- 1.4.2 It is anticipated that Government will introduce regulations to enable the setting up of an Infrastructure Planning Commission in the foreseeable future and it is likely that the criteria for schemes to be considered by the Commission will include proposals of the scale currently envisaged.

1.5 Financial and Value for Money Considerations

- 1.5.1 The issues outlined in this report have potential financial implications. In connection with the KIG Public Inquiry it is likely that the Council will need to instruct legal representation in order to present its case which can be met in the

first instance from the appeals and inquiries budget. If the proposals for the Borough Green/Platt site emerge as a formal proposal then it is very probable that the Council will need to commission consultants to advise on specialist topics such as transportation, logistics and related matters to properly prepare itself for consideration of a planning application and potential public inquiries. At present there is no specific budgetary provision for this and further provision may need to be sought as matters become clearer.

1.6 Risk Assessment

- 1.6.1 It is important that the Borough Council take the steps outlined in this report in order to best protect the amenity interests of the Borough and the local communities concerned.

1.7 Recommendations

- 1.7.1 The Borough Council's position in connection with the Kent International Gateway proposal concerning practical and alternative site matters as outlined in this report **BE ENDORSED** as a basis for the forthcoming Public Inquiry.

Background papers:

contact: Steve Humphrey

Kent International Gateway planning application and supporting documents

Agenda for the Maidstone Borough Council Planning Committee of 7th May 2009

Steve Humphrey
Director of Planning Transport and Leisure