

## Planning and Transportation Advisory Board

### Draft response to consultation on Local Transport Plan for Kent 2011-16

#### 1.1 Introduction

- 1.1.1 At its recent meeting, the Borough Council's Planning & Transportation Advisory Board considered the Draft for Consultation version of the Local Transport Plan for Kent 2011-2016 (LTP3).
- 1.1.2 A simple summary of the 127 pages of this document is that, over the next five years, the greater part of whatever reduced budget there is for highway and transportation improvements will be ring-fenced for the Growth Areas of Ashford and the Thames Gateway and the Growth Points, Dover and Maidstone.
- 1.1.3 There is very little priority given to areas such as Tonbridge & Malling lying outside those chosen areas.
- 1.1.4 My Members are profoundly disappointed by the direct implications of this for highways investment in this Borough over the next five years. They are extremely concerned that so little consideration is being paid to the relatively high levels of development in the Borough compared to other areas of Kent and to the importance of transport infrastructure in helping to sustain the improvement of the economy of West Kent.

#### 1.2 Current Work

- 1.2.1 The Borough Council is already working constructively with Kent Highway Services to map out the transport challenges that development and regeneration will bring over the next few years. We are working to identify how best the complex set of planning obligations, particularly in the Medway Valley, can be phased, harmonised and implemented. We are also proposing major regeneration initiatives in Central Tonbridge which require transport infrastructure provision. To see no recognition of this and, more critically, no financial provision for this in the draft LTP3 defies rational analysis, even within the terms of the rather flawed prioritisation methodology adopted in the document.
- 1.2.2 To respond to this, we need to reiterate and reinforce the transportation challenges arising from planned development over the next few years that your officers are already fully aware of. This is all set out in the suite of Plans that make up our adopted Local Development Framework. In parallel with actions needed to deal with the consequences of growth there are of course existing highway and traffic management problems that require attention and resolution. Together, these current and future needs make it essential that the draft document be fundamentally reviewed as far as this Borough is concerned.

### **1.3 The LTP Questionnaire**

1.3.1 Before explaining this in more detail, we must comment on the questionnaire that accompanies the draft LTP. It is tightly constrained and completely limits any scope for broad description and 'case-making'. The questionnaire has been populated with appropriate answers to ensure the Borough Council's views are properly registered in your statistical assessment of response. However, this cannot hope to capture and describe at anything but the most superficial level the Borough Council's thoughts on the consultation draft and I would request that you log this separate letter as the Council's formal submission to you.

### **1.4 Strategic Context**

1.4.1 The introductory comments might suggest disagreement with the contents of the draft at a broad and fundamental level. However, this is not so. The Borough Council has no quibble with the contents of the greater part of the document. This is a piece of work that has been skilfully and professionally done and this is to be commended. The scale and quality of the analysis in distilling national and local strategic policy into a working plan is recognised as is the challenge and difficulty in allocation a shrinking 'pot'. The Council is realistic about the future scale of highway investment this implies. The key themes are supported and most people, if not all, would consider Growth without Gridlock, a Safer and Healthier County, Supporting Independence, Tackling Climate Change, and Enjoying Life in Kent to all be worthy aspirations.

1.4.2 What is not agreed is the way this has been used to develop a budget allocation methodology and the answer that your chosen model has produced.

1.4.3 Producing an LTP is a considerable and onerous task and it takes time. This is time during which circumstances can change, resulting in an emerging document that is either dated when it is adopted or, worse still, does not truly match current policy and strategy. Generally, the five year forward view envisaged by a Plan such as the LTP is not so misaligned with broad policy and strategy by the time it is published that it has to be abandoned or completely rewritten. This applies also to the earlier phases of plan development. There would usually be no point in holding back a consultation exercise to accommodate anticipated fresh developments that would influence its content. You have to draw a line and go with what has been prepared.

1.4.4 You have our sympathy therefore that this consultation draft has had to be issued at one of the greatest periods of flux in the world of strategic planning that there has been for several generations. We are anticipating profound changes in the planning system in the near future and the systems and processes of local government finance are set to alter. So great is this pace of change, with much associated uncertainty, that many local highway authorities had lobbied the government to postpone the requirement to produce a Local Transport Plan until things became much clearer and fresh guidance reflecting the new government's priorities was issued. This was not heeded and you are locked into a timetable

that requires you to produce your LTP by April 2011 despite the fact that the strategic and policy framework is headed for fundamental change.

1.4.5 No doubt it will be perfectly possible to prepare a Plan of sorts to that timescale. However, it will be almost impossible to produce one that is aligned to the then current or emerging national transportation policy framework. It could well be that, based on localism, there is no national guidance and that you are free to set your own objectives. You just do not know at this stage what will be the opportunities and constraints which is why, this time around, LTP production is such a challenging task.

1.4.6 Moving on from the policy framework, or lack of it, at its broadest level, we need to consider the detailed implications of one of the fundamental building blocks of the draft LTP, the way that it relies on the South East Plan as a main driver for future budget allocation. In this respect, section 3.9 is one of the key statements in the document. It acknowledges that the South East Plan has been abolished and that

*“the impact of this announcement on the existing housing allocations for Kent’s sub-regions is not yet clear”.*

1.4.7 It goes on to say

*“KCC considers that many of the principles established by the South East Plan remain valid”.*

1.4.8 This statement is the justification for the direction of the whole of the LTP and the ring-fencing of future funding to just a few areas because the stated intention is **“to prioritise infrastructure investment in the County’s Growth Areas and Growth Points”**.

1.4.9 It is worth bearing in mind that the Government’s Guidance on Local Transport Plans requires highway authorities to work closely with district councils to coordinate and align the district produced Local Development Frameworks and the county council produced Local Transport Plans. This is reiterated in paragraph 3.41 of the draft LTP so you are clearly aware of this fundamental requirement. Yet the draft you have produced completely ignores this.

## **1.5 Local Development Frameworks (LDF)**

1.5.1 You also recognise in paragraph 3.42 that the planning framework at a local level is in disarray because the housing allocations arising from the abandoned South East Plan no longer apply and those districts that have not yet adopted their LDF Core Strategy could change the development targets you are basing the draft LTP on. I think there is an implied misunderstanding of the LDF process in paragraph 3.42 in the words “all planning authorities are reviewing elements of their LDFs”. In simple term, the LDF is either adopted or it is not. If it is not adopted then Local Planning Authorities are at liberty to alter the contents of their plans within the constraints of the procedures set out in the associated planning legislation. Of course this could all change in the near future. However, for the moment it

remains valid. If the Plan is already adopted, there is no ready and straightforward route to 'reviewing' the LDF. It would need to be exposed to a new process of public engagement similar to the procedures required to prepare the Core Strategy and other Local Development documents.

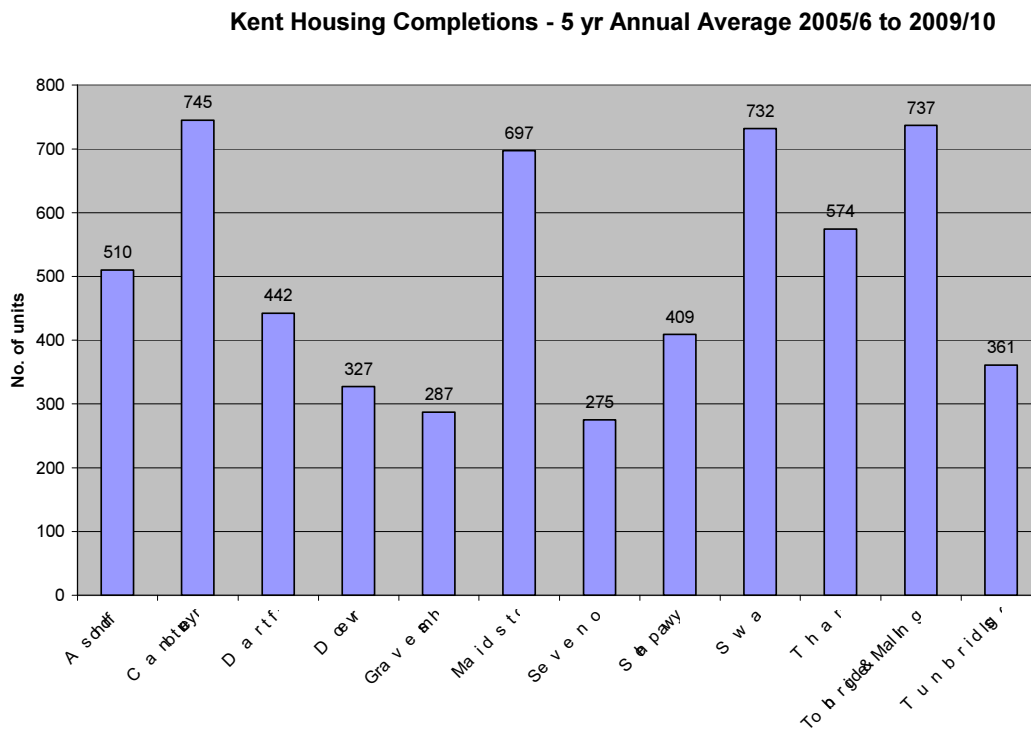
- 1.5.2 This has deep implications for your draft LTP. Out of twelve Kent districts, only four have an adopted Core Strategy in place. Eight do not, and there is no certainty whatsoever that the development figures that the County Council is basing its funding distribution on for the next five years will happen in reality. The status of LDF development across the County and the rates of build implied in the emerging and adopted LDFs are illustrated in Figure 1.

**Figure 1: Core Strategy Status across Kent.**

	<b>Adopted Core Strategy</b>	<b>Housing Units</b> (in the emerging or adopted Core Strategy)	<b>Average Implied Build Rate</b>		
Ashford	Yes	17950	898	The SEP figures are currently being reassessed	
Canterbury	No	10200	510		
Dartford	No	17340	867		
Dover	Yes	10000	500		
Gravesham	No	9300	465		
Maidstone (SEP)	No	11080	554		
<i>Maidstone (Option 1)</i>		8200	410		
<i>Maidstone (Option 2)</i>		10080	504		
<i>Maidstone (Option 3)</i>		11000	550		
Sevenoaks	No	3600	180		
Shepway	No	5800	290		
Swale	No	8700	435		
Thanet	No	7500	375		
Tonbridge & Malling	Yes	6375 ( <i>see note</i> )	425		This is for the 2006-2021 LDF - the SEP total was 9000.
Tunbridge Wells	Yes	6000	300		

- 1.5.3 From the table it can be seen that the scope for change in the totality of development is significant and it remains to be seen what the eventual figures might be after the districts with no Core Strategy yet in place reassess the South East Plan (SEP) commitment. A case in point is Maidstone Borough Council where the old SEP figure is the upper limit on a range of options, one of which would result in a development rate lower than the reaffirmed adopted figure for Tonbridge and Malling. Yet it would still apparently be a Growth Area blessed with special priority for LTP funding. This does not appear to be a reasoned and fair way of distributing funding from a constrained budget.
- 1.5.4 More to the point, there is no reflection at all in the draft LTP of the development profiles inherent within either the adopted or emerging Core Strategies. This is yet another fundamental point because the LTP is a five year programme of action and investment and it should be wedded to the roll out of development contained within the LDFs. There is no justification for LTP provision within a Growth Area or Growth Point, if the development it relates to is not programmed in an LDF until after 2016.

**Figure 2 Recent and Current Build Rates across Kent**



- 1.5.5 It is also critical to note what has actually happened in terms of development in recent times. The actual rate of build in Tonbridge & Malling, as noted in the LDF Annual Monitoring Report, exceeds even the Growth Area of Ashford and districts in the Thames Gateway as well as the Growth Point of Maidstone and Dover. Figure 2, based on the County Council's own data, is taken from the KCC Housing Information Audit 2010 and it shows where development progress and the associated transportation impacts are actually occurring. It certainly indicates that

the prioritisation model in the draft LTP is mismatched with the current needs of development across the County and significantly so here in Tonbridge & Malling.

- 1.5.6 There is practical challenge to the prioritisation method proposed in the draft LTP related to the implication that there is a threshold below which development provided for in the LDF does not merit LTP support. This appears then to justify the strategy of applying the greater part of whatever funding might be available to the areas with higher rates of LDF development, notable in the Growth Area and Growth Points. This is completely irrational since development at all rates will have a proportionate impact. It does not have zero impact unless and until it reaches some arbitrarily chosen threshold value.
- 1.5.7 However, all this focus within the Draft LTP on the now redundant SEP targets and LDFs whether adopted, still emerging or subject to reassessment misses the point. There is a fundamental lack of alignment currently between LDF and LTP time horizons and it prompts the question about why the Growth Area status, as reflected in the adopted or emerging LDF, should be the only driver for funding allocation in the LTP.
- 1.5.8 The next five years will be affected far more by planning consents already granted and the existing planning obligations associated with them. For several, this will include Section 106 obligations related to highway and transportation improvements. It is much more important that funding from the LTP be available to support and reinforce such immediate obligations rather than outline aspirations in the Growth Areas a decade or more hence.
- 1.5.9 It should be the job of the LTP to safeguard and apply the external funding stream from development that has already been secured through the planning process rather than aspirational projects many years hence and beyond the time horizon of the LTP. An illustration of this incorrect focus is the statement in the draft
- “much of the housing development in Maidstone is unlikely to come on stream in the five year period of this LTP”*** .
- 1.5.10 Why therefore does this feature as a priority for investment in this five year LTP, especially when there are other parts of Kent where the development is happening now or in the near future and requires some assistance from the highway authority? It appears to be completely illogical and at odds with the clear statement in the draft LTP that says at paragraph 5.10, in relation to development in the Ashford Area,
- “KCC’s integrated transport programme will prioritise the major development sites identified in the LDF....”***
- 1.5.11 Applied as a principle across Kent, this Borough would wholeheartedly support this as a driver for budget allocation.
- 1.5.12 Critically, the Growth Areas and Growth Points have had access to national and regional funding streams separate from the LTP. In contrast, the rest of Kent has

had to depend purely on the LTP for highway and transportation investment apart from development contributions through Section 106 agreements. It does seem iniquitous that areas that have access to alternative funding opportunities should absorb the greater proportion of future LTP funding.

- 1.5.13 So how should the available budgets, over the next five years, be allocated? Local safety schemes are essential as is maintenance. Beyond this, paragraph 4.23 contains a sentence that this Borough Council would agree with.

***“Schemes should be ‘objective driven’ in response to specified problems and challenges, rather than be capped into certain scheme types”.***

- 1.5.14 Your chosen budget model manifestly does not do this and, instead, introduces the spatial element of distribution that your comments a few paragraphs earlier decried. The Plan should be targeted on specific problems, qualified by the need to coordinate and align allocations to support the immediate planning and development situation throughout the County. Priority should be given to making best use of development contributions where these are committed and this may require some top up from the LTP funding stream.
- 1.5.15 If you are not able to do this, then there should be some form of ‘floor’ mechanism for the parts of Kent that have been discriminated against in the Plan to ensure that they have some hope that chronic problems in those areas might be addressed over the life of the Plan.

## **1.6 Specific Interventions**

- 1.6.1 That an LTP for the next five years does not contain any reference to the **Medway Gap** and the focus of development in that area is quite extraordinary. Kings Hill, Leybourne Grange, Holborough Valley, and Peters Village, as well as several smaller sites, represent a considerable volume of development with, critically, over six million pounds of private investment on transportation in the Medway Gap area.
- 1.6.2 Consented developments include obligations of over £2 million for physical measures to improve road conditions for public transport, a further £4.25 million in specific planning obligations for bus service improvements and other obligations on developers to negotiate a range of additional services.
- 1.6.3 The timing and coordination of this investment is extremely complex and depends on a range of different ‘trigger points’ on a range of developments and periods during which the funds need to be spent. Some are a long way off but others are approaching the stage of being urgent, if the funds secured through the planning process are not to be lost. County Council officers have been working closely with the Borough Council to coordinate this complex mesh of interlocking actions and some reflection in the LTP of this important activity and its need for some support funding to safeguard the contributions from developers and to facilitate and enable the implementation of the broad programme is vital.

- 1.6.4 A specific glaring omission is the absence of any mention of **West Malling Station** where your officers are liaising with the Borough Council and the railway industry to promote a major improvement of the station forecourt to create a proper bus/train interchange. This is in recognition of the growing importance of this interchange and station to the local residents and businesses and reflects the other efforts being made to improve station service provision on this line.
- 1.6.5 At the moment, bus access and manoeuvring at the station is difficult to impossible and proper provision within the LTP for a station improvement project is essential given the levels of development in the surrounding area. There is also the factor of a £250,000 contribution from the development at Leybourne Grange that will help support the cost of the project and this will be lost if it is not implemented during the lifetime of this next LTP.
- 1.6.6 The dualling of the **A21 from Tonbridge to Pembury** is a project that you have no direct funding or operational involvement in. Yet I would have expected an all embracing overview of transportation in the County of Kent to take a view on the importance of this project to the future wealth and prosperity of West Kent and for access to the new hospital at Pembury. The absence of overt comment and support at a time when the future of this project is in jeopardy is disconcerting and must surely be an oversight. There is continuing pressure from all public bodies and local MPs in West Kent for this scheme to go ahead and specific reference to it in the Local Transport Plan should be a given.
- 1.6.7 The Council has a sense of realism about what is practical reasonable and achievable over the period of the Plan out to 2016, particularly in the light of the current financial climate. It is pleased therefore that there is mention of the Colts Hill Bypass on the A228 and would be keen to support this given its important bearing as a public transport corridor and a key access to the new hospital at Pembury. However, they note that other significant West Kent infrastructure priorities are missing from what is intended as an all embracing plan for local transport; for example the Borough Green and Platt Bypass. .
- 1.6.8 What is concerning is the absence of any mention of a scheme identified in the **Tonbridge Central Area Action Plan**, an adopted Local Development Document that was produced with considerable input and support from the County Council to help with the integral Transportation Strategy. The junction of **Vale Road and Vale Rise**, by way of example, was identified as a key constraint in releasing the development set out in the Action Plan in the centre of the town and it should have some mention for coordination purposes within the LTP itself. Moreover, the package of mostly relatively minor improvements should be recognised as vital to the adopted planning and regulatory strategy.
- 1.6.9 Paragraph 5.54 refers to junction 5 of the M25 and, in particular mentions east facing slips for traffic travelling from the A21 to the M26 and M20. This should refer also to an east facing slip for the west bound traffic on the M26 so that it can exit onto the A21.



1.6.10 It is interesting to see the section on the Lower Thames Crossing and this will have huge strategic impact. However, given the current financial climate and the likely ten figure cost, it is unlikely to be implemented during the currency of LTP3. Nevertheless, from a local context, I would urge that the impacts on this circumferential zone around London be fully considered. To be specific, a crossing east of Gravesend will have the feel of an 'outer-orbital' and will impact on the A228 which is good in parts but deficient elsewhere. A particular example of this is the **Kent Street section of Malling Road** which is the current subject of concern by local residents yet it merits no specific mention in the draft document.

## 1.7 General Comments

1.7.1 Approaching the final stages of this reply, there are few generic matters that I would comment on.

1.7.2 **Air Quality Management** is treated with almost a sense of resignation that nothing is really possible to deal with the numerous Air Quality Management Zones in Kent. The seven in this Borough result from exceedencies in NOx levels directly attributable to transport so it is disappointing that no solutions can be offered to mitigate this insidious problem.

1.7.3 **Railways** - In the section on 'Lobbying', you refer to the Maidstone East railway line. It is worth including in this section some comment about the contribution that this Borough made to the campaign to reinstate city services and also that the quantum of development in the LDF is part of the justification for the campaign. The Borough Council is participating in the Kent Rail Summits and would wish to contribute what it can to the continuing work, especially as the new franchise will emerge in the early period of the LTP. In parallel with this, we like your reference to an Ashford to Gatwick direct connection. I would add that the case could also be extended to include a Medway Towns circular route from Strood via Paddock Wood.

1.7.4 **School Journeys** - At a local level, our experience is that traffic related to the school journey is a serious and chronic problem at either end of the school day during term time. The Freedom Pass has made a considerable contribution towards addressing this continuing problem and the Borough Council would urge that this is protected in future budget constraining exercises and extended beyond the current 16 years of age threshold if at all possible. The school problems themselves appear to be deteriorating and from feedback from the South East Parking Managers Group, this appears to be a common concern across Kent. It is recognised within the draft but I believe there is justification for a more systematic and focused treatment of this matter than what is mentioned at 6.29, School Travel Plans.

1.7.5 **Freight** - LTP actions related to freight routing are set at a conceptual level so it is not really possible to comment on any specifics. Nevertheless, the broad intention of devising a freight strategy and focusing preferred routes onto the primary route network until as near as possible to destination is a principle that my Members

would be keen to support. This will of course require a degree of success from the work that is already being done by the County Council to resolve the problem of lorries on unsuitable routes to the extent that this is caused by misuse of car based SatNav systems.

## **1.8 Implementation Plan**

1.8.1 One of the most important parts of the LTP in its final form will be the Implementation Plan. This has not been included as part of the draft consultation but perhaps many of the misgivings mentioned in this response will be addressed by the Implementation Plan when it has been prepared.

## **1.9 Closing Comments**

1.9.1 In closing this response to your consultation on LTP3, I am confronted by a document that, while good in parts with much that the Borough Council would wish to support and work with you on, nevertheless, presents a truly bleak outlook for districts outside the Growth Areas and Growth Points.

1.9.2 We believe your preferred methodology for allocating potentially scarce LTP funds is illogical, iniquitous and ultimately counter-productive if it fails to support external funding from development which is already committed.

1.9.3 It is extremely disappointing that far greater priority is not being accorded to planned development that is already 'in the pipeline' and which contains the benefit of external developer funding which could be in jeopardy without some additional assistance from the LTP.

The Borough Council hopes you will receive these comments in the constructive spirit in which they are offered. We wish to work with you to ensure the next LTP is as effective as it can be made to be in the light of the difficult financial circumstances we all face.