

From: [Bowie, David](#)
To: [Planning Applications](#)
Cc: [Planning SE](#); [Bown, Kevin](#); [Bradley, Alistair](#)
Subject: 19/00979/FL - South Aylesford Retail Park Quarry Wood Industrial Estate Aylesford Kent FAO Robin Gilbert
Date: 13 September 2019 14:20:38

For attention of:	Robin Gilbert
Site:	South Aylesford Retail Park Quarry Wood Industrial Estate Aylesford Kent
Proposal:	Erection of new retail units, a "pod" building for retail and cafe restaurant purposes with local amenity uses above, a new area of public realm along with access, car parking, servicing facilities, landscaping and associated works
Your Reference:	19/00979/FL
Highways England's Reference:	n/a

Dear Robin,

We have been made aware of the above mentioned application but do not appear to have been formally consulted.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this case, particularly the M20 in the vicinity of Aylesford.

Having quickly reviewed the Transport Assessment it is apparent that this application has the potential to impact upon the SRN and that this impact may not have been fully assessed. We require to undertake a more detailed assessment in order to determine if the proposals are likely to materially affect the safety, reliability and / or operation of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and MHCLG NPPF para 109) in this location and its vicinity and await formal consultation from yourself. When consulted we will require 21 days to provide our formal response.

Please note that this email does not constitute a formal recommendation from Highways England. We will provide a formal recommendation when we can be confident that the application is in its final form. In the meantime, we would ask that the authority does not determine the application (other than a refusal), ahead

of us responding to the formal consultation. In the event that the authority wishes to permit the application before this point, we would ask the authority to inform us so that we can provide substantive response based on the position at that known time.

In the meantime, should the applicant or you have any queries regarding this response please contact us at planningse@highwaysengland.co.uk.

Kind regards

David

David Bowie

Area 4 Spatial Planning Manager (Acting)

Tel: +44 (0) 7900 056130

Highways England | Bridge House | 1 Walnut Tree Close | Guildford | Surrey | GU1 4LZ

Web: <http://www.highwaysengland.co.uk>

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From: [Bowie, David](#)
To: [Planning Applications](#)
Cc: [Planning SE](#); Russell.Boorman@kent.gov.uk; [Andrew Murdoch](#); [Bradley, Alistair](#); [Bown, Kevin](#); Toni.Macey@atkinsglobal.com
Subject: 19/00979/FL - South Aylesford Retail Park Quarry Wood Industrial Estate Aylesford Kent FAO Robin Gilbert
Date: 01 November 2019 10:09:54

For attention of:	Robin Gilbert
Site:	South Aylesford Retail Park Quarry Wood Industrial Estate Aylesford Kent
Proposal:	Erection of new retail units, a "pod" building for retail and cafe restaurant purposes with local amenity uses above, a new area of public realm along with access, car parking, servicing facilities, landscaping and associated works
Your Reference:	19/00979/FL
Highways England's Reference:	#8950

Dear Mr Gilbert,

Thank you for your letter dated 25 October 2019 regarding the above application which indicated a response was required no later than 11 November.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this case M20 junction 5.

Highways England requests further clarity on the following issues and has provided comments below:

Comments:

Para 4.1 Numbers for scenario 2 do not add up to total provided.

Section 3 – Policy: No reference is made to either Highways England: *The Strategic Road Network – Planning for the Future* or the DfT Circular 02/13: *The Strategic Road Network and the Delivery of Sustainable Development*. Both of which would be relevant for this application.

Trip Generation

Para 5.2 – Trip rates have been calculated for weekend evening and Saturday afternoon peak hours, but not the AM Peak. Highways England recognises that retail parks do not typically open till about 10 or 11am, however staff movement and the bulk of deliveries tend to occur prior to these hours. Unless this has previously been agreed with KCC, please provide a reasonable justification for omitting this data. Highways England has not been consulted with regards to omitting this data and given the levels of movement and issues around congesting/slow moving traffic along both London Road and, in particular, Coldharbour Lane and the M20 J5 slip road any proposal which would add traffic during the AM peak hours should be included within the assessment. Our own TRICS assessment in the AM Peak period indicates that for scenario 2, the food discount store (which may be likely to open during these hours) would add an additional 47 movements at the site. Therefore, Highways England strongly recommends that the trip generation is recalculated to include AM Peak Hour data.

Para 5.3 Pass-By Trips. Discussion around diverted/linked and pass-by trips indicates that these would be higher whereas new trips on the network would be relatively low. However, this appears to be contradicted within Table 5.4; we are also unsure how the linked trip proportion has been calculated. Could the applicant please justify these figures and whether the proportions were agreed by KCC or Tonbridge and Malling prior to the TA being produced? Highways England would have expected higher percentages in line with the TRICS Research paper, *Pass-by and Diverted Trips*. Whilst some commentary on the proportions has been included in the TA, however no survey data was undertaken to evidence how these proportions were arrived at. Without the survey data from the nearby retail parks available, details of how their characteristics are similar to the proposed store we are unable to judge the appropriateness of using these linked trip proportions for this specific site. As such, without the additional information, we can only take a judgement using information that is evidenced.

Impact on M20 J5

Para 5.28 - The TA indicates that an additional two-way 83 Weekday PM movements and 156 SAT Peak period movements would be utilising London Rd E towards the M20 J5; the study does not look specifically at movement directly onto the SRN network at J5, but states that “should 1/3 of all new trips utilise this junction it would be an additional 12/14 additional trips during the Saturday afternoon traffic”. Typical traffic at the M20 J5 junction during the Saturday PM Peak indicates that there are few congestion issues. However, until the above issues have been resolved regarding trip generation and especially the omission of AM Peak hour data, and the proportion of pass-by/linked trips – Highways England is not able to validate these numbers. Additionally, without the inclusion of AM Peak hour data, it is considered that these numbers may be low.

Initial Conclusions

Having quickly reviewed the Transport Assessment it is apparent that this application has the potential to impact upon the SRN and that this impact may not have been fully assessed. We require to undertake a more detailed assessment

in order to determine if the proposals are likely to materially affect the safety, reliability and / or operation of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and MHCLG NPPF para 109) in this location and its vicinity and await formal consultation from yourself. When consulted we will require 21 days to provide our formal response.

Please note that this email does not constitute a formal recommendation from Highways England. We will provide a formal recommendation when we can be confident that the application is in its final form. In the meantime, we would ask that the authority does not determine the application (other than a refusal), ahead of us responding to the formal consultation. In the event that the authority wishes to permit the application before this point, we would ask the authority to inform us so that we can provide substantive response based on the position at that known time.

Kind regards,

David

David Bowie

Area 4 Spatial Planning Manager (Acting)

Tel: +44 (0) 7900 056130

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For attention of:	Robin Gilbert
Site:	South Aylesford Retail Park Quarry Wood Industrial Estate Aylesford Kent
Proposal:	Erection of new retail units, a "pod" building for retail and cafe restaurant purposes with local amenity uses above, a new area of public realm along with access, car parking, servicing facilities, landscaping and associated works
Your Reference:	19/00979/FL
Highways England's Reference:	86415#8950

Dear Mr Gilbert,

Thank you for your letter dated 25 October 2019 regarding the above application which indicated a response was required no later than 11 November. Highways England has received further information from the Transport Consultant regarding our initial assessment provided on 1 November 2019, in the form of a *Response to Highways England Comments Note* (dated 1 November 2019).

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this case M20 junction 5.

Having reviewed the comments provided in response to our initial query – please find comments below (Original comments in italics).

Comments:

Para 4.1 Numbers for scenario 2 do not add up to total provided. Thank you for clarifying, this matter is now closed.

Section 3 – Policy: No reference is made to either Highways England: The Strategic Road Network – Planning for the Future or the DfT Circular 02/13: The Strategic Road Network and the Delivery of Sustainable Development. Both of which would be relevant for this application. This has now been addressed and is closed.

Trip Generation

Para 5.2 – Trip rates have been calculated for weekend evening and Saturday afternoon peak hours, but not the AM Peak. Highways England recognises that retail parks do not typically open till about 10 or 11am, however staff movement and the bulk of deliveries tend to occur prior to these hours. Unless this has previously been agreed with KCC, please provide a reasonable justification for omitting this data. Highways England has not been consulted with regards to omitting this data and given the levels of movement and issues around congesting/slow moving traffic along both London Road and, in particular, Coldharbour Lane and the M20 J5 slip road any proposal which would add traffic during the AM peak hours should be included within the assessment. Our own TRICS assessment in the AM Peak period indicates that for scenario 2, the food discount store (which may be likely to open during these hours) would add an additional 47 movements at the site. Therefore, Highways England strongly recommends that the trip generation is recalculated to include AM Peak Hour data.

A further assessment of trip rates has been provided to include the AM Peak hour data for Saturday(08-09:00), which is assessed at an additional 88 two way movements. Highways England notes that within the submitted Technical Note, that Wednesday was included for the weekend analysis. This may have been in error and has the effect of artificially suppressing the average. However, having run an independent TRICS Assessment of the same category – that error would not have a significant impact upon the network. As such, Highways England considers that this matter is now resolved.

Para 5.3 Pass-By Trips. Discussion around diverted/linked and pass-by trips indicates that these would be higher whereas new trips on the network would be relatively low. However, this appears to be contradicted within Table 5.4; we are also unsure how the linked trip proportion has been calculated. Could the applicant please justify these figures and whether the proportions were agreed by KCC or Tonbridge and Malling prior to the TA being produced? Highways England would have expected higher percentages in line with the TRICS Research paper, Pass-by and Diverted Trips. Whilst some commentary on the proportions has been included in the TA, however no survey data was undertaken to evidence how these proportions were arrived at. Without the survey data from the nearby retail parks available, details of how their characteristics are similar to the proposed store we are unable to judge the appropriateness of using these linked trip proportions for this specific site. As such, without the additional information, we can only take a judgement using information that is evidenced.

While Highways England originally had concerns regarding the proportions assigned to diverted/linked trips and pass-by trips, the applicant has confirmed that these proportions were previously agreed with Kent County Council within their scoping meetings. As such, Highways England accepts the proposed proportions and does not have any further comments to add on this matter.

Impact on M20 J5

Para 5.28 - The TA indicates that an additional two-way 83 Weekday PM movements and 156 SAT Peak period movements would be utilising London Rd E

towards the M20 J5; the study does not look specifically at movement directly onto the SRN network at J5, but states that “should 1/3 of all new trips utilise this junction it would be an additional 12/14 additional trips during the Saturday afternoon traffic”. Typical traffic at the M20 J5 junction during the Saturday PM Peak indicates that there are few congestion issues. However, until the above issues have been resolved regarding trip generation and especially the omission of AM Peak hour data, and the proportion of pass-by/linked trips – Highways England is not able to validate these numbers. Additionally, without the inclusion of AM Peak hour data, it is considered that these numbers may be low.

While the Transport Consultant has indicated the location of several other supermarkets within the area as available alternatives closer to the trip origin, there are likely to be additional movements at the SRN at M20 J5 as a result of the proposed development. However, as indicated within the Transport Note, there is a consideration that these trips would already be on the network at this location. While traffic data taken from Google Traffic indicates that the highway network around M20 J5 is operating with congestion, the supporting LINSIG work also indicates that with development, Saturday queuing on Mills Road would likely increase from 65 to 159. However, Local Plan work has indicated that the Quarry Wood junction is to be developed into a roundabout which has been included within the Borough’s Infrastructure Delivery Plan. The applicant has also proposed a widening scheme at Mills Road. Highways England notes that Kent County Council Highways has requested a condition to be implemented that the proposed retail development over the lake not open in advance of the works, identified within either scheme above, coming forward. Highways England would accept that this condition would mitigate against any worsening of the future operation of the SRN in terms of safety or capacity in line with the tests set out within DfT C2/13 para’s 9 & 10 and MHCLG NPPF para 109.

Recommendation:

Accordingly, while Highways England do not necessarily agree with the evidence submitted, via our own assessment we consider that although the level of peak hour traffic movements onto M20 J5 junction may have a slight impact the reliability, operation or safety of the Strategic Road Network, provided appropriate conditions are attached to any planning permission, it will not be ‘severe’ (the tests set out in DfT C2/13 para’s 9 & 10 and DCLG NPPF para 109). As such, Highways England concurs with the recommendations of Kent County Council Highways with regards the need to impose highways related conditions on any grant of permission to application 19/00979/FL. Those of particular relevance to maintaining the safety and operational efficiency of the Strategic Road Network are as follows:

- Retail units shall not open until traffic capacity mitigation measures are complete and open to the public.
- A construction management plan shall be submitted for approval prior to commencement. This plan shall specify a construction programme which avoids Christmas and other public holidays and peak traffic times.
- A scheme for parking restrictions on Lake Road shall be agreed before commencement to enable safe egress onto it. These measures shall be implemented via the County’s 3rd Party Traffic Order procedure and be in place prior to opening.

- A contribution towards bus services shall be made via a S106 agreement. The contribution will in proportion with traffic generation numbers, commensurate with contributions agreed for neighbouring developments affecting the A20.
- Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing. 10% of the car parking shall include charging capability for electric cars.

Please find attached a copy of our HEPR form to this effect.

Should you have any queries regarding our response, please do not hesitate to contact us and please forward our comments to the applicant who can contact Highways England at PlanningSE@highwaysengland.co.uk

Kind regards,

Kevin Bown BSc(Hons) MPhil CMS MRTPI Spatial (Town) Planning Manager
Spatial Planning Team, South East Region Operations Directorate
Highways England | Bridge House | 1 Walnut Tree Close | Guildford | GU1 4LZ
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Developments Affecting Trunk Roads and Special Roads

Highways England Planning Response (HEPR 16-01)

Formal Recommendation to an Application for Planning Permission

From: Nicola Bell (Regional Director, South East)
Operations Directorate
South East Region
Highways England
PlanningSE@highwaysengland.co.uk

To: Tonbridge and Malling Borough Council (FAO Case Officer: Robin Gilbert)
planning.applications@tmbc.gov.uk

CC: growthandplanning@highwaysengland.co.uk

Council's Reference: 19/00979/FL

Location: South Aylesford Retail Park Quarry Wood Industrial Estate
Aylesford Kent

Proposal: Erection of new retail units, a "pod" building for retail and cafe restaurant purposes with local amenity uses above, a new area of public realm along with access, car parking, servicing facilities, landscaping and associated works

Highways England Reference: 86415#8950

Referring to the planning application referenced above (consultation received 25 October 2019) in the vicinity of the M20 J5 (which forms part of the Strategic Road Network), notice is hereby given that Highways England's formal recommendation is that we:

- ~~a) offer no objection~~
- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);
- ~~c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);~~

~~d) recommend that the application be refused (see Annex A – Reasons for recommending Refusal).~~

Highways Act Section 175B (covering new access to the SRN) is not relevant to this application.¹

HIGHWAYS ENGLAND (“we”) have been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This represents Highways England’s formal recommendation (prepared by the Area 4 Spatial Planning Team) and is made available to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority disagree with any recommendation made under b), c) or d) above, the application must not be determined before they have:

- i) informed Highways England; and
- ii) consulted the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@df.gov.uk.

Signature: 	Date: 07 November 2019
Name: Kevin Bown	Position: Spatial Planning Manager
PlanningSE@highwaysengland.co.uk	
Highways England: Bridge House, 1 Walnut Tree Close, Guildford, GU1 4LZ	

¹ Where relevant, further information will be provided within Annex A.

Annex A: Highways England Recommended Planning Conditions

Highways England concurs with the recommendations of Kent County Council Highways with regards the need to impose highways related conditions on any grant of permission to application 19/00979/FL. Those of particular relevance to maintaining the safety and operational efficiency of the Strategic Road Network are as follows:

- Retail units shall not open until traffic capacity mitigation measures are complete and open to the public.
- A construction management plan shall be submitted for approval prior to commencement. This plan shall specify a construction programme which avoids Christmas and other public holidays and peak traffic times.
- A scheme for parking restrictions on Lake Road shall be agreed before commencement to enable safe egress onto it. These measures shall be implemented via the County's 3rd Party Traffic Order procedure and be in place prior to opening.
- A contribution towards bus services shall be made via a S106 agreement. The contribution will in proportion with traffic generation numbers, commensurate with contributions agreed for neighbouring developments affecting the A20.
- Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing. 10% of the car parking shall include charging capability for electric cars.