

TM/19/00376/OAEA

Annex 1 (responses from Highways England)

Initial response

From: [Bowie, David](#)
To: [Richard Timms](#)
Cc: [Planning SE](#); [Bradley, Alistair J](#); [Jenkins, Daniel](#); [Fisher, Rachael](#)
Subject: 19/500769/EIOUT - Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent FAO Richard Timms

For the Attention of: Richard Timms

Planning Application Number: 19/500769/EIOUT.

Site: Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent

Proposal: Outline application for a residential development of 106 units comprising a mix of 1, 2, 3, and 4-bedroom dwellings (including bungalows, houses and apartments), associated access and infrastructure (Access, Layout and Scale being sought).

Highways England Reference: 84093

Dear Richard,

Thank you for your letter of 22 February 2019, regarding the above outline planning application, requiring a response by no later than 26 March 2019.

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 are 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.

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN. In this case our interest relates to the M20 junction 5, though this includes the impacts on the A20 Coldharbour Lane junction as this has been found to experience queuing which extends back to the M20 junction 5.

The proposal is for outline planning permission for a residential development of 106 units comprising a mix of 1, 2, 3, and 4-bedroom dwellings (including bungalows, houses and apartments), associated access and infrastructure (access, layout and scale being sought), at land south west of London Road and west of Castor Park, Beaver Road, Allington, Maidstone, ME16 0XU. It is within both Maidstone Borough and Tonbridge and Malling Borough.

The proposal is not in the Maidstone Borough Local Plan (adopted 25 October 2017).

The Local Plan for Tonbridge and Malling for the period to 2031 has been submitted and is currently at the examination stage. We have reviewed the Local Plan Regulation 19 Pre-Submission Publication of September 2018 and the eight volumes of "Changes to the Adopted Proposals Map" and there is no mention of the proposal in either.

History of the Site

The site is currently vacant and undeveloped.

Planning Application reference 18/03044/EASP, lodged with Tonbridge and Malling Borough Council in December 2018, was for the same site. The development proposal was a "Request for scoping opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for a proposed residential development". The proposed development, for which a scoping opinion was sought, was up to 130 dwellings with vehicular access onto Romney Road, then Beaver Road, as with the current application. Other details are given in the Scoping Request

Report ^[1], including:

- The design will comprise a mix of housing ranging from one-bedroom flats and bungalows to four-bedroom houses; all units will be 2 storeys or under.
- Car parking will be proposed to accord with Kent County Council's guidance

(IGN3).

- 40% of the housing will be affordable provision.

We responded to that application by email on 4 January 2019. In summary, our response stated:

- Highways England will be concerned with any impact on the safe and efficient operation of the M20 Junction 5.
- Highways England have no comment on whether an EIA is required; but if it is (or produced voluntarily), it should be compatible and consistent with the Transport Assessment (TA) and also contain information on all transport related effects including safety, noise, vibration and air quality.
- We had not been provided with the transport assessment scoping note which was provided to Kent County Council; as such we could not comment on the proposed methodology of the transport assessment.
- The A20 Coldharbour Lane junction currently experiences congestion that can result in blocking back of traffic onto the M20 Junction 5, particularly in the AM peak period. Accordingly, the TA should identify any impacts of the development on the A20 Coldharbour roundabout and any associated queuing delays at the M20 Junction 5, demonstrating that the proposal will not materially affect the safety, reliability and/or operation of the existing SRN in accordance with the tests set out in Department for Transport Circular 02/2013 paragraph 10 and DCLG NPPF paragraph 32.

Review of the Transport Assessment

The current outline application, 19/500769/EIOU, is accompanied by a transport assessment^[2] (TA), produced in February 2019. Additionally, Odyssey, who produced the TA, produced two separate TA addendums, in November 2018 and January 2019 (hereafter referred to as the first and second TA addendums respectively). These followed Revision B of the TA, which was produced in August 2018. As the current TA (Revision C) was produced in February 2019, we assume that it contains up-to-date content from the two TA addendums.

We have reviewed these documents as follows:

Access

The proposed vehicular access to the development is onto Romney Road which then joins Beaver Road, both roads being part of a network of minor local roads and cul de sacs that together has no through access. Beaver Road intersects with the A20 London Road which then joins the M20 junction 5 approximately one kilometre from the site. Junction 5 is a grade-separated roundabout junction.

Base traffic, Traffic growth and Committed developments

For the M20 junction 5 and the A20 Coldharbour Lane junction, the TA says that the base traffic volumes, traffic growth and committed development traffic volumes are all taken from the "Forecast Junction Assessments A20 Corridor, Tonbridge & Malling Study" (source not stated) of March 2018 (the A20 study). The A20 Study applied growth to the future year 2031, including for all Local Plan allocated development.

Two scenarios are assessed in the A20 study, according to the TA:

- Do-minimum (DM) – 2031 committed and permitted development and committed highway improvements i.e. retail access to Hermitage Lane; and
- Do-something (DS) – 2031 proposed Local Plan development including proposed transport infrastructure improvements.

The TA says that the A20 study is enclosed in Appendix F of the TA; however, none of the appendices are available on the online planning application.

As such, we ask you to confirm that the A20 study has been thoroughly reviewed by highways development control staff at Kent County Council (KCC) and that they have confirmed in writing that this is acceptable for these purposes. KCC comments are not available to view on the online planning application. Therefore, please confirm that KCC have agreed in writing, for the A20 study:

- The source of base traffic volumes;
- The methodology and results of background traffic growth;
- The up-to-date list of committed developments and committed highway improvements; and
- The methodology and results of determination of committed development traffic, including the impacts of the committed highway improvements.

Our comments on this application are made on the assumption that the above have been agreed in writing. We are also assuming that the volumes from the A20 study have been correctly applied to the current TA, as stated.

Furthermore, we have a few specific comments and queries regarding committed development traffic volumes:

- The second TA addendum (issued prior to the current TA) said that the A20 study did not include the development to the east of Hermitage Lane; the second TA addendum then added the Hermitage Lane traffic onto the overall traffic. However, the current TA does not mention Hermitage Lane development traffic.
- As well as committed developments, it may be important to consider other developments that gain planning permission before a decision is made on this proposal. This is particularly important because the proposal is not in the Local Plans for either Maidstone or Tonbridge and Malling; and because there is existing congestion on the M20 junction 5, caused by the blocking back of traffic from the A20 Coldharbour Lane junction which can already occur, particularly in the AM peak period.

Development trip generation

The TA refers in some instances to the "Bunyards Farm" development; this seems to be the development which is the subject of this application (referred to as "land south west of London Road and west of Castor Park"), but it is not clear. Our comments assume that Bunyards Farm is the subject development. Please let us know if this is not the case.

The development traffic generation in the TA is determined by TRICS, "*generally for suburban areas and edge of town locations*". As the TA appendices, including Appendix I with the TRICS outputs, are not available, we are unable to agree the methodology for generating the TRICS rates.

However, we have undertaken our own TRICS assessment, using the following input selection parameters:

- Residential / Houses privately owned.
- Date range: 1.1.10 to 20.11.18.
- Number of dwellings in each site: 6 to 432.
- Monday to Friday only.
- Location types:
 - Suburban area (PPS6 Out of Centre);

- Edge of Town.
- 'No PTAL present' at 72 of the 75 surveyed sites.
- Parking: no selection made as it is not possible to select parking per dwelling in TRICS. Also, suburban and edge-of-town sites will likely have on-street parking available regardless.
- Population, Car ownership: no selection made as no data for the proposed development site are in the TA for comparison.
- Travel Plan: no sites had a travel plan in place.
- C3 use class only.

The resulting vehicle trip rates per dwelling are as follows:

- AM peak (8 to 9am): 0.137 arrivals; 0.403 departures
- PM Peak (5 to 6pm): 0.376 arrivals; 0.197 departures.

These are broadly similar to those shown in the TA; as such, the trip rates in Table 5.1 of the TA are considered acceptable (although as stated, we cannot comment on the TA's methodology).

Development trip distribution and assignment

The distribution and assignment of development traffic has been determined based on the turning proportions from the 2018 traffic surveys, for the Beaver Road / London Road junction; and from the 2031 'do-minimum' scenario of the A20 study for the Poppyfields and A20 / Coldharbour Lane roundabouts. The TA says that the 2031 'do-minimum' scenario is used because it "*applies greater traffic along the A20 London Road, which represents a worst-case impact on the local highway network*".

We agree with the methodology for development traffic assignment at the Beaver Road / London Road junction, although we do not have access to the count data to check that these turning proportions have been applied correctly. We request that the count data is supplied for this purpose. Our comments assume that these turning proportions have been applied correctly).

However, the assignment at the other two junctions has been determined in a way that, according to the TA, applies greater traffic along the A20 London Road: this is not necessarily the worst-case scenario for determining the SRN impact and we would need to consider *both* scenarios for the traffic assignment.

A greater proportion of traffic on London Road would lead to more traffic remaining on the local road network, but this does not necessarily mean that the impact on the Coldharbour Lane roundabout would be greater. For example, a higher proportion of right-turners at the Coldharbour Lane roundabout may potentially consume more capacity at this junction due to the greater friction caused by right-turners. This would need to be confirmed by modelling.

Whichever scenario causes greater impact at the Coldharbour Lane roundabout, this would then have a knock-on impact on the M20 junction 5 due to queues extending back into that junction. Finally, a greater proportion of traffic on Coldharbour Lane would have more direct impact on junction 5.

In view of these various potential impacts, we consider that we would need to assess both 2031 assignment scenarios. Also, we would like to see the KCC-agreed version of the A20 study so as to confirm that this has been applied correctly to the TA.

Junction modelling

We have considered the 2031 junction modelling as summarised in Section 7 of the TA.

Neither the TA, nor the TA addendums, include any modelling of the M20 junction 5; Section 7 of the TA states that the "*maximum percentage increases on the A20 London Road and Coldharbour Lane are 1%*", which "*will not result in a material impact on the*

A20 London Road or M20 motorway".

Tables 6.1 and 6.2 (in Section 7 of the TA) compare the 2031 volumes with committed development against 2031 volumes with development (including committed development). It is not clear what committed developments are included; the A20 study reviews two scenarios, each of which include some committed developments, but it is not clear if the do-something includes all of the developments and highway improvements of the do-minimum. It is also not clear which scenario is summarised in Tables 6.1 and 6.2 of the TA. It is also not clear if KCC officers have agreed which committed developments need to be included; please confirm that KCC have agreed with the included list of committed developments. Our comments assume this is the case.

Subject to the various assumptions and requests for further evidence or clarification that we have mentioned above including earlier in this letter, and also subject to the correct recording of resultant volumes in Tables 6.1 and 6.2 of the TA, these percentage impacts are correct.

However, given the existing congestion at M20 junction 5 and at the A20 Coldharbour Lane junction, we request to see junction modelling to determine if there is an impact on the M20 Junction 5 associated with the development proposal and if any mitigation would be required. This is particularly important as the proposed development is not in the Local Plan. Please provide copies of junction (M20 Junction 5 and A20 Coldharbour Lane junction) model input and output files so that we can assess the accuracy of the models and take a view on the impacts.

Regarding the modelling of the A20 Coldharbour Lane junction, could you please confirm that this was all verified and agreed with KCC including the quoted outputs in the TA? If the modelling of the A20 Coldharbour Lane junction has been verified and agreed with KCC, and includes all committed developments (in case some committed developments are outside the Local Plan) and committed transport infrastructure improvements, then the results could still be a concern to us. While the results do show that the differential impact of the Bunyards Farm is fairly small, small differences caused by successive development proposals can add up to a large cumulative impact. Therefore, we would not necessarily agree with the statement that "*Bunyards Farm development is not reliant upon the Local Plan highway improvement works coming forward for the traffic impact at this junction to be considered acceptable*" (TA, para 7.27). The proposed Local Plan modification to the roundabout, to create a large, non-signalised roundabout, may be a requirement; alternatively, more rigorous travel plan and demand management measures may be required. This is particularly a concern because the proposal is not in the Local Plan, and there is existing congestion at this junction which can extend back into the M20 Junction 5, particularly in the AM peak period. Severe congestion has also been observed, on 'Google Traffic Conditions' live information (<https://www.drivingdirectionsandmaps.com/traffic-conditions-on-google-map>), during a weekday (Thursday 14 March 2019) PM peak on all four slip roads of the M20 junction 5.

Among other concerns, there is a potential safety impact of adding traffic to the back of a mainline queue.

Mitigation

As mentioned above, we consider that subject to the SRN junction modelling evidence, some form of mitigation may be required to enable this development proposal, which is additional to the Local Plan development, to proceed.

The degree of mitigation required is given in the DfT Circular 02/13, as follows:

"The overall forecast demand (existing flow plus committed development plus development traffic, less any reduction due to demand management measures) should be compared to the ability of the existing network to accommodate traffic over a period up to ten years after the date of registration of a planning application or the end of the relevant Local Plan whichever is the greater...."

"Only after travel plan and demand management measures have been fully explored and applied will capacity enhancement measures be considered. While capacity enhancements should normally be addressed at the plan-making stage, such measures may be considered at the time when individual planning applications are submitted,

subject to the over-riding principle that delivery of the adopted Local Plan proposals should not be compromised....

"Where insufficient capacity exists to provide for overall forecast demand at the time of opening, the impact of the development will be mitigated to ensure that at that time, the strategic road network is able to accommodate existing and development generated traffic."

If modifications are made to the A20 Coldharbour Lane junction, which is not part of the SRN, we would not have an involvement except to ensure that the knock-on impacts on the SRN are mitigated sufficiently.

If any modifications to the M20 junction 5 are proposed, we request that you consult HE throughout the process of developing the design, in order to ensure that the design complies with DMRB and other requirements, that the design is safe and that the traffic impacts of the proposed development are mitigated sufficiently.

Before considering modifications to the M20 junction 5, we would firstly consider if our concerns could be sufficiently mitigated by travel plan measures. We may request that any planning permission includes a condition for regular review and on-going monitoring of the travel plan, with the ability of HE to require reasonable enhancements to the travel plan to reduce impact on the M20 junction 5 (including due to blocking back from the A20 Coldharbour Lane junction), as needed. This is due to existing congestion, as discussed above, which potentially may have safety implications also.

Construction Traffic

We note that the applicant has submitted a construction management plan, although this document is unavailable on the online planning application.

We would like to review this construction management plan, to suggest measures to limit the peak-period impact of construction vehicles on the M20 junction 5. This would probably involve a timing agreement, to avoid peak periods, which we would request be imposed as a condition.

Summary

We have outlined various requests for clarification on technical points of the TA as well as assumptions which we would like to be confirmed or otherwise. Our response to this application is based on various assumptions, as noted; if we have assumed incorrectly, please let us know as this could potentially alter our response.

Overall, we have reviewed the TA and note that the development has the potential to result a significant amount of AM and PM peak hour trips, however there is not yet a definite indication of how many of these trips would impact upon the SRN and we therefore cannot determine if the proposal will materially affect the safety, reliability and / or operation of the SRN (the tests set out in DfT Circular 02/13, particularly paragraphs 9 & 10, and DCLG NPPF, particularly para 109).

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 receiving and responding to the required/requested information. 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.

As stated above, please also note that any EIA produced should be compatible and consistent with the agreed TA and also contain information on all transport related effects including safety, noise, vibration and air quality.

If you have any further queries, please contact me.

Kind regards

David

David Bowie

Area 4 Spatial Planning Manager (Acting)

2nd response

To: James Chapman <James.Chapman@clarendonhomes.co.uk>; Matthew Broome <Matthew.Broome@tmhc.gov.uk>; Iain Warner <Iain.Warner@tetlow-king.co.uk>; Richard Timms@maidstone.gov.uk

Cc: Planning SE <planningse@highwaysengland.co.uk>; Bowie, David <David.Bowie@highwaysengland.co.uk>

Subject: Highways England (our refs 83988 & 84093) UPDATE re Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent Maidstone application ref 19/500769/EIOUT and T&M application ref TM/19/00376/0AEA

For the Attention of:

- . Richard Timms, Maidstone Council Case Officer;
- . Matthew Broome, Tonbridge & Malling Council Case Officer;
- . James Chapman (Clarendon Homes) & Iain Warner (Tetlow King)

Planning Application Numbers: 19/500769/EIOUT (Maidstone); and TM/19/00376/0AEA (T&M).

Site: Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent (aka Bunyards Farm)

Proposal: Outline application for a residential development of 106 units comprising a mix of 1,2,3, and 4-bedroom dwellings (including bungalows, houses and apartments), associated access and infrastructure (Access, Layout and Scale being sought).

Highways England References: 83988 and 84093

We have now assessed the applicant's response. For ease we have combined,

- . Our original text in black
- . [The applicant's January 2020 submission in blue](#); and
- . [Our updated response in red](#).

Background and Context

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 are 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.

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN. In this case our interest relates to the M20

junction 5, though this includes the impacts on the A20 Coldharbour Lane junction as this has been found to experience queuing which extends back to the M20 junction 5.

The proposal is for outline planning permission for a residential development of 106 units comprising a mix of 1, 2, 3, and 4-bedroom dwellings (including bungalows, houses and apartments), associated access and infrastructure (access, layout and scale being sought), at land south west of London Road and west of Castor Park, Beaver Road, Allington, Maidstone, ME16 OXU. It is within both Maidstone Borough and Tonbridge and Malling Borough.

The proposal is not in the Maidstone Borough Local Plan (adopted 25 October 2017).

The Local Plan for Tonbridge and Malling for the period to 2031 has been submitted and is currently at the examination stage. We previously reviewed the Local Plan Regulation 19 Pre-Submission Publication of September 2018 and the eight volumes of "Changes to the Adopted Proposals Map" and there is no mention of the proposal in either.

History of the Site

The site is currently vacant and undeveloped. Planning Application reference 18/03044/EASP, lodged with Tonbridge and Malling Borough Council in December 2018, was for the same site. The development proposal was a "Request for scoping opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for a proposed residential development. The proposed development, for which a scoping opinion was sought, was up to 130 dwellings with vehicular access onto Romney Road, then Beaver Road, as with the current application. Other details are given in the Scoping Request Report, including:

- The design will comprise a mix of housing ranging from one-bedroom flats and bungalows to four-bedroom houses; all units will be 2 storeys or under.
- Car parking will be proposed to accord with Kent County Council's guidance (IGN3).
- 40% of the housing will be affordable provision.

We responded to that application by email on 4 January 2019. In summary, our response stated:

- Highways England will be concerned with any impact on the safe and efficient operation of the M20 Junction 5.
- Highways England have no comment on whether an EIA is required; but if it is (or produced voluntarily), it should be compatible and consistent with the Transport Assessment (TA) and also contain information on all transport related effects including safety, noise, vibration and air quality.
- We had not been provided with the transport assessment scoping note which was provided to Kent County Council; as such we could not comment on the proposed methodology of the transport assessment.

- The A20 Cold harbour Lane junction currently experiences congestion that can result in blocking back of traffic onto the M20 Junction 5, particularly in the AM peak period. Accordingly, the TA should identify any impacts of the development on the A20 Cold harbour roundabout and any associated queuing delays at the M20 Junction 5, demonstrating that the proposal will not materially affect the safety, reliability and/or operation of the existing SRN in accordance with the tests set out in Department for Transport Circular 02/2013 paragraph 10 and DCLG NPPF paragraph 32.

Previously, we reviewed the following documents related to this application and responded on 26 March 2019:

- Odyssey, 13 February 2019, Land South West of London Road and West of Castor Park, Allington, Kent: Transport Assessment, Rev C ("the TA").
- Additionally, Odyssey, who produced the TA, produced two separate TA addendums, in November 2018 and January 2019 (hereafter referred to as the first and second TA addendums respectively).
- We previously said that "As the current TA (Revision C) was produced in February 2019, we assumed that it contained up-to-date content from the two TA addendums". However, the current January 2020 submission corrects this assumption, saying: "HE are not correct in stating that the TA (Rev C) contains up-to-date content from the two TA addendums, as we did not update the TA nor two TA Addendums for the new application, we solely undertook the ES Transport Chapter (that appended the TA and two TA Addendums)". Accordingly, in this current response, we will consider the two TA Addendums in addition, where noted in the January 2020 submission.

Highways England Response 1414120 In this response, we review the following document:

- 9/3/20 Email chain including 7/1/20 James Chapman email to Tonbridge & Mailing Council, "Subject: 19/00376 - Land South West Of London Road And West Of Castor Park - Highways" ("the January 2020 submission").

1. Access

The proposed vehicular access to the development is onto Romney Road which then joins Beaver Road, both roads being part of a network of minor local roads and cul de sacs that together has no through access. Beaver Road intersects with the A20 London Road which then joins the M20 junction 5 approximately one kilometre from the site. Junction 5 is a grade-separated roundabout junction.

This is unchanged.

2. Base traffic, Traffic growth and Committed developments

We previously commented as follows:

- Base traffic volumes, traffic growth and committed development traffic volumes are all taken from the "Forecast Junction Assessments A20 Corridor, Tonbridge & Mailing Study" (source not stated) of March 2018 (the A20 study). The A20 Study applied growth to the future year 2031, including for all Local Plan allocated development.
- Two scenarios are assessed in the A20 study, according to the TA:
 - Do-minimum (OM) - 2031 committed and permitted development and committed highway improvements i.e. retail access to Hermitage Lane; and
- Do-something (OS) - 2031 proposed Local Plan development including proposed transport infrastructure improvements.
- The TA says that the A20 study is enclosed in Appendix F of the TA; however, none of the appendices are available on the online planning application.
- As such, we asked the Case Officer to confirm that the A20 study has been thoroughly reviewed by highways development control staff at Kent County Council (KCC) and that they have confirmed in writing that this is acceptable for these purposes. KCC comments are not available to view on the online planning application. Therefore, please confirm that KCC have agreed in writing, for the A20 study:
 - The source of base traffic volumes;
 - The methodology and results of background traffic growth;
 - The up-to-date list of committed developments and committed highway improvements; and
 - The methodology and results of determination of committed development traffic, including the impacts of the committed highway improvements.
- Our comments were made on the assumption that the above had been agreed in writing. We were also assuming that the volumes from the A20 study had been correctly applied to the current TA, as stated.
- Furthermore, we have a few specific comments and queries regarding committed development traffic volumes:
 - The second TA addendum (issued prior to the current TA) said that the A20 study did not include the development to the east of Hermitage Lane; the second TA addendum then added the Hermitage Lane traffic onto the overall traffic. However, the current TA does not mention Hermitage Lane development traffic.
 - As well as committed developments, it may be important to consider other developments that gain planning permission before a decision is made on this proposal. This is particularly important because the proposal is not in the Local Plans for either Maidstone or Tonbridge and Mailing; and because there is existing congestion on the M20 junction 5, caused by the blocking back of

traffic from the A20 Coldharbour Lane junction which can already occur, particularly in the AM peak period.

The January 2020 submission responds to this as follows:

- "We would fully expect KCC Highways to be able to confirm the use and content of their A20 Study. KCC requested we use the A20 study through pre-app discussions; however, KCC have not specifically stated they agree with the data we have used (this is presumed by default in requesting we use the A20 study and that they have approved the A20 study for use in the first place). Furthermore, they have not raised any objection to this data in their statutory consultee response.
- "With respect to HE's specific comments, we note as follows:
 - "The current TA does not mention Hermitage Lane, due to what is set out in Bullet Point 1;
 - "We consider we have suitably catered for all committed development and KCC Highways have not raised an objection in this regard."

In response, we comment as follows:

- Action We need KCC to confirm that they have agreed to the base traffic, traffic growth and committed developments and committed transport infrastructure improvements, as in the A20 study. Just a simple email from KCC would be fine.
- Please also see comments under "Junction modelling" below.

3. Development trip generation

We previously commented as follows:

- The TA refers in some instances to the "Bunyards Farm" development; this seems to be the development which is the subject of this application (referred to as "land south west of London Road and west of Castor Park"), but it is not clear. Our comments assume that Bunyards Farm is the subject development. Please let us know if this is not the case.
- While we did not have the TA appendices, including Appendix I with the TRICS outputs, made available to us, we undertook our own TRICS assessment, in which the resulting vehicle trip rates per dwelling are as follows:
 - AM peak (8 to 9am): 0.137 arrivals; 0.403 departures
 - PM Peak (5 to 6pm): 0.376 arrivals; 0.197 departures.

- These are broadly similar to those shown in the TA; as such, the trip rates in Table 5.1 of the TA are considered acceptable (although as stated, we cannot comment on the TA's methodology).

The January 2020 submission responds to this as follows:

- The Bunyards Farm development is indeed this land south west of London Road and west of Castor Park development.
- HE accepts our trip rates, as they are broadly similar to their TRICS review.

In response, we comment as follows:

- Development trip generation has now been addressed satisfactorily, in terms of the trip rates in Table 5.1 of the TA, which are acceptable.

4. Development trip distribution and assignment

We previously commented as follows:

- The distribution and assignment of development traffic has been determined based on the turning proportions from the 2018 traffic surveys, for the Beaver Road I London Road junction; and from the 2031 'do-minimum' scenario of the A20 study for the Poppyfields and A20 I Coldharbour Lane roundabouts. The TA says that the 2031 'do-minimum' scenario is used because it "applies greater traffic along the A20 London Road, which represents a worst-case impact on the local highway network".
- We agree with the methodology for development traffic assignment at the Beaver Road I London Road junction, although we do not have access to the count data to check that these turning proportions have been applied correctly. We request that the count data is supplied for this purpose. Our comments assume that these turning proportions have been applied correctly).
- However, the assignment at the other two junctions has been determined in a way that, according to the TA, applies greater traffic along the A20 London Road: this is not necessarily the worst-case scenario for determining the SRN impact and we would need to consider both scenarios for the traffic assignment.
- A greater proportion of traffic on London Road would lead to more traffic remaining on the local road network, but this does not necessarily mean that the impact on the Cold harbour Lane roundabout would be greater. For example, a higher proportion of right-turners at the Coldharbour Lane roundabout may potentially consume more capacity at this junction due to the greater friction caused by right-turners. This would need to be confirmed by modelling.

- Whichever scenario causes greater impact at the Coldharbour Lane roundabout, this would then have a knock-on impact on the M20 junction 5 due to queues extending back into that junction. Finally, a greater proportion of traffic on Coldharbour Lane would have more direct impact on junction 5.
- In view of these various potential impacts, we consider that we would need to assess both 2031 assignment scenarios. Also, we would like to see the KCC-agreed version of the A20 study so as to confirm that this has been applied correctly to the TA.

The January 2020 submission responds to this as follows:

- "HE agrees with our trip distribution and assignment.
- "Although we agree with HE that keeping more traffic on the A20 London Road may not be the 'worst case' scenario, we consider that it is the most accurate way of assigning the development traffic. Should the HE want alternative assignment testing to be undertaken, it is considered that they should justify why they consider the current assignment not to be accurate. We do not consider it to be justifiable to request alternative assignment testing just to determine the 'worst case', if the 'worse case' is not likely to occur.
- "The KCC agreed version of the A20 Study is available on the TMBG website or from KCC."

In response, we comment as follows:

- Regarding the assignment at the Poppyfields and A20 / Cold harbour Lane roundabouts, there is nothing in the TA nor the January 2020 submission to demonstrate why the applied method is the "most accurate way of assigning the development traffic". Similarly, there is nothing to demonstrate why "the 'worse case' is not likely to occur".
- We are not intending to obstruct development - however, we just need to have the certainty (as far as is practicable) regarding the impact on the SRN, so that we can determine the appropriate level of mitigation and also determine if the residual impact on the safety, reliability and/or operation of the SRN would be a material impact. If a non-material impact can be demonstrated, we could lift our objection on this point. But the onus is on the applicant to demonstrate their case, as the applicant stands to benefit from this development.
- **Action: We therefore reiterate that we need the TA to assess both 2031 assignment scenarios at the Poppyfields and A20 / Coldharbour Lane roundabouts, for the reasons detailed above. We will then check these against the KGG-agreed version of the A20 study so as to confirm that they have been applied correctly to the TA.**
- **Please also see comments under "Junction modelling" below for all junctions.**

- **The distribution and assignment of development traffic at the Beaver Road / London Road junction - based on the turning proportions from the 2018 traffic surveys - will be checked in our review of the junction modelling also. We agree with this methodology; in our spot-checks of the volume data in the models, we will just ensure there are no errors in the data input.**

5. Junction modelling

We previously commented as follows:

- We considered the 2031 junction modelling as summarised in Section 7 of the TA.
- Neither the TA, nor the TA addendums, included any modelling of the M20 junction 5; Section 7 of the TA states that the "maximum percentage increases on the A20 London Road and Coldharbour Lane are 1%", which "will not result in a material impact on the A20 London Road or M20 motorway".
- Tables 6.1 and 6.2 (in Section 7 of the TA) compare the 2031 volumes with committed development against 2031 volumes with development (including committed development). It is not clear what committed developments are included; the A20 study reviews two scenarios, each of which include some committed developments, but it is not clear if the do-something includes all of the developments and highway improvements of the do-minimum. It is also not clear which scenario is summarised in Tables 6.1 and 6.2 of the TA. It is also not clear if KCC officers have agreed which committed developments need to be included; please confirm that KCC have agreed with the included list of committed developments. Our comments assume this is the case.
- Subject to the various assumptions and requests for further evidence or clarification that we have mentioned above including earlier in this letter, and also subject to the correct recording of resultant volumes in Tables 6.1 and 6.2 of the TA, these percentage impacts are correct.
- However, given the existing congestion at M20 junction 5 and at the A20 Cold harbour Lane junction, we requested to see junction modelling to determine if there is an impact on the M20 Junction 5 associated with the development proposal and if any mitigation would be required. This is particularly important as the proposed development is not in the Local Plan. Please provide copies of junction (M20 Junction 5 and A20 Coldharbour Lane junction) model input and output files so that we can assess the accuracy of the models and take a view on the impacts.
- Regarding the modelling of the A20 Cold harbour Lane junction, we asked the Case Officer to confirm that this was all verified and agreed with KCC

including the quoted outputs in the T A. If the modelling of the A20 Coldharbour Lane junction had been verified and agreed with KCC, and included all committed developments (in case some committed developments are outside the Local Plan) and committed transport infrastructure improvements, then the results could still be a concern to us. While the results do show that the differential impact of the Bunyards Farm is fairly small, small differences caused by successive development proposals can add up to a large cumulative impact. Therefore, we would not necessarily agree with the statement that "Bunyards Farm development is not reliant upon the Local Plan highway improvement works coming forward for the traffic impact at this junction to be considered acceptable" (TA, para 7.27). The proposed Local Plan modification to the roundabout, to create a large, non-signalised roundabout, may be a requirement; alternatively, more rigorous travel plan and demand management measures may be required. This is particularly a concern because the proposal is not in the Local Plan, and there is existing congestion at this junction which can extend back into the M20 Junction 5, particularly in the AM peak period. Severe congestion has also been observed, on 'Google Traffic Conditions' live information (<https://www.drivingdirectionsandmaps.com/traffic-conditions-on-google-map> during a weekday (Thursday 14 March 2019) PM peak on all four slip roads of the M20 junction 5.

- Among other concerns, there is a potential safety impact of adding traffic to the back of a mainline queue.

The January 2020 submission responds to this as follows:

- "It is considered that HE should further justify the requirement for a junction assessment to be undertaken at the M20 Junction 5, when the percentage increase in traffic flow is only 1% (max.) on any arm of the junction;
- "The A20 Coldharbour Lane junction assessments (model output files, which show the input data within them) were appended to the TA;
- "We consider that KCC have agreed the A20 Coldharbour Lane junction modelling (outputs), as they have not objected to these in their consultee response;
- "However, KCC also agree with HE in that they do not necessarily agree with the TA para 7.27, hence KCC's Grampian Condition style wording of their first point in their consultee response (i.e. wishing to prevent development until the Local Plan highway improvement works at the A20 Coldharbour junction are complete);
- "HE's comments with respect to the development not being a Local Plan development and Google showing severe congestion is, although true, somewhat odd given that we have used the KCC A20 Study as background data (which includes all Local Plan development traffic) and then added our development traffic on top of this. We know that the junction is currently

severely congested and has been for some years, but this is exactly why there is a Local Plan mitigation scheme proposed;

- "HE's comment with respect to the potential safety impact of adding traffic to the back of a mainline queue, should be further justified. "

In response, we comment as follows:

- To explain our requirement for a junction assessment at the M20 Junction 5, small differences caused by successive development proposals can add up to a large cumulative impact; and when a junction is already highly constrained, small differences (in the likes of queue length, delay, vehicle type) can be far more material, as additional traffic uses up a larger proportion of any remaining capacity. It should also be noted that even a small percentage of a large number is a large number in itself. Hence we need to understand actual numbers and details rather than simply look at a percentage.
- Therefore, unfortunately we cannot rely on percentage impacts in this situation, even if they are accurate (and their accuracy is subject to the various questions we have raised in this response and the previous response).
- This also explains why the issue of current congestion is so critical. Also, as the development is outside of the Local Plan, the mitigation proposed at the A20 Cold harbour Lane junction might not be sufficient on its own - this is a question that we need to ask.
- The January 2020 submission asks us to explain the "potential safety impact of adding traffic to the back of a mainline queue". We intended to say "slip road queue"; the congestion of a junction may cause queues to increase on the slip roads, potentially extending back into the mainline of the motorway. This is just one example of a potential impact.
- As I mentioned earlier in this response, we are not intending to obstruct development - however, we just need to have the certainty (as far as is practicable) regarding the impact on the SRN, so that we can determine the appropriate level of mitigation and also determine if the residual impact on the safety, reliability and/or operation of the SRN would be a material impact. If a non-material impact can be demonstrated, we could lift our objection on this point. But the onus is on the applicant to demonstrate their case, as the applicant stands to benefit from this development.
- **Therefore, in summary, the process HE will follow is as follows:**
- We now have access to the A20 study:
[https://www.tmbc.gov.uk/data/assets/pdf_file/0018/502209/A20 Corridor Forecast Junction Assessments March2018.pdf](https://www.tmbc.gov.uk/data/assets/pdf_file/0018/502209/A20_Corridor_Forecast_Junction_Assessments_March2018.pdf).

- **Action. We require the submission of copies of junction model input files (M20 Junction 5 and A20 Coldharbour Lane junction). This means the actual Junctions 9 models, not printouts or PDFs of the output.** The reason for this is so that we can run the models ourselves and assess the effects of changes to the parameters. Given the critical current state of these junctions, small changes could make a material difference. On the other hand, we may find that small changes still result in acceptable, manageable impacts. It is therefore in the interests of a speedy resolution of our concerns that we see the model files themselves so that we can re-run versions of these models ourselves to form a quick judgement on how critical any variations in parameters may be. This will be far quicker than sending results and comments back and forth.
- Upon receipt of the junction modelling input files, as well as confirmation of KCC's agreement to the A20 study, we will undertake a check to ensure the volumes from the A20 study have been input correctly to the models, **along with the other input parameters** of these models, such as geometric parameters and development traffic (**with volumes and turning proportions determined as we have detailed in above sections of this response**).
- Of course, any such edited models will be available to the applicant's team to review in the event of a dispute over the accuracy of our alternative models (that is, if our alternative models alter the outcomes of the assessment).
- **Action: If models of the M20 Junction 5 have not been undertaken at all, we would ask in the first instance that the models of the A20 Coldharbour Lane junction are provided.** Following examination of these, as detailed above, we will then be better able to determine if our concerns regarding the M20 Junction 5 remain. We will make that judgement on a consideration of all of our concerns detailed in this response, such as checking the percentage impacts fully and also considering any knock-on impacts of the other junctions on Junction 5. We would only request additional modelling if our concerns cannot be resolved in this way.

6. Mitigation

We previously commented as follows:

- As mentioned above, we consider that subject to the SRN junction modelling evidence, some form of mitigation may be required to enable this development proposal, which is additional to the Local Plan development, to proceed.
- The degree of mitigation required is given in the OfT Circular 02/13, as follows:
 - *"The overall forecast demand (existing flow plus committed development plus development traffic, less any reduction due to demand management*

measures) should be compared to the ability of the existing network to accommodate traffic over a period up to ten years after the date of registration of a planning application or the end of the relevant Local Plan whichever is the greater....

- "Only after travel plan and demand management measures have been fully explored and applied will capacity enhancement measures be considered. While capacity enhancements should normally be addressed at the plan-making stage, such measures may be considered at the time when individual planning applications are submitted, subject to the over-riding principle that delivery of the adopted Local Plan proposals should not be compromised....

- "Where insufficient capacity exists to provide for overall forecast demand at the time of opening, the impact of the development will be mitigated to ensure that at that time, the strategic road network is able to accommodate existing and development generated traffic."

- If modifications are made to the A20 Coldharbour Lane junction, which is not part of the SRN, we would not have an involvement except to ensure that the knock-on impacts on the SRN are mitigated sufficiently.
- If any modifications to the M20 junction 5 are proposed, we requested that the Councils consult HE throughout the process of developing the design, in order to ensure that the design complies with DMRB and other requirements, that the design is safe and that the traffic impacts of the proposed development are mitigated sufficiently.
- Before considering modifications to the M20 junction 5, we would firstly consider if our concerns could be sufficiently mitigated by travel plan measures. We may request that any planning permission includes a condition for regular review and on-going monitoring of the travel plan, with the ability of HE to require reasonable enhancements to the travel plan to reduce impact on the M20 junction 5 (including due to blocking back from the A20 Coldharbour Lane junction), as needed. This is due to existing congestion, as discussed above, which potentially may have safety implications also.

The January 2020 submission responds to this as follows:

- "It is not clear, nor justified, why HE consider that some form of mitigation in addition to the Local Plan development may be required to enable this development to come forward. HE should further justify their position. If we were to assess the development traffic impact on the M20 Junction 5 10 years post-application, the percentage impact would be even lower and thus we would still consider no junction assessment nor mitigation would be justified (as this development would not be required to mitigate against the additional years background traffic growth);

- "We have suitably analysed the impact of the development on the A20 Coldharbour Lane junction, such that KCC consider the development acceptable once the Local Plan junction improvement works are complete;
- "The planning application did include a Travel Plan, which in turn included targets, measures, monitoring etc. within it. The headline Travel Plan target is a reduction in car trips of 10% within the first five years, which would further reduce the traffic impact (as robustly this was not accounted for in the traffic impact analysis). Furthermore, this Travel Plan would be conditioned for implementation with the planning permission."

In response, we comment as follows:

- Our comments under 'Junction modelling' above should explain why we potentially may need additional mitigation, though we may find that the mitigation proposed already is sufficient.
- As already mentioned, percentage impacts alone are not the only consideration.
- It is quite correct that this development should not be required to mitigate background traffic growth. Any contribution sought would be proportionate and would be discussed in S 106 negotiations.
- KCC's views, while relevant, do not constitute the whole picture, as we have specific concerns that differ from theirs.
- Finally, we welcome the inclusion of a Travel Plan and would seek to include on-going monitoring and review of the Travel Plan as part of any S 106 Agreement. A Travel Plan should always be a living, evolving document that can be amended in discussion with highway authorities to ensure targets are still being met.
- We will be better placed to review the Travel Plan when we have completed our review of the junction modelling and the inputs into it, as we will then have an understanding of the criticality of impacts.
- **Please note our other original comments on mitigation still apply.**

7. Construction Traffic

We previously commented as follows:

- We note that the applicant has submitted a construction management plan, although this document is unavailable on the online planning application.

- We would like to review this construction management plan, to suggest measures to limit the peak-period impact of construction vehicles on the M20 junction 5. This would probably involve a timing agreement, to avoid peak periods, which we would request be imposed as a condition.

The January 2020 submission responds to this as follows:

- "We could also provide HE with the Construction Management Plan."
- A Construction Management Plan is now available on the online planning application.

In response, we comment as follows:

- We note that a "framework" CMP has been submitted. We would be content for a pre-commencement condition to be attached to any permission setting out the requirement for the submission and approval (including consultation with Highways England) of the detailed CMP. The detailed CMP would include details of the likely use of, and impact on, the SRN of construction traffic, including workforce (eg typical quantity) timing with justification of any use during the AM and PM peaks). It should be noted that Highways England also operates an abnormal load system that should be acknowledged in the CMP and used in practice.

Summary

We have outlined various requests for clarification on technical points.

Overall, we have reviewed the TA and note that the development has the potential to result in a significant amount of AM and PM peak hour trips; albeit there is not yet a definite indication of how many of these trips would impact upon the SRN. Consequently, we cannot determine if the proposal will materially affect the safety, reliability and 1 or operation of the SRN (the tests set out in DfT Circular 02/13, particularly paragraphs 9 & 10, and MHCLG NPPF, particularly para 109).

However, we are closer to resolving outstanding issues and I hope this response clarifies our requirements and our reasons for them.

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 receiving and responding to the required/requested information. 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.

We trust that this latest response provides the clarity and justification sought by the applicant. We therefore look forward to receiving the requested models and TA update in due course.

Third Response

From: [Bown, Kevin](#)
To: RichardTimms@maidstone.gov.uk; [Matthew Broome](#); planningcomments@midkent.gov.uk; [Planning Applications](#)
Cc: [Planning SE; growthandplanning](#)
Subject: FAO Case Officers Richard Timms (MBC) and Matthew Broome (TMBC): Highways England UPDATED REP RE: 19/500769/EIOUT (Maidstone); and TM/19/00376/OAEA (T&M) - Land SW of London Rd & W of Castor Park, Beaver Rd, Allington, Maidstone, Kent (aka Bunyards Farm).
Date: 27 August 2020 12:58:00
Attachments: [20200827 HEPR x boundary MBC19-500769 & TMBC19-00376 SW London Rd & W Castor Pk Allington.pdf](#)

Dear Messrs Timms & Broome

Apologies. Having responded on 30 July, I notice that we didn't attach our HEPR.

Please find it attached.

You will note that the No Objection assumes that the respective Council's will be applying their standard Travel Plan and Construction Management Plan conditions to any permission granted. Please let us know if you are not intending to apply these conditions and we can update our HEPR accordingly to recommend them formally.

Should you or the applicant have any queries regarding our HEPR, please contact us at planningse@highwaysengland.co.uk.

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
Tel: 0300 470 1046 (all calls to this number will also patch through to my mobile)
Web: <http://www.highways.co.uk>

Please note that for the foreseeable future we are all working from home. All meetings will be via telephone, Skype or similar. We will continue to seek to work to our statutory and other deadlines. In case of IT or other issues, as a precaution, please copy all emails to PlanningSE@highwaysengland.co.uk. Thank you.

We are mindful that everyone is different and everyone's circumstances may be different. We are sharing the following NHS principles

- **People are not 'working from home', they are 'at their home during a crisis trying to work'**
- **People's physical, mental and emotional health are far more important than anything else at present**
- **If people are currently less productive they should not try to compensate by working longer hours**
- **People should be gentle on themselves and others, not judging based on how they/ others are coping**
- **Individual and team success is not to be based on 'normal times' expectations**

Safe roads, reliable journeys, informed travellers
Highways England: operating, maintaining and improving the strategic road network in England.

From: Bowie, David
Sent: 30 July 2020 22:40
To: RichardTimms@maidstone.gov.uk; matthew.broome@tmbc.gov.uk
Cc: Planning SE <planningse@highwaysengland.co.uk>; Bown, Kevin <Kevin.Bown@highwaysengland.co.uk>; Bradley, Alistair <Alistair.Bradley@highwaysengland.co.uk>; Jenkins, Daniel <Daniel.Jenkins2@wsp.com>
Subject: 19/500769/EIOUT (Maidstone); and TM/19/00376/OAEA (T&M) - Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent (aka Bunyards Farm).

For attention of:	Richard Timms & Matthew Broome
Site:	Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent (aka Bunyards Farm).
Proposal:	Outline application for a residential development of 106 units comprising a mix of 1, 2, 3, and 4-bedroom dwellings (including bungalows, houses and apartments), associated access and infrastructure (Access, Layout and Scale being sought).
Your Reference:	19/500769/EIOUT (Maidstone); and TM/19/00376/OAEA (T&M).
Highways England's Reference:	85006#10747 and 84093#10839

Dear Sirs,

I am writing in response to letters dated 10 & 21 July 2020 from Tonbridge & Malling Borough Council, detailing that a Transport Assessment Third Addendum ("TA Third Addendum") and inviting our comments on it.

We have previously responded to earlier iterations of the applicant's submissions for this proposal, the most recent of which was our response of 5 June 2020 (though there were also some additional issues in our 14 April response too). As such, we combine below the following:

- Our 14 April and 5 June text in black, in summary form;
- [The applicant's TA Third Addendum in blue](#); and
- [Our current updated response in red](#).

Background and Context

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 are 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.

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN. In this case our interest relates to the M20 junction 5, though this includes the impacts on the A20 Coldharbour Lane junction as this has been found to experience queuing which extends back to the M20 junction 5.

The proposal is for outline planning permission for a residential development of 106 units comprising a mix of 1, 2, 3, and 4-bedroom dwellings (including bungalows, houses and apartments), associated access and infrastructure (access, layout and scale being sought), at land south west of London Road and west of Castor Park, Beaver Road, Allington, Maidstone, ME16 0XU. It is within both Maidstone Borough and Tonbridge and Malling Borough.

History of the Site

The site is currently vacant and undeveloped.

Planning Application reference 18/03044/EASP, lodged with Tonbridge and Malling Borough Council in December 2018, was for the same site. The development proposal was a "*Request for scoping opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for a proposed residential development*". The proposed development, for which a scoping opinion was sought, was up to 130 dwellings with vehicular access onto Romney Road, then Beaver Road, as with the current application. Other details are given in the Scoping Request Report^[1], including:

- The design will comprise a mix of housing ranging from one-bedroom flats and bungalows to four-bedroom houses; all units will be 2 storeys or under.
- Car parking will be proposed to accord with Kent County Council's guidance (IGN3).
- 40% of the housing will be affordable provision.

We responded to that application by email on 4 January 2019. In summary, our response stated:

- Highways England will be concerned with any impact on the safe and efficient operation of the M20 Junction 5.
- Highways England have no comment on whether an EIA is required; but if it is (or produced voluntarily), it should be compatible and consistent with the Transport Assessment (TA) and also contain information on all transport related effects including safety, noise, vibration and air quality.
- We had not been provided with the transport assessment scoping note which was provided to Kent County Council; as such we could not comment on the proposed methodology of the transport assessment.
- The A20 Coldharbour Lane junction currently experiences congestion that can result in blocking back of traffic onto the M20 Junction 5, particularly in the AM peak period. Accordingly, the TA should identify any impacts of the development on the A20 Coldharbour roundabout and any associated queuing delays at the M20 Junction 5, demonstrating that the proposal will not materially affect the safety, reliability and/or operation of the existing SRN in accordance with the tests set out in Department for Transport Circular 02/2013 paragraph 10 and DCLG NPPF paragraph 32.

Previously, we reviewed the following documents related to this application and responded on 26 March 2019:

- Odyssey, 13 February 2019, *Land South West of London Road and West of*

- Odyssey, June 2020, *Land South West of London Road and West of Castor Park, Allington, Kent: Transport Assessment Third Addendum* (“the TA Third Addendum”).

Access

The proposed vehicular access to the development is onto Romney Road which then joins Beaver Road, both roads being part of a network of minor local roads and cul de sacs that together has no through access. Beaver Road intersects with the A20 London Road which then joins the M20 junction 5 approximately one kilometre from the site. Junction 5 is a grade-separated roundabout junction.

This is unchanged.

Local Plan

We had previously understood the proposal to be outside the Local Plan, which was why we had to be rigorous in our assessment of the proposal. Any development that is in addition to planned Local Plan development always needs to be scrutinised particularly carefully.

However, as we noted in our 5 June response, KCC have confirmed that the proposal is in fact in the Local Plan.

Specifically, it is in the South Aylesford Strategic site and Policy LP28 of the Tonbridge and Malling Local Plan Regulation 19 Pre-Submission Publication of September 2018.

As such, we can take a slightly more relaxed approach, though we do still need to consider the development’s impacts as the Local Plan is a high-level plan while the Planning Application is a more detailed proposal. Circular 02 / /2013 Paragraph 21 states:

- *“Where development proposals are consistent with an adopted Local Plan, the Highways Agency does not anticipate the need for engagement in a full assessment process at the planning application stage. In such circumstances, considerations will normally **be limited to the agreement of the details of the transport solution, including any necessary mitigation measures, and to ensuring that the transport impacts are included in the overall environmental assessment provided to the local planning authority, rather than the principle of the development itself.**”*

The TA Third Addendum raises the point of the inclusion of the proposal within the Local Plan, particularly with reference to another development in the Local Plan allocation: Land South of London Road and East of Hermitage Lane, Aylesford, Kent (Whitepost Field) development, Application No. TM/17/01595/OAEA.

The TA Third Addendum states the following:

- That the applicant for the Whitepost Field development sets out the use of the A20 study (March 2019 version, which was updated to reflect the revised Local Plan development strategy).
- That KCC Highways and HE have provided ‘no objection’ to this Whitepost Field planning application, as set out in their consultee responses dated 23 September 2019 and 7 August 2019 respectively.

Castor Park, Allington, Kent: Transport Assessment, Rev C ("the TA").

- Additionally, Odyssey, who produced the TA, produced two separate TA addendums, in November 2018 and January 2019 (hereafter referred to as the first and second TA addendums respectively).
- In the 14 April 2020 response, we reviewed the following document:
 - 9/3/20 Email chain including 7/1/20 James Chapman email to Tonbridge & Malling Council, "Subject: 19/00376 – Land South West Of London Road And West Of Castor Park – Highways" ("the January 2020 submission").
- We had previously said that "As the TA (Revision C) was produced in February 2019, we assumed that it contained up-to-date content from the two TA addendums". However, the January 2020 submission corrected this assumption, saying: "HE are not correct in stating that the TA (Rev C) contains up-to-date content from the two TA addendums, as we did not update the TA nor two TA Addendums for the new application, we solely undertook the ES Transport Chapter (that appended the TA and two TA Addendums)". Accordingly, in the 14 April 2020 response, we considered the two TA Addendums in addition, where noted in the January 2020 submission.
- Subsequently, we received the following additional technical information (referred to as the April 2020 submissions):
 - Email from Odyssey Consulting, representing the applicant, to Highways England (HE), dated 21 April 2020; subject header: "Highways England (our refs 83988 & 84093) UPDATE re Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent Maidstone application ref 19/500769/EIOUT and T&M application ref TM/19/00376/OAEA". **This was regarding our concerns over development trip distribution and assignment and includes two attached diagrams of distribution.**
 - Email from Kent County Council (KCC), dated 23 April 2020, to HE, Tonbridge and Malling Borough Council (TMBC) and copied to the applicant and Odyssey; subject header: "FW: Highways England (our refs 83988 & 84093) UPDATE re Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent Maidstone application ref 19/500769/EIOUT and T&M application ref TM/19/00376/OAEA". **This responded to HE's query regarding the A20 Study.**
- We responded to these two emails on 5 June 2020; in that response we also noted that it was in response to the above issues alone, so any other comments in our 14 April response still apply as well.

Highways England Response 30/7/20

In this current response, we review the following document:

- That: with respect to the Poppyfields Roundabout, KCC Highways confirm in their response *'The improvements to the roundabout will be provided by the developer and will allow the connection to the new link road. The roundabout is expected to operate within capacity in 2031 with the Local Plan development included'*.
- That KCC Highways also confirm, in their response with respect to the Coldharbour Roundabout, that *'KCC Major Projects have programmed the delivery of a roundabout improvement scheme. Funding is secured from SELEP and existing S106 pooled contributions. Third party land is required, and this has been agreed.... The improved roundabout scheme is expected to operate within capacity in 2031 with the Local Plan development included'*.
- That KCC Highways confirm also in their response with respect to the M20 Junction 5 *'The junction has been assessed and mitigating measures are not required to this junction. Furthermore, Highways England have indicated that the proposed development, if permitted, will be unlikely to materially affect the safety, reliability and / or operation of the strategic road network. They also confirm that they do not wish to raise objection to this application'*.

In response, we comment as follows:

- It was not clear that this proposal was part of the Local Plan from our review of the online documents and therefore apologise for any delay this may have caused;.
- As this is in the Local Plan and as we accepted the larger proposed residential development (TM/17/01595/OAEA), also part of the Local Plan, we withdraw our objection to this proposal on this particular ground.
- In making the above decision, we have considered that the TM/17/01595/OAEA development was acceptable to us *without* the need for it to be subject to Conditions/S106 requiring mitigation measures. We also considered that the TM/17/01595/OAEA development was of a larger scale and closer to the SRN.
- However, we re-iterate our comments below under *'Mitigation'* and the *'Construction Traffic'*, which simply relate to review and agreement of the detailed CMP, and to ongoing review of the Travel Plan.
- For completeness, we have undertaken a relatively simple check of the methodology and data in the TA Third Addendum, against our previous (5 June response) comments relating to base traffic, traffic growth and committed developments; and traffic distribution and assignment. However, this has not been a detailed check, due to the general acceptability of the proposal by comparison with the Whitepost Field development and our views on that proposal. Normally, for other proposals, we would review modelling etc in more detail; therefore, if the methodology and data employed in the TA Third Addendum were applied to other development proposals, we would review them more thoroughly.

Base traffic, Traffic growth and Committed developments

In our 5 June response, we responded as follows:

- All references to *"the A20 study"* should now refer to the updated March

Mitigation

We previously commented as follows, and this remains our latest position:

- We welcome the inclusion of a Travel Plan and would seek to include on-going monitoring and review of the Travel Plan as part of any S106 Agreement. A Travel Plan should always be a living, evolving document that can be amended in discussion with highway authorities to ensure targets are still being met.

Construction Traffic

We previously commented as follows, and this remains our latest position:

- We note that a "framework" Construction Management Plan (CMP) has been submitted. We would be content for a pre-commencement condition to be attached to any permission setting out the requirement for the submission and approval (including consultation with Highways England) of the detailed CMP. The detailed CMP would include details of the likely use of, and impact on, the SRN of construction traffic, including workforce (e.g. type/ quantity/ timing with justification of any use during the AM and PM peaks). It should be noted that Highways England also operates an abnormal load system that should be acknowledged in the CMP and used in practice.

Summary

The development has the potential to result in a significant amount of AM and PM peak hour trips; albeit there is not yet a definite indication of how many of these trips would impact upon the SRN.

However, the proposal forms part of the South Aylesford Strategic site and Policy LP28 of the Tonbridge and Malling Local Plan Regulation 19 Pre-Submission Publication. Furthermore, Highways England did not object to the Whitepost Field residential development proposal which is closer to the SRN, of a larger size than the current application and in the same Strategic Site and Policy of the Local Plan.

On this basis, we withdraw our holding objection to the current application which was made before we were aware of the above matters. The application can now be determined by the council and I will forward out substantive formal HEPR response under separate cover to you both.

If, in the meantime, the Case officers or applicant have any queries, please contact us via our team email inbox 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>

Please note that for the foreseeable future we are all working from home. All meetings will be via telephone, Skype or similar. We will continue to seek to work to our statutory and other deadlines. In case of IT or other issues, as a precaution, please copy all emails to

2019 version:

- Charles and Associates, 7 March 2019, "A20 Corridor Junction Assessments – Do Something Reg 19 Scenario; A20 Visum Model; Rev D, Final".

The TA Third Addendum states the following:

- The A20 model referenced throughout the TA Third Addendum is the correct updated version.

In response, we have no further comments.

Development trip distribution and assignment

We commented on 5 June as follows:

- Given the existing congestion, such that small increases in traffic may still be material, we would like to see a scenario where all site traffic turning left at the London Road junction purely heads towards the M20.
- Our other previous comments above still apply also.
- However, as noted above, where distribution and assignment are based on the A20 study, this needs to be the updated 2019 version.
- If a **non**-material impact can be demonstrated, we could certainly lift our objections.

The TA Third Addendum states the following:

- As noted above, the A20 model referenced throughout the TA Third Addendum is the correct updated version.
- "Adjusted 2031 Do Something Scenarios" have been assessed in the TA Third Addendum, to account for the identified error in the traffic assignment in the A20 Model (March 2019), which assigned all the development traffic of the South Aylesford Strategic site (including the current proposal) onto the local highway network at the Whitepost Field link road. As such, no development traffic was actually assigned onto Beaver Road, which is where the current proposal will be accessed.
- Thus the "Adjusted 2031 Do Something Scenarios" included a '2031 DS minus Dev' scenario, which removes the development traffic from the 2031 DS scenario. Then the re-assigned development traffic has been added back onto the '2031 DS minus Dev' Scenario, resulting in a '2031 DS plus Dev' scenario.

In response, we comment as follows:

- The A20 study, updated 2019 version, has been used, as appropriate.
- We agree that the "Adjusted 2031 Do Something Scenarios" are an appropriate methodology which enable a more accurate comparison of conditions with and without the current proposal.
- The other points we made on 5 June no longer apply for the reasons stated above in our response under 'Local Plan'.

PlanningSE@highwaysengland.co.uk - Thank you.

 SLR Consulting Ltd, December 2018, *Scoping Request Report: Land South West of London Road and West of Castor Park, Allington; Proposed Residential Development of up to 130 units with associated infrastructure and works.*

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|National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park,
Birmingham B32 1AF | <https://www.gov.uk/government/organisations/highways-england> | info@highwaysengland.co.uk**

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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: Maidstone Borough Council (FAO Case Officer: Richard Timms)
planningcomments@midkent.gov.uk
Tonbridge & Malling Borough Council (FAO Case Officer: Matthew Broome)
planning.applications@tmbc.gov.uk

CC: growthandplanning@highwaysengland.co.uk

Council's Reference: 19/500769/EIOUT (Maidstone); and
TM/19/00376/OAEA (T&M).

Location: Land South West of London Road and West of Castor Park, Beaver Road,
Allington, Maidstone, Kent (aka Bunyards Farm).

Proposal: Outline application for a residential development of 106 units comprising
a mix of 1, 2, 3, and 4-bedroom dwellings (including bungalows, houses
and apartments), associated access and infrastructure (Access, Layout
and Scale being sought).

Highways England Reference: 85006#10747 (Maidstone); and
84093#10839 (T&M)

Referring to the cross-boundary planning application referenced above (original consultations received December 2018 and January 2019) in the vicinity of M20J5 (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*

**this is on the basis that we are content that the Transport Assessment Third Addendum (July 2020) provides sufficient information to assess the application. The assessment demonstrates that the development, if permitted, would not materially impact on the safety, reliability and/or effective operation of the Strategic Road network (the tests set out in DfT C2/13 and MHCLG NPPF 2019).*

The No Objection assumes that the respective Council's will be applying their standard Travel Plan and Construction Management Plan conditions to any permission granted.

- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);~~
- ~~e) 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@dft.gsi.gov.uk.

Signature: 	Date: 27 August 2020
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.

Safe roads, reliable journeys, informed travellers
Highways England: operating, maintaining and improving the strategic road network in England.

From: Bowie, David
Sent: 30 July 2020 22:40
To: RichardTimms@maidstone.gov.uk; matthew.broome@tmbc.gov.uk
Cc: Planning SE <planningse@highwaysengland.co.uk>; Bown, Kevin <Kevin.Bown@highwaysengland.co.uk>; Bradley, Alistair <Alistair.Bradley@highwaysengland.co.uk>; Jenkins, Daniel <Daniel.Jenkins2@wsp.com>
Subject: 19/500769/EIOUT (Maidstone); and TM/19/00376/OAEA (T&M) - Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent (aka Bunyards Farm).

For attention of:	Richard Timms & Matthew Broome
Site:	Land South West of London Road and West of Castor Park, Beaver Road, Allington, Maidstone, Kent (aka Bunyards Farm).
Proposal:	Outline application for a residential development of 106 units comprising a mix of 1, 2, 3, and 4-bedroom dwellings (including bungalows, houses and apartments), associated access and infrastructure (Access, Layout and Scale being sought).
Your Reference:	19/500769/EIOUT (Maidstone); and TM/19/00376/OAEA (T&M).
Highways England's Reference:	85006#10747 and 84093#10839

Dear Sirs,

I am writing in response to letters dated 10 & 21 July 2020 from Tonbridge & Malling Borough Council, detailing that a Transport Assessment Third Addendum ("TA Third Addendum") and inviting our comments on it.

We have previously responded to earlier iterations of the applicant's submissions for this proposal, the most recent of which was our response of 5 June 2020 (though there were also some additional issues in our 14 April response too). As such, we combine below the following:

- Our 14 April and 5 June text in black, in summary form;
- [The applicant's TA Third Addendum in blue](#); and
- [Our current updated response in red](#).

Background and Context

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 are 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