

**Donna Sprawson**

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**From:** Bowie, David <David.Bowie@highwaysengland.co.uk>  
**Sent:** 21 December 2021 16:39  
**To:** Planning Applications  
**Cc:** Planning SE; Bown, Kevin; SouthEast\_HESPA@systra.com; Spatial Planning; transportplanning@dft.gsi.gov.uk  
**Subject:** 21/02866/FL - Land East of Little Preston Yard and North of M20 Coldharbour Lane Aylesford Kent FAO Matthew Broome  
**Attachments:** K184 - 2021221 NHPR 2102866FL - Land East of Little Preston Yard.pdf

<b>For attention of:</b>	Mr Matthew Broome
<b>Site:</b>	Land East of Little Preston Yard and North of M20 Coldharbour Lane Aylesford Kent
<b>Proposal:</b>	Construction of five buildings to provide six units for industrial processes (Use Class E(g)(iii)); industrial (Use Class B2) and/or storage and distribution (Use Class B8) purposes, with ancillary offices and associated landscaping, car parking, servicing and access arrangements
<b>Your Reference:</b>	21/02866/FL
<b>Highways England's Reference:</b>	93359 #15468

Dear Mr Broome,

Thank you for your email of 30 November 2021 consulting National Highways (formerly Highways England) regarding the above application, seeking a response by 21 December 2021.

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.

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of, in this instance, the M20 at Junction 5 and its vicinity.

Having assessed the application, we note that there are matters requiring further clarification or information in order for us to be able to assess the implications of the proposal on the Strategic Road Network.

Until such time as the requirements are fully met, we will not be able to assess whether the proposals comply with national planning and transport policy set out in DfT C2/13 (especially paras 8 to 11) and MHCLG NPPF2021 (especially paras 110 to 113); and hence will not be able to provide our formal planning response.

Accordingly, please find attached our formal NHPR holding response which sets out our requirements.

If you or others have any questions regarding our response, please contact us at [planningse@highwaysengland.co.uk](mailto:planningse@highwaysengland.co.uk).

Kind regards

David

**David Bowie**

**Area 4 Spatial Planning Manager (Acting)**

**Tel:** +44 (0) 7900 056130

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## National Highways Planning Response (NHPR 21-09) Formal Recommendation to an Application for Planning Permission

From: Nicola Bell (Regional Director, South East)  
Operations Directorate  
South East Region  
National Highways  
[planningse@highwaysengland.co.uk](mailto:planningse@highwaysengland.co.uk)

To: Tonbridge and Malling Borough Council - FAO Case Officer Matthew Broome  
[planning.applications@tmbc.gov.uk](mailto:planning.applications@tmbc.gov.uk)

CC: [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk)  
[spatialplanning@highwaysengland.co.uk](mailto:spatialplanning@highwaysengland.co.uk)

**Council's Reference:** 21/02866/FL

**Location:** Land East of Little Preston Yard and North of M20 Coldharbour Lane Aylesford Kent

**Proposal:** Construction of five buildings to provide six units for industrial processes (Use Class E(g)(iii)); industrial (Use Class B2) and/or storage and distribution (Use Class B8) purposes, with ancillary offices and associated landscaping, car parking, servicing and access arrangements

**National Highways Ref:** 93359 /#15468

Referring to the consultation on a planning application dated 30 November 2021 referenced above, in the vicinity of the M20 Junction 5 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- a) ~~offer no objection (see reasons at Annex A);~~
- b) ~~recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);~~
- c) **recommend that planning permission not be granted for a specified period (see reasons at Annex A);**

~~d) recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is/is not relevant to this application.<sup>1</sup>

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via [transportplanning@dft.gov.uk](mailto:transportplanning@dft.gov.uk) and may not determine the application until the consultation process is complete.

<b>Signature:</b> 	<b>Date:</b> 21 December 2021
<b>Name:</b> Kevin Bown	<b>Position:</b> Spatial Planning Manager
<b>National Highways</b> Bridge House 1 Walnut Tree Close Guildford GU1 4LZ	

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<sup>1</sup> Where relevant, further information will be provided within Annex A.

## **Annex A National Highway's assessment of the proposed development**

National Highways has been appointed by the Secretary of State for Transport as a 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.

### **Recommend that planning permission not be granted for a specified period: Reasons**

We require further information to be provided by the applicant on this application in order that an informed decision can be made in relation to the potential impacts of the development on the strategic road network. In particular, the following comments should be passed onto the applicant:

#### **Site Access**

The existing access adjacent to the National Highways Depot access (to the north) is to be utilised as the site access. The existing access forms a simple priority junction with Coldharbour Lane. The proposals result in a priority change to the benefit of the development site which gives it priority on Coldharbour Lane thereby removing the priority junction. This creates a scenario where the existing access point for the National Highways depot is located immediately on the inside of a 90-degree bend with severely limited junction visibility particularly to the north towards vehicles leaving the development site. This introduces a significant hazard into the existing road environment and is highly likely to increase the potential for road traffic collisions with vehicles entering and leaving National Highways depot.

No visibility splay information or swept path tracking has been provided in relation to the interactions between the revised Coldharbour Lane alignment and the National Highways depot.

During winter periods access to and from National Highways Depot is critical for the safe and efficient use of the wider Strategic Road Network. Patrol and winter maintenance vehicles operate from the depot with activities undertaken 24/7 during severe weather conditions. Any delays or interference of maintenance activities to and from the depot could have very significant consequences to road safety considering that risk of fatality as a result of severe weather conditions is increased during the winter period. No consideration has been given to National Highways critical safety activities as part of development proposals.

In addition, the revised alignment of Coldharbour Lane is highly unorthodox and inappropriate which will lead to vehicles over running the hatched areas particularly through the bends which risks collision with oncoming vehicles. This is more likely to occur with larger vehicles using Coldharbour Lane.

**ACTION: The applicant is required to reconsider their access proposals taking into account access to National Highways depot and the critical activities undertaken. In addition, revised safe access proposals for Coldharbour Lane are to be submitted for further consideration and approval.**

### **Boundary Conditions**

The site has a common boundary with not only National Highways Coldharbour Lane depot, but also the M20 J5 coastbound on-slip and main coastbound alignment of the M20 main carriageway. The application has not accounted for the issues related to these common boundaries in terms of structures, geotechnics, Vehicular Restraint systems, or storm water runoff. The applicant is encouraged to consider their proposals in relation to the Design Manual for Road and Bridges (DMRB) standards CD 622 'Managing geotechnical risk', CG 300 'Technical approval of highway structures' and CD 377 'Requirements for road restraint systems'. National Highways will seek to apply pre-commencement conditions which cover all boundary issues.

**ACTION: The applicant is required to consider their proposals where they have a common boundary with National Highways Assets and provide the necessary information. Boundary matters will be dealt with by the requirement of pre-commencement conditions unless such matters can be agreed prior to determination.**

### **Trip Generation, Trip Distribution and Mode Shares**

Table 2.1 of the TA provides the Journey to Work modal split information from the 2011 Census for the Tonbridge and Malling 005 Middle layer Super Output Area (MSOA). This indicates that 74.5% of the daytime population in this area travel to work by driving a car or van. This figure has been applied in the subsequent analysis of expected trips to and from the proposed development; it is noted that the location of the development site does not lend itself well to travel by modes other than car and that whilst travel to and from the site by active and sustainable modes is possible, the evidence provided in the TA report regarding availability and convenience of these modes is not particularly strong. It is therefore considered that a sensitivity test using person trip rates and assuming all trips are made by car should be undertaken.

It is noted that the TRICS assessment detailed within the TA report is based upon vehicle trip rates rather than multi-modal surveys. As noted above, it is considered that

the use of just the vehicle trip rates from TRICS may be effectively excluding trips by other modes to the selected TRICS sites which in practice would be likely to be made by vehicle in the case of the specific site in question. Therefore, the applicant should take the total number of person trips (calculated from table 6.5 of the TA), assume that all of these trips would be car driver trips, and use these to carry out a sensitivity test via the highway capacity modelling.

**ACTION: The applicant is required to undertake a sensitivity test to calculate vehicle trips based on 100% of person trips, and to compare this to the trip generation used for the purposes of highway capacity assessment.**

For Trip Distribution, it is stated at paragraph 6.8 of the TA that the methodology used to establish the traffic distribution has been previously agreed with Kent County Council (KCC). The predicted development traffic is stated to have been distributed along the vehicle routes identified by “Google Maps” broadly in accordance with 2011 Census Travel to Work Origin and Destination(O-D) data for the local residential population who drive to/from work.

A full explanation of the methodology used to carry out these calculations is not contained within the TA report or its appendices; National Highways has sought to replicate the trip distribution calculations but has been unable to do so. Our investigations have indicated that use of the M20 Westbound may be significantly higher than indicated by the TA report. As such, a full explanation (with accompanying calculation spreadsheets) for the distribution in the TA report should be provided.

**ACTION: A full explanation (with accompanying calculation spreadsheets) for the trip distribution described in the TA report needs to be provided.**

### **Highway Capacity Modelling**

The model output files for the models of the proposed site access (labelled junction 1 within the TA report) and the M20 Junction 5 (labelled junction 2 within the TA report) have been reviewed. Notwithstanding the comments made above in relation to the trip generation and trip distribution aspects, the preparation of the models is considered acceptable, although it is noted that the change in the priority arrangement on Coldharbour Lane means that this junction as modelled in Junctions 9 would not technically be expected to show any delays except for the northern (now non-priority) arm of Coldharbour Lane, and flows from the existing industrial site are extremely low, hence all values returning as zero over the course of the modelled hour(s).

It is noted that modelling has been carried out for a future year of 2026, i.e. five years from the date of application. This scenario does not directly accord with the requirements of DfT Circular 02/2013, as an opening year assessment is required - the opening year assessment forms the basis of determining the need for and form of any mitigation on the SRN. Given that the development would be expected to be in

place by 2026, these assessments can be accepted by National Highways in lieu of a dedicated opening year test. In addition to the opening year we require a future year assessment of 10 years from application or to end of the current adopted Local Plan which ever is longer

**ACTION: The assessment years selected do not comply with the requirements of DfT Circular 02/2013. Specifically, the need for and form of any mitigation on the SRN is based on a development opening year scenario, in this case expected to be prior to the modelled year of 2026. We will therefore place reliance on the relevant 2026 scenario to determine the need for and form of any mitigation on the SRN. A future year assessment of ten years after application or end of Local Plan period (assuming full Local Plan impacts) which ever is longer is required.**

**The Highway Capacity models may need to be revisited, depending on the outcome of the actions specified above.**

### **Highway Safety Assessment**

The accident analysis undertaken by the applicant is based on very basic CRASHMAP data for the most recent 5-year period. The analysis simply advises due to the low number of recorded Personal Injury Accidents (PIA's) that the development proposals will not adversely impact upon road safety. From the basic analyses provided it is not possible to draw this conclusion particularly at M20 J5 where there were 18 PIA's in the study period. For all that is known there could easily be a common or several common causation factors in the data that could be relevant to this application.

**ACTION: A detailed STATS 19 accident analysis should be provided for M20 J5.**

### **Travel Plan**

**At the appropriate stage of the process, it is expected that a condition will need to be recommended by National Highways to any consent granted with regards to Travel Plan matters; this condition will relate to the approval process for the submitted draft Framework travel plan and subsequent occupier-specific travel plans.**

### **Conclusion**

At the present time, the proposed development impact on the SRN is not agreed. This response details the steps that need to be taken in order to resolve this issue.

**For the reasons set out above, National Highways recommends that planning permission not be granted for a period of three months from the date of this response to allow the applicant to resolve the outstanding matters.**

This application has been assessed by the National Highways South East Region Spatial Planning Team. This NHPR form represents National Highways' formal recommendation regarding the application. It is copied to the Department for Transport as per the terms of our Licence.