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BY POST AND EMAIL

Dear Mr Verrall

Taylor Wimpey's Land at Hillborough, Herne Bay – Representations to draft Infrastructure Delivery Plan (November 2014)

Thank you for providing us with the opportunity to review and respond to Canterbury City Council's (CCC) draft Infrastructure Delivery Plan (IDP) (November 2014). We understand that the objectives of this draft IDP are to assist the Inspector in assessing the draft Local Plan which has been submitted to the Inspectorate for Examination. Further, it is intended to demonstrate to the Inspector that the draft Local Plan is underpinned by a broad understanding of the need for infrastructure provision and viability of delivery at the Plan level.

Land at Hillborough, Herne Bay

We prepare this response on behalf of Taylor Wimpey (TW) UK Limited who has a significant freehold interest in Site 3 (Local Plan Policy SP3) on the land at Hillborough, Herne Bay. In particular, TW control the land on the eastern side of the site to the north of the railway line, and all the land on the southern side of the Faversham to Margate railway line between Heart in Hand Road, the Altira Business Park, and the A299 Thanet Way, as well as a portion of land to the southwest of Heart in Hand Road/ A299 Thanet Way junction. The remainder of Site 3 (that to the northwest corner) is within the control of a third party.

TW support the identification of 1,300 dwellings and other complementary land uses in Policy SP3, but has some concerns regarding the transport infrastructure identified in the Policy, particularly in relation to the desire to limit access to Sweechbridge Road as this does not account for the reassignment of traffic on the local highway network that may occur as a result. The policy should allow for traffic generated from the site to be more naturally dispersed, and route along appropriate roads rather than being forced towards the A299/Margate Road junction, and further towards Herne. This should be investigated further through a detailed development brief and Transport Assessment rather than being dictated by Policy at this stage without any analysis or scrutiny of the implications.

Further, Policy SP3 identifies the need for Site 3 to provide a proportionate contribution towards the provision of the Herne relief route and new Sturry crossing. These are referenced further in the draft IDP detailed and discussed below. However, in general terms, CCC and Kent County Council (KCC) as the local highway authority, have yet to demonstrate and justify these relief routes as being necessary to provide additional capacity for the various development sites, including Site 3 at Hillborough. Again, this should be investigated further through a detailed development brief and Transport Assessment rather than being dictated by Policy at this stage without any analysis or scrutiny of the implications.

Herne Relief Road

The Herne Relief Road is proposed by CCC and KCC as mitigating the traffic impacts of various developments in Policy SP3 on the village of Herne. It is understood that this relates to air quality concerns rather than a physical highway capacity constraint, although no evidence has been provided to date on either point, nor how it is anticipated that the various allocated sites would result in a severe impact as identified in the National Planning Policy Framework (NPPF). Further, the NPPF identifies (in paragraph 204) that planning obligation should only be sought where they are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development.

The purpose of the relief road would be to provide an alternative route for traffic currently having to travel through Herne Village via Canterbury Road, to reduce vehicular volumes through the village. The relief road would include a link through the Strode Farm site (Site 5 of Policy SP3) between the A299 Thanet Way /Canterbury Road junction to Bullockstone Road, as well as including improvements along Bullockstone Road to the south of the Strode Farm site to its junction with Canterbury Road.

Draft IDP

The draft IDP currently out to consultation identifies (at paragraph 59) that the section of the Herne relief road through Strode Farm will be provided by the developer of that site under a Section 106 agreement. Further, (as identified at paragraph 60) the off-site section (i.e. Bullockstone Road improvements) would be secured by way a Section 106 agreement by the developers of Strode Farm, Herne Bay Golf Club (Site 4 of Policy SP3) and the developer of Site 3 at Hillborough.

The draft IDP continues, at paragraph 61, to state that a funding agreement based on a signed Memorandum of Understanding (MoU) will establish the level of financial contribution to be provided by each of the developers based on the traffic generation from each of the allocations that will use the relief road. It should be noted that Policy SP3 also identifies that Site 6 (Land at Greenhill, Herne Bay) should make a proportionate contribution to the relief road, but no reference to a contribution from that site is made in the draft IDP.

Paragraph 62 confirms that all the Section 106 Agreements will include development thresholds to specify the maximum number of unit completions that will be permissible for each Site prior to the delivery of the relief road and that an appropriate phased delivery of the relief road will be considered.

The table at page 20 of the draft IDP identifies broad cost estimates for the infrastructure improvements, and suggests that the Herne relief road (off-site section) is anticipated to cost £3,000,000 and be delivered between 2014-2031.

It should be noted that the draft IDP identifies (in paragraph 56) that the Sturry relief road will be secured by way of Section 106 agreements by the developers of the Sturry / Broad Oak sites (Site 2 of Policy SP3) and the land north of Hersden (Site 8 of Policy SP3). A further contribution to the infrastructure would be made by the Single Local Growth Fund that has been secured through the Local Enterprise Partnership as confirmed in paragraph 57. Therefore, the draft IDP appears to contradict Policy SP3 in that Site 3 of Policy SP3 (and indeed Sites 4, 5, and 6) would not be expected to make a proportionate contribution to the Sturry Crossing.

Taylor Wimpey Response to draft IDP

It is also acknowledged that a Memorandum of Understanding between the relevant developers could be a realistic option for apportioning costs of any infrastructure improvement as may be properly demonstrated by a robust overarching transport model and assessment.

It is considered that the proposal for the Herne relief road is in principle sound, in that it will reduce vehicular flows through Herne Village which is known to suffer from poor air quality.

However, it has not been demonstrated or justified by CCC or KCC that the Herne relief road is necessary to provide additional capacity for the allocated sites as opposed to relieving an existing environmental pressure in the village of Herne or acting as a spine road for Site 5.

Until the Transport Assessments for the allocated sites have been produced, it is not possible to determine which sites will have a material impact on Herne Village, nor whether their impacts would be severe without mitigation. It may also be the case that if it is demonstrated that the relief road is required to mitigate an existing air quality problem, then funding from national or local highway sources should be sought to part fund any relief road, as is proposed for the Sturry crossing.

This is particularly the case for Site 3, as a distribution of trips both east to Sweechbridge Road and west remains the preferred and less contrived TW strategy, contrary to Policy SP3 which seeks to limit further access to Sweechbridge Road.

With such an access to Sweechbridge Road, the developer would deliver improvements to the A299 junction with Sweechbridge Road, as identified in Policy SP3, with access here providing a more direct route southwards rather than using the proposed relief road through Herne. If the Herne relief road is not built and an unconstrained access strategy for Site 3 provided, it is likely that the two routes to the A28 to the south (via Sweechbridge Road or via Herne) will be equally attractive, and it may be that a Herne relief road will actually draw traffic towards it.

No evidence has been provided to date by CCC and KCC as to why an alternative strategy for access to Sweechbridge Road and its route southbound with minor improvements could not be delivered as an alternative for Site 3 to contributing towards the funding of the Herne Relief Road (should that not be deliverable for any reason). It is clear that further assessment of this strategy is entirely appropriate.

Furthermore, the source of the cost estimate of £3,000,000 quoted in the draft IDP for the off-site section of the relief road is not evident, nor whether there would need to be an additional extra-over cost to be provided to enable the route through Site 5 to be upgraded from an internal road to a strategic route.

It is therefore suggested that the following edits are made to the draft IDP:

"56. This will be secured by way of Section 106 agreement/s and funded primarily by the developers of the Sturry/Broad Oak strategic allocation (Policy SP3, site 2) along with a contribution from the developer of the land north of Hersden (Policy SP3, site 8). **No contribution is sought from the Hillborough site (Policy SP3, Site 3).**

...

60. The off-site section will be secured by way of Section 106 agreements and funded **primarily by the developers of the allocated sites in Policy SP3 where they are demonstrated to have material impact on Herne as part of an area wide Transport Assessment to be agreed by Kent County Council (as the Local Highway Authority). ~~following strategic site allocations: Strode Farm (Policy SP3, site 5), Herne Bay Golf Club (Policy SP3, site 4), Hillborough (Policy SP3, site 3).~~** A contribution will also be sought from the Department for Transport/ KCC to reflect the existing air quality issues through Herne.

61. **Should the Strode Farm (Policy SP3, site 5) strategic allocation not be approved or built out, the City Council agrees to make a Compulsory Purchase Order for the land required to complete the section of the Herne Relief Road covered by Paragraph 59 and to meet the costs of constructing the relief road along this alignment. Development can commence once the due contribution has been paid to the Council.**

~~61.~~ **62. A fair and proportionate formula for a funding agreement based on a signed Memorandum of Understanding will set out the level of financial contribution to be provided by each of the developers based on the traffic generated ~~from~~ from each of the allocations and the level of traffic growth anticipated more generally that will use the relief road."**

It is also suggested that the table on page 20 is altered to reflect possible funding from non-section 106 sources.

None of these suggestions would be contrary to CCC's aspirations for mitigating any severe highway impacts of the site allocations through Herne.

We and our Clients' would wish to be involved in any further discussions on the draft Local Plan and IDP including continued engagement with CCC, KCC and other stakeholders.

Should you require any further information, please contact me directly.

Yours sincerely



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