

National Highways response (our ref NH/24/05492) RE: Consultation on Draft Canterbury District Local Plan to 2040

Kevin Bown [REDACTED]

Mon 03/06/2024 15:40

To: Consultations <Consultations@canterbury.gov.uk>

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Dear Ms Asimaki

Draft Canterbury District Local Plan 2040

Thank you for your notification dated 12 March 2024 inviting National Highways to comment on the Draft Canterbury District Local Plan 2040 and supporting documents, seeking a response no later than 5pm on 3 June 2024.

Background

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such 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 providing effective stewardship of its long-term operation and integrity.

We will be concerned with proposals which have the potential to impact on the safe and efficient operation of the SRN; in this case, particularly the A2 that runs through the district, as well as other parts of the SRN likely to be affected by the plan, for example M2 Junction 7 (Brenley Corner) and its vicinity. We have particular interest in any sites or infrastructure proposals which could have implications for these sites and the wider SRN network.

In accordance with national planning and transport policy and our operating license, we are entirely neutral on the principle of development as it is for the Local Planning Authority to determine whether development should be allocated or permitted; albeit it must comply with national policy on locating development in locations that are or can be made sustainable. Therefore, while always seeking early and fulsome engagement with local plans and/or developers, we will simply be assessing the transport impact of plans or proposals and agreeing any necessary mitigation.

In progressing Local Plans, we will seek to agree the following:

- Modelling Methodology
- Baseline modelling (i.e. to demonstrate that the model accurately predicts current flows)
- Forecast modelling (i.e. to assess the impact of the proposed development, as appropriate at various trigger points during the lifetime of the plan, and at the end of

the plan period; and, if required, at full build out if this occurs after the end of the plan period)

- Outputs and outcomes of modelling, demonstrating, as appropriate, what mitigation will be required, in what form, where and when.
 - It should be noted that a suite of modelling may be required that includes strategic modelling covering an area of at least one major junction beyond the district boundary, localised network modelling where several links / junctions are close together, and individual junction modelling
 - A DMRB-compliant Merge/Diverge assessment may also be required for relevant grade-separated junctions
- The design of any mitigation, to at least General Arrangement design stage (provided this does not raise any immediate concerns for us) or preliminary design stage (including any required Road Safety Audits (RSA) and Walking, Cycling, Horse Riding Assessment and Reviews (WCHAR). Whichever degree of detail is agreed, the products must be in full compliance with DMRB.
- Industry standard mitigation costings should be produced, tested via independent assessment, and then agreed with us
- The framework setting out who has responsibility for promoting, funding, governance and the timing for any mitigation delivery. It should not be assumed that we will have any of these responsibilities and National Highways should not be named as a “delivery partner” or similar in any Local Plan documents.
- If considered appropriate, a “Monitor and Manage” (M&M) framework, aimed at delivering mitigation or other infrastructure in a manner which responds to the real-world impacts of development. This can include the move from a “Predict and Provide” style of delivery to a “Vision and Validate” style (“Vision” being what you wish to achieve, “Validate” being how you intend to achieve it), but this must be consistent with the requirements of DfT Circular 01/2022 and must not be seen as simply a means to disregard issues now, hoping that circumstances in the future will be different.
 - Any M&M framework must be based on an agreed “core” modelling scenario and associated mitigation which is consistent with the requirements of Circular 01/2022 and sufficiently evidenced from real world data, as well as setting out the desired alternatives. It must set out details of responsibility, funding, governance and the timing for mitigation delivery. It must be translated into plan policy and application conditions that clearly set out that if X development is to be occupied, Y mitigation must be in place unless Z M&M is agreed by us that demonstrates an alternative form, level or location of mitigation is justified.

While ideally all of the above should be agreed prior to Submission of the Local Plan, we recognise that this is not always possible. However, all parties should work towards all matters being agreed and reflected in a Statement of Common Ground (SoCG) by the start of the Local Plan Examination.

Ideally the SoCG between the Council and us will track progress towards final agreement on all relevant matters starting from the earliest plan iterations until the final version is agreed ahead of the Examination.

It is acknowledged that Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that:

“Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”

However, DfT Circular 01/2022 and the NPPF are equally clear that any development, including housing delivery, must be tempered by the requirement to ensure that it can be accommodated without unacceptable impacts on the safety, reliability and operation of the SRN. Therefore, as necessary and appropriate, any plan and/or development must be accompanied by mitigation in the right places at the right time, that is to the required standards and is deliverable in terms of land availability, constructability and funding.

We would also draw your attention to the National Highways document, “Planning for the Future: A guide to working with National Highways on planning matters” ([Planning for the future - A guide to working with National Highways on planning matters](#)). This document sets out how we intend to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development.

With specific regard to Circular 01/2022, we have reviewed the consultation documents against relevant sections, particularly the principles of sustainable development (paragraphs 11 to 17), new connections and capacity enhancements (paragraphs 18 to 25), and engagement with plan-making (paragraphs 26 to 38).

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National Highways Representations

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Draft Canterbury District Local Plan (2040) (March 2024)

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General Matter: Local Plan Period

Para 1.10 of the plan *sets out a long-term plan for growth and development to 2040.*

However, NPPF (December 2023) para 22, in continuing previous national policy on the matter states

22. Strategic policies should look ahead over a minimum 15 year period from adoption¹³, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.

It would seem likely that if the Plan is submitted in 2025 it may be adopted in 2026. This would appear to give it a 14 year plan period, rather than the minim 15 years required.

Transport is a strategic matter. Also, the plan proposes several large allocations that will have potentially greater than plan period delivery. Therefore, we would welcome the Council’s views on the plan’s compliance with national policy in this regard and how the long term, strategic, transport implications of the plan will be fully accounted for, evidenced and provided with a policy and delivery framework.

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Policy SS4 - Movement and Transportation Strategy for the District

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The proposed strategy to facilitate a shift toward low carbon and active modes is considered to be consistent with the requirements of Circular 01/2022 paragraph 31; it is noted that the evidence in the supporting documents (including the district transport strategy and bus strategy, commented on below) provides a degree of assurance with regard to a reduction in reliance on the SRN for local journeys, these measures will need to be brought forward in parallel with the major allocations to ensure that the “end to end” desired effect is achieved.

We note that discussions relating to the A2 Harbledown improvements are ongoing and, whilst a detailed design may not be required at the plan-making stage (see notes above), it is recommended that the assessment of this scheme should be agreed and completed and recorded in a Statement of Common Ground, ideally prior to the next stage of formal consultation for the Local Plan.

- Policy C1 – Canterbury City Centre

It is noted that the wider delivery of the district transport strategy is closely linked to the proposals for enhancements to the City Centre, particularly provision for buses. The transport evidence base (including current modelling exercises being undertaken) will need to demonstrate that the relief of the ring road does not lead to unacceptable impacts on the SRN from diverted trips, and that the bus strategy in particular will be capable of delivering a suitably attractive alternative.

- Policies C6 to C10 – South West Canterbury.

Details of the new junction to link to the A2 to serve the South West Canterbury Link Road will need to be confirmed (it is noted that this forms part of the current modelling exercises). As per Circular 01/2022, the case for a new junction must be made via the Local Plan to comply with national policy and as such the necessary technical assessments must be completed as part of the Local Plan work, rather than deferred to a later stage. These exercises are currently underway as part of the agreed package of modelling work. The analysis of this work will need to consider how the proposed junction would serve / benefit the city as a whole, as opposed to serving a single development (even where this development is a strategic allocation).

It is noted that Merton Park (Site C6) is stated to be required to provide the A2 Coastbound on and off-slips at the proposed new junction, with sites C7 to C10 contributing toward the costs of these works. It is therefore assumed that development at sites other than C6 will not progress substantially until the A2 works are implemented; if this is not the intention, appropriate modelling of the intended phasing of developments across the SW Canterbury strategic site will be required. This work should also take account of the expected timeframes for provision of the SW Canterbury Link Road within site C7.

As has previously been discussed with CCC and Kent County Council,

- the interplay between the new junction and the proposed 4th slip would need to be fully assessed, as well as the interplay with the new junction at Bridge to serve Mountfield Park.
- the function(s) of the proposed junction will need to be carefully and fully explained. A single function ie to serve a single development would seem unlikely to meet the requirements of national policy for a new junction. Therefore what functions would the junction play in terms of the transporting of people and goods etc in the wider Canterbury area?

- Policy C12 – Land North of the University of Kent

As noted above, discussions are ongoing in relation to the creation of an all-movements junction at the A2 (Harbledown). The current modelling and design work for this junction will need to be progressed to demonstrate compliance with relevant policies and guidance in principle and in practice. It will need to do so not only in the context of the A2 but the wider connectivity into / interplay with the LRN; KCC will be expected to comment in this regard and both highway authorities will need to be satisfied with the outcomes of the assessments.

Specific supporting information will need to be provided from the current modelling exercises to support the proposed threshold of 50% occupation for the opening of the A2 Harbledown improvements.

As matters stand, it is far from clear whether the proposals at Harbledown could be deliverable in theory or in practice.

- Policy W4 – Land at Brooklands Farm (South Whitstable)

It is noted that advice previously given in relation to an earlier Regulation 18 consultation (January 2023) identified the need for appropriate consideration to be given to encouraging sustainable modes for strategic journeys (including through provision of access to the rail station). The current policy wording goes some way towards this but should be made more specific around measures to attract trips away from the SRN.

- Policy DS7 – Infrastructure Delivery

- We have provided initial comments on the draft infrastructure delivery plan below; we note that policy DS7 refers to CIL and Section 106 as methods of securing necessary funding toward required infrastructure to mitigate the impacts of development. As was stated in our comments on the previous Regulation 18 consultation, CIL cannot be used to deliver SRN improvements as it does not provide the DfT Secretary of State with sufficient guarantee that monies collected will be spent on SRN mitigation. Any SRN mitigation (design/funding/timing etc) will need to have a golden thread of policy and governance through the Local Plan, the IDP, any SPD/Masterplan and then in any consent with the actual works agreed via a S278.

- Policies DS13 and DS14 – Movement Hierarchy and Active and Sustainable Travel

We would wish to re-iterate our comments with regard to the need to emphasise walking and wheeling (i.e. journeys which include wheeled assistance such as prams and wheelchairs) within the wording of policies DS13 and DS14; these types of trips are more likely to result in car travel if their needs are not suitably provided for.

We support the policy wording relating to proximity to bus services for developments of 10 or more dwellings; “frequent” should be defined within the wording of this part of the policy.

We would welcome direct reference in the policy to the requirement for strategic development sites to implement sustainable travel measures designed to reduce single occupancy vehicle trips for strategic / longer distance journeys (for example, integrating bus and rail links).

We would be keen to understand how the Council have engaged with Active Travel England, what advice they have provided and how that advice will be translated into policy and actions to secure sustainable and active travel (the Validate of your Vision and Validate).

- Policy DS15 – Highways and Parking

- We request the following policy wording / supporting text changes for Policy DS15:

Current Wording: *“Proposals for development that will generate a significant volume of traffic should be accompanied by a transport statement or assessment and a green travel plan”*

Requested wording (to follow the above): *“Both of which should comply with the requirements of Circular 01/2022 “Strategic Road Network and the delivery of Sustainable Development” (23 December 2022) when consideration of the development is required by National Highways.”*

- Draft Infrastructure Delivery Plan (February 2024)

As has been noted above, we will not act as a promoter or delivery “partner” for any mitigation schemes which are required as a result of impacts of the Local Plan. It is therefore requested that paragraph 3.2 is amended as follows:

Council officers have established effective working relationships with key infrastructure providers through the development of the Regulation 18 draft Local Plan, and these will continue to be important as the new Local Plan is further developed. **Unless otherwise indicated in a national or infrastructure specific provider’s programmes,** the **funding, promoting and** physical delivery of many of the schemes identified within the IDP will be the responsibility of **the developer or other party generating the need for the infrastructure** and the council recognises that collaborative working is crucial to the successful delivery of the new Local Plan

It is noted that CIL funding is anticipated to be needed to address potential funding gaps in the Canterbury District Transport Strategy, including key elements of the Bus Strategy (paragraph 6.2). It is further explained in Section 9 that CIL funding is intended to address improvement needs which cannot be directly linked to development (i.e. major or strategic development sites and allocations). On the basis that these sites will need to fully address and fund their bus requirements (and thus the “risk” associated with CIL funding is minimised) this approach is considered acceptable. However, appropriate narrative will need to be provided with the forthcoming modelling of Local Plan impacts as to what assumptions (if any) have been made around the reduction in vehicle trips associated with modal shift of trips not directly associated with strategic Local Plan sites. Also, evidence as to the longer term viability of bus related mitigation will need to be provided.

Paragraph 9.4 sets out the measures within the draft District Transport Strategy to be delivered through Local Plan developments which are expected to reduce local trips by private car and encourage use of active and sustainable modes. Paragraph 9.5 identifies additional measures for strategic sites which are stated to be intended to further reduce private car trips. However, no reference is specifically made to how this will contribute to a reduction in trips on the SRN; this should be clarified in the relevant paragraphs.

Paragraph 9.7 refers to the planned installation of cycle and traffic counters in the district to provide monitoring data for the purposes of the M&M approach and related strategies. This is welcomed. It is recommended that an indicative plan of monitoring locations should be produced and included as an appendix to the IDP so that these can be commented on and form an agreed starting point for further development of the monitoring strategy in due course.

Table 9.1 summarises the expected timing / phasing of key transport infrastructure provision for developments in and around Canterbury. It is noted that the timing of the new Wincheap off-slip from the A2 is stated as 2027 but that this is subject to change depending on the decisions taken in relation to the new slips for Merton Park. This reflects the state of discussions with us at the time of writing. The IDP will need to be updated once the current modelling work has been completed and sufficient evidence is available to determine which combination of new A2 access arrangements (and their timings) is ultimately justified and acceptable to all parties.

Table 9.4 confirms that the proposed works to the A2 are to be funded by Section 106 agreements from the related strategic development sites. This approach is acceptable provided it remains clear in the S106 that named parties (not National Highways) will be responsible for the funding and delivery of required works and there are no “get out clauses” resulting in those named in the S106 simply paying a sum to another party if the works have not progressed by a certain date. The associated highway modelling work will need to include narratives in relation to any impacts from other Local Plan sites which could trigger the need for these improvements ahead of the timescales currently identified in the draft IDP.

It is noted that the tables at Part B, Schedule A (Transport) include us as a “delivery partner” for certain schemes proposed for the A2. Reference to National Highways in this context

must be removed as we will not take any responsibility for delivery of SRN improvements required solely as mitigation for the Local Plan. This role will need to be undertaken either by the Council or by a Developer, depending on the scheme(s) whose effects are required to be mitigated by the works.

Draft Canterbury District Transport Strategy (March 2024)

Paragraph 3.4 of the District Transport Strategy (DTS) refers to Circular 01/2022 (it is recommended that this is named as such, in addition to the subtitle of the document “Strategic Road Network and the delivery of Sustainable Development”). The summary of the principles given is considered appropriate – reference should also be made to paragraphs 11 to 17 of the Circular where these principles are set out in detail.

We welcome the consideration of “wheeling” (prams, wheelchairs and similar aids) in section 9 (accessibility); this section should be directly cross-referenced in the main Regulation 18 document to help address our earlier comments on this topic.

The reference to monitoring on city centre roads (section 11.3) should be expanded to include key access points to and from strategic development sites, and locations where movements to and from the SRN can be measured where this is relevant to the monitor and manage strategies for strategic sites in proximity to the SRN.

It is noted that section 16 provides some additional detail on how the different potential combinations of improvements to the A2 (including new slips) could be brought forward. This clarification should also be given in the IDP document.

Draft Canterbury District Bus Strategy (February 2024)

The defined objectives of the District Bus Strategy (paragraph 2.31) are supported. It is recommended that the first objective is modified to refer to connections to other public transport modes/nodes as well as district centres, as this will directly contribute to the enhancement of the bus network for trips which would otherwise use the SRN. It is noted that certain sub-objectives do refer to links to rail stations.

It is noted that the A2 schemes at Wincheap and Harbledown are identified as interventions within the strategy. It is not clear whether the strategy is intended to be updated once the final form / sequencing of these improvements has been agreed.

It is stated that National Highways is to be invited to participate in the proposed bus strategy steering group (paragraph 8.2) and stakeholder group (paragraph 8.3); this is welcomed. (It is noted that Figure 8.1 refers to “Highways England” – this should be corrected).

It should be confirmed whether the target mode shares for the end date of the Local Plan have been reflected in the corresponding strategic and other modelling exercises.

We would recommend that the Council prepares necessary trajectories so that they and others can view the pace at which the changes aspired to by the end of the plan period will be achieved. The bus provision and patronage trajectories could be nested with those for all other forms of sustainable and active travel, and those managing down car etc usage. This will assist in the monitoring and management of the plan.

Draft Local Cycling and Walking Implementation Plan (February 2024)

We do not have any specific comments on the draft LCWIP. However, we support its aims of enhancing walking and cycling connectivity for existing and proposed new developments and recognise that these will be crucial in facilitating the wider District transport strategy.

CCC Draft Air Quality Action Plan (2024)

It is noted that the AQAP covers the period from 2024 to 2029; as such, not all of the proposed mitigation measures on the SRN associated with the Local Plan would be expected to be implemented in this period, based on the information provided in the draft IDP and DTS documents.

No AQMAs currently exist on the SRN, with the nearest being present on the A28 link (Wincheap) between the A2 and the City Centre.

It is noted that measure 11 includes the A2 schemes at Wincheap and the new A2 interchange at Bridge (retained from the current Local Plan). The A2 Harbledown scheme is listed as a “potential” measure; it is not clear whether the data generated for the purposes of air quality assessments matches up with these assumptions; this should be clarified.

Next Steps

We note that your LDS states for this stage of plan-making:

Within this period we will be analysing consultation responses and completing evidence gathering. The site selection and infrastructure strategies will be reviewed and revised and there will be continual analysis of information and evidence. We will continue to engage with local people, interested parties and statutory consultees to develop and draft policies for the new Local Plan.

Given that the next stage (R19) is the final stage of plan-making before submission, it is reasonable to expect a significant amount of transport evidence to support the direction you are taking.

We should expect, at the very least, baseline conditions on the highway network (current and end of plan period) that factors in current commitments without the Local Plan. This should highlight the hotspots.

Ideally, we would like to see the strategic transport modelling testing strategy option(s) for the Local Plan and what this means for junctions on the SRN and LRN.

We should also expect to see the IDP being fleshed out, identifying critical infrastructure needed to support the emerging development strategy.

All this should have occurred and been agreed by National Highways before the R19 consultation.

I hope that our comments assist.

Once you've had the opportunity to digest all the reps received at this stage, we'd be pleased to meet with you to discuss all the transport related reps, challenges and opportunities and to agree a work programme to meet the policy and evidence requirements in time for your R19 consultation.

To aid our joint working I am copying our response to KCC Highways.

In the meantime, if there are any immediate queries arising from our response, please contact me via [REDACTED]

Regards

Kevin Bown BSc(Hons) MPhil CMS MRTPI Spatial Planner
Spatial Planning Team, South East Region Operations Directorate
National Highways | Bridge House | 1 Walnut Tree Close | Guildford | GU1 4LZ

From: Consultations <consultations@canterbury.gov.uk>
Sent: Tuesday, March 12, 2024 10:05 AM
Subject: Consultation on Draft Canterbury District Local Plan to 2040

Good morning,

I'm writing to inform you that Canterbury City Council has launched its public consultation on its [Draft Canterbury District Local Plan to 2040](#), in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

We have also begun consultation on several related strategies and plans, including:

- [Draft Canterbury District Transport Strategy](#).
- [Draft Canterbury District Open Space Strategy](#).
- [Draft Air Quality Action Plan](#)
- [Draft Sustainable Design Guide Supplementary Planning Document \(SPD\)](#).

You can find more information about the Draft Canterbury District Local Plan and other documents using the above links.

Please give us your views **by 5pm on Monday 3 June 2024** by completing the relevant questionnaire - you can find details of this at the end of each article.

Each of these proposals is different, so please read the information thoroughly before giving us your views.

If you have any questions or require a written copy of a consultation questionnaire, please contact consultations@canterbury.gov.uk.

Yours sincerely,

Victoria Asimaki
Principal Policy Officer (Engagement)

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<https://nationalhighways.co.uk> | info@nationalhighways.co.uk

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