

M20 Junction 10a

TR010006

Comments on Written Representations from Deadline 1 and 3



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1. Bellamy Roberts on behalf of Church Commissioners for England (REP1-001)

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP1-001	<p>001.01 "I am assuming that you will have received the written representation I put in on behalf of The Church Commissioners. The first thing I need to say is that they are fully supportive of this proposal for a new junction; they have an existing planning consent for a large housing development, the last third of which is constrained until such time as Junction 10a is open to traffic, so they clearly have an interest in this happening. However, they also control large areas of additional land known as Cheeseman's Green, and parts of land known as Waterbrook which is joint ownerships and that land was identified as having substantial residential development potential in the approved Development Plan, 2008 Core Strategy a total of something like 6000 houses. When I examined the DCO documents, particularly the Transport Assessment, it seemed to me that the development potential had not been included in the traffic modelling for the new junction, and that was clearly a concern because as and when, if and when, that development potential comes forward the last thing the land owners would want is for the new Junction 10a to be a further constraint on development of that land.</p> <p>You will be pleased to know that I have had some very productive discussions with Highways England and their Consultants since I made that representation and as a result of that, the Consultants have done some sensitivity testing on the traffic modelling, building in the development which was</p>	<p>Statement of Common Ground between Highways England and South Ashford Developers has been submitted to PINS as part of Deadline 3 on 16 January 2017. PINS Ref No. REP3-015 and REP3-031.</p>

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REP1-001	<p>identified in the 2008 Core Strategy and seen what the effect is. I got their Technical Note on that two days ago, I have had a chance to basically assimilate it and my reading of the conclusion is that the development can be accommodated. It applies some stress to the network but it could be accommodated.</p> <p>The intention is that we would like to try and formulate a Statement of Common Ground with Highways England reflecting that work and recognising that this land with a development potential could be accommodated as a result of the new junction.</p> <p>I think I probably should say that you have received a couple of other representations making the same point, and we have all been party to these discussions with Highways England and therefore anticipate that there will be one Statement of Common Ground that pulls this together.</p>	

2. Environment Agency (REP3-008)

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
008.01	<p>This Written Representation outlines where further work, clarification or mitigation is required to ensure so far as possible that the proposal has no detrimental impact on the environment. At this stage, we consider that the Flood Risk Assessment (FRA) is incomplete, and that the applicant still needs to demonstrate that flood risk will not be increased by this proposal incorporating the new climate change allowances (2016). This is a lengthy process (around 8 to 9 weeks) involving a model review and we believe this needs to be resolved at this stage. There is also other information that will need to be provided in due course, the provision of which will need to be secured by way of requirements or through protective provisions, relating to the design of the scheme, but specifically our access to the Aylesford Stream, pollution prevention and land contamination. The further information we will require is set out in detail below.</p>	<p>Discussions are ongoing with the Environment Agency regarding a variety of matters, the progress of which will be reported in the Statement of Common Ground.</p>
008.02	<p>Flood risk assessment</p> <p>As explained in our Relevant Representations the Environment Agency has a general supervisory duty in relation to flood risk management matters. The Environment Agency has the power to carry out flood risk management works to any main river but has no duty to do so. Based on the current information submitted, we have the following advice to share:</p>	<p>It is agreed that the FRA requires updating and discussions are ongoing with the Environment Agency with regards to the climate allowances that should be applied to the flood modelling. Once these figures are agreed, the flood model can be run and the FRA updated, to include an assessment of the effects of the embankments within Flood Zone 3, the mammal ledge within the Lacton Farm culvert and the mammal pipe bridge over the Aylesford Stream.</p>

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REP3-008	<p>We do not consider the submitted Flood Risk Assessment (FRA) is complete. Further information is required to show that flood risk will not be increased by this development. The following information should be provided at this stage, before this examination closes. Please note this information involves flood modelling, which needs to be reviewed by our modelling team. This review is a lengthy process and it is in the applicant's best interests to make us aware of when this is expected for review so we can ensure that appropriate resources are available. We strongly recommend the applicant submits the following as soon as possible:</p> <ul style="list-style-type: none"> • Information to demonstrate that there will be no loss of floodplain storage as result of the development. This applies in particular to the proposed slip roads which are shown within the flood zone. The FRA must be updated to include an assessment of the loss of flood storage, and provide compensation storage on a level for level, volume by volume basis. • The FRA should take into account the new climate change allowances Published on 19 February 2016 under the title: Flood risk assessments: climate change allowances (available on gov.uk at https://www.gov.uk/guidance/flood-risk-assessments-climate-changeallowances). It will need to use the most appropriate climate change allowance for the development, but we would advise that this is agreed with us before updating the FRA and carrying out modelling. Modelling should use the Environment Agency's most up to date fluvial flood model, which is currently the 'Ashford Updates Model, 2012'. • It will need to consider the effects not only of the embankments in flood zone 3, but also of all crossings across 	

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REP3-008	<p>flood zones that make up the scheme and demonstrate no impact on flood risk.</p> <ul style="list-style-type: none"> • Confirmation of the design requirements for mammals and the level of the animal pipe bridge. These will be used to update the FRA to form a modelled assessment to demonstrate that channel capacity will not be affected upstream/ downstream of the M20 	
008.03	<p>Structures within the bylaw margin</p> <p>The following information will need to be provided, however it may be sufficient to secure this information through the protective provisions:</p> <ul style="list-style-type: none"> • Design details of embankments with clear span bridges for new slip roads and temporary works structures: e.g. temporary bridge (e.g. bailey bridge), coffer dams, over-pumping arrangements, silt mitigation measures, haul roads, compounds, fencing. • Design details of mammal crossings, after these have been confirmed for the flood risk assessment. • Design details of new outfalls should be aligned to an angle oblique to the watercourse (ideally 45 degrees to the direction of flow) and the pipe should not protrude in the channel where it may cause an obstruction to flow. Where a headwall is proposed, the headwall and wingwalls should not project beyond or above the profile of the riverbank and should be as visually unobtrusive as possible. Our preference would be for more natural materials to form the headwall e.g. stone rather than plastic or at least brick rather than concrete bagwork. Suitable scour protection and splash apron should be provided where appropriate. 	<p>Design information in relation to these structures has already been provided to the Environment Agency, and included in the DCO application (DCO Documents 2.9). It should be noted in this context the operation of paragraphs 34 and 35 of the Protective Provisions in the dDCO, which require design details for specified works to be submitted to the Environment Agency for approval prior to construction. Therefore, any further details which cannot be provided at this stage will be secured through the Protective Provisions.</p>

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REP3-008	<ul style="list-style-type: none"> • New structures within the cross-sectional area of the Aylesford Stream and within 8 metres of the riverbank of the Aylesford Stream e.g. surface water outfalls; new ditch connecting to the Aylesford Stream from Stour Park Development site, fencing, access track(s). 	
008.04	<p>Access to the Aylesford Stream</p> <p>We also require additional information and drawings to show that our access to the Aylesford Stream will be maintained. We need access to the Aylesford Stream to allow us to carry out maintenance annually and for incident management purposes as part of our flood risk management role. We need to maintain our access to the channel during and post development, as we cannot know what interventions may be required in the long term. It may be satisfactory to us to secure this information through the protective provisions, when the scheme is at detailed design stage.</p> <p>We will need to see detailed drawings of an appropriate scale, of the new access tracks and any temporary or permanent structures in or within 8 metres of the Aylesford Stream (for example bailey bridge, coffer dams, over pumping arrangements, compounds, fencing, outfalls) as follows:</p> <ul style="list-style-type: none"> • New access track from the A2070 (Bad Munstereifel Rd), e.g. serving Pond 1, to the existing farm bridge over the Aylesford Stream. This is to ensure the new track from A2070 is suitable for EA vehicular access to the Aylesford Stream for incident management and maintenance purposes (e.g. weedcutting, blockage clearance, desilting). A blockage here could flood the nearby car park. We need reassurance that the M20 culvert and the immediate section of channel downstream, will not be 	<p>Additional design information in relation access tracks, the proposed mammal pipe bridge, proposed badger/mammal fencing in the vicinity of the pipe bridge, access to the Aylesford Stream from the A20 and temporary works structures will be provided to the Environment Agency during the Detailed Design stage of the Schemes. Suitable Protective Provisions will be included in the dDCO in relation to these matters.</p>

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REP3-008	<p>obstructed, either as a consequence of the project delivery or outcome.</p> <ul style="list-style-type: none"> • Suitable dimensions to indicate proximity of the proposed mammal pipe bridge adjacent to the M20, to the M20. This will allow us to ascertain the length of channel of the Aylesford Stream where our access along the channel (e.g. for desilting operations) may now be blocked by the presence of this bridge. • Details of the proposed badger/mammal fencing in the vicinity of the proposed mammal pipe bridge and associated fencing. This will help us understand whether, and how much of our access to the channel will be blocked by this structure. We recommend that suitably sized vehicular access gates are provided within the fencing to still maintain our access to the Aylesford Stream (e.g. between the mammal pipe bridge and the Lacton Farm culvert). • Access provision for the Environment Agency to the Aylesford Stream from the A20. • Temporary works structures: e.g. temporary bridge (e.g. bailey bridge), coffer dams, over-pumping arrangements, silt mitigation measures, haul roads, compounds, fencing. This is to ascertain whether we can access the Aylesford Stream whilst work on the development is being carried out. 	
008.05	<p>Land contamination and groundwater protection</p> <p>The proposed works present a risk of groundwater pollution by mobilising contaminants that are in this area. Chapter 9 of the Environmental Statement also indicates that historic sources of contamination pose a risk to controlled waters. It should be possible to mitigate these risks however through appropriate</p>	<p>The Environment Agency has requested the inclusion of Requirements to address the risks arising from historic sources of contamination posing a risk to land and groundwater. Requirement 7 of the dDCO (contaminated land and groundwater) deals with the procedure to be followed should unexpected contamination be encountered and in the view of Highways England addresses the concerns the Environment Agency has raised.</p>

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REP3-008	<p>requirements on the DCO. There will need to be requirements to cover the following:</p> <ul style="list-style-type: none"> • Site investigations and/or further risk assessment: The Contaminated land desk study and preliminary interpretative report dated July 2016 report assessed groundwater to be at risk from historic sources. This is due to vertical migration of leachates, and vertical and horizontal migration of contaminants in the saturated zone. The introduction of mitigation measures during construction works will not reduce this risk, as it is already present prior to construction. • Remediation strategy. • Verification plan which will help inform and assist the development of the verification report • Verification report to confirm the completion, and effectiveness of measures carried out under the remediation strategy. • Piling risk assessment: It has been confirmed to us that there will be no piling in the vicinity of the historic landfill site however, where there will be piling, it can still result in risks to groundwater quality from, for example, mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. This is outlined as a mitigation measure in Chapter 9 of the Environmental Statement, and should fall under requirement 3. (2)(c) of the draft DCO. • Monitoring and maintenance plan: The Outline CEMP suggests that selected water courses will be sampled during construction operations. Given the potentially contaminative historic uses, proposed piling, and sensitive groundwater receptors, this should also include groundwater quality monitoring. Groundwater quality data would need to be 	

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REP3-008	<p>provided before, during and after construction work, and should include more than the single round of groundwater analysis currently undertaken. We have no objection the proposed use of the standpipes. We also need the CEMP, when produced, to clearly show that groundwater monitoring will take place before, during and after construction, and detail the list of determinants to be analysed (such as those identified in the Contaminated Land Desk Study and Preliminary Interpretative report).</p> <ul style="list-style-type: none"> • Surface water drainage plan to be submitted under requirement 12 of the dDCO should show that infiltration drainage is limited to only those areas of the site where it has been demonstrated that there is no resultant pollution risk to the groundwater. We would expect the drainage to have all the necessary pollution prevention measures built into the road system, such as gully pots, attenuation lagoons etc., if a fuel spill were to occur then the fuel would be able to be contained prior to discharging into a main river. We are aware that managing flood risk from surface water is the responsibility of the Kent County Council however we would request to be consulted so as to be able to comment on pollution prevention measures which are advisable. 	
008.06	<p>Ecology</p> <p>The Environment Agency has a general statutory duty to promote the conservation of flora and fauna dependent on an aquatic environment and a specific duty to maintain, improve and develop this environment. We have reviewed the mitigation measures proposed by the development and we are satisfied that the proposals put forward by the applicant to mitigate for the adverse effects on the water environment are appropriate. Most importantly, the use of clear span bridges above the Aylesford Stream for the junction's slip roads means that the</p>	<p>Further ecological enhancement measures to the Aylesford Stream will be considered during the Detailed Design stage.</p> <p>With regard to the disapplication of byelaws made under paragraphs 5, 6 and 6A of Schedule 25 to the Water Resources Act 1991, including those made for the purposes of fisheries functions, previous highways DCOs have disapplied these Provisions (see for example Article 3 of the A14 DCO). As the Aylesford Stream main river is affected by the Schemes these Provisions have been included in the dDCO as a precautionary measure. However, there is some uncertainty at present as to</p>

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REP3-008	<p>watercourse remains open and ecologically viable, no future improvement is prevented and the watercourse does not deteriorate under the Water Framework Directive. We find the scheme is compliant with Water Framework Directive requirements. We do not believe that the proposed works to the Aylesford Stream will cause deterioration to the stream or wider waterbody.</p> <p>We have previously shared the following ecological enhancement measures with the applicant as desirable though we don't require specific requirements or protective provisions:</p> <ul style="list-style-type: none"> • Deflectors made of woody material fitted within the Aylesford Stream along the very straight section of watercourse between TR0370741284 and TR0396041186. This is alongside where the site compound is proposed. These will help create a meandering watercourse, with a variety of flows and bed types, which will improve the biodiversity. • Some tree planting immediately adjacent to the water along the south side of the same stretch of Aylesford Stream would be useful as this section of watercourse only has trees on the north side. Shading watercourses from the south helps protect them from rising temperatures whereas trees immediately adjacent to the river help the river to meander. However, as this is not the bank where the compound is to be placed we recognise that this may be difficult to achieve. • Demolition or notching of the weir at TR0435641348 to enable gravels to move downstream (a vital habitat) and fish to migrate upstream to spawn. We note that Junction 10A works will be conducted immediately above the weir structure and it would therefore be the ideal opportunity for this to occur. <p>In addition to the above, we have yet to receive clarification as to why Highways England seeks to disapply fisheries</p>	<p>whether there are any relevant byelaws made under those provisions affecting the Aylesford Stream. If the Environment Agency is able to confirm that no such byelaws exist, it should be possible to remove these references from Article 3.</p>

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REP3-008	legislation. We await further information from the applicant and will provide advice when additional information is submitted.	
008.07	<p>Waste and materials</p> <p>We are pleased to note there is a draft requirement for the CEMP (3) which details that a Site Waste Management Plan, a Soil Handling and Management Plan, and Materials Management Plan will be submitted as part of the CEMP. We will be able to provide advice to the applicant when this information is made available. We would like to have the opportunity to be consulted on the above plans and seek for the requirement to be amended to reflect this.</p>	<p>Highways England is content to amend Requirement 3 (Construction Environmental Management Plan) of the dDCO so that the Environment Agency is consulted on the various plans and pollution prevention measures.</p>
008.08	<p>Pollution Prevention</p> <p>We are pleased to note there is a draft requirement for the CEMP (3) and for surface and foul water drainage (12). We have the following concerns with regards pollution prevention and would like to have the opportunity to be consulted on pollution prevention measures and seek for the requirement to be amended to reflect this.</p> <p>We have the following comments to make</p> <ul style="list-style-type: none"> - Appendix 14.2 Flood Risk Assessment Volume 6.3 July 2016- Drainage Strategy: • The Pollution Prevention Measures Section states that “Earthworks drainage would incorporate catchpits/sumps to reduce the risk of silt reaching the outfall. This level is outside the scope of this report and would be included in detailed design”. We request the opportunity to comment when the detailed design is available to ensure that catchpits/sumps will 	<p>The Environment Agency will be invited to comment on the Detailed Design of earthworks drainage and penstock provision in due course. Highways England is content to amend Requirement 3 (Construction Environmental Management Plan) of the dDCO so that the Environment Agency is consulted on the CEMP and proposed pollution prevention measures.</p> <p>With regard to abstraction and dewatering, a precautionary approach has been followed in line with discussions with the Environment Agency to date. At present, it is envisaged that some ground and surface water may need to be pumped into the Aylesford Stream during construction. It is not certain at the moment what the volume of this might be, although it is not expected to be significant. Highways England's present understanding is that this activity would be considered dewatering, rather than abstraction, and that it would therefore fall to be regulated under the permitting regime. However, there is some uncertainty as to where the distinction is drawn between abstraction and dewatering, hence the inclusion of references to both the Environmental Permitting Regulations</p>

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REP3-008	<p>function appropriately to prevent silt runoff reaching the outfalls and ending up in the watercourse.</p> <ul style="list-style-type: none"> The report also states “Penstock shall be installed upstream of each pond to allow isolation in case of a spillage within the catchment”. The Environment Agency recommends that as the penstocks are to be located upstream and downstream of each attenuation pond, which will isolate the drainage system and contain any polluting effluent, to ensure that if the pollution has already reached the ponds, manual stop boards are placed at the outfall from the ponds to the receiving watercourse. This will ensure no pollution reaches the Aylesford Stream at any time, whenever the pollution is discovered and/or reaches the ponds. Together with the road gullies the Environment Agency accepts that all pollution prevention measures would be in place, in the absence of interceptors. We request the opportunity to comment at detailed design stage. <p>- Appendix 17.1 Outline Construction Environmental Management Plan (oCEMP) 5 Consents, Commitments & Permissions. Table 5.1 Permits, Consents and Licences:</p> <ul style="list-style-type: none"> The document states “Discharge of water from excavations is trade effluent, and therefore requires a Permit although exemptions apply for temporary dewatering affecting up to 20m of a Main River”: while we agree that discharge of water from excavations is trade effluent, and therefore requires a Permit, we do not agree with the second part of that sentence. The Environment Agency clarifies that for an exemption to be used in place of an Environmental Permit, any dewatering must be carried out within a period of 3 months together with any of the remaining criteria in the Agency’s Regulatory Position Statement (RPS), anything over this period of time will require an Environmental Permit. The RPS has been shared with the 	<p>and Section 24 of the Water Resources Act. If the Environment Agency is able to provide any clarification on this point that would be welcome. Otherwise however, Highways England will include a reference to dewatering in Article 3(a) to clarify the scope of the proposed disapplication.</p>

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REP3-008	<p>applicant. We await further clarification from the applicant as to the need for dewatering.</p> <p>- Appendix D. Register of Environmental Actions and Commitments. Road Drainage and the Water Environment (RDWE):</p> <ul style="list-style-type: none"> • The document states “The washing of any concrete mixing plant or ready-mix lorries would be carried out in a way that prevents cleaning effluent to flow into any watercourse or drain”. The Environment Agency recommends that all effluent from vehicle washing or mixing plant washing must be contained and tankered off site if it is not possible to discharge this trade effluent directly into a main foul drainage system. This should be written into the CEMP. We request the opportunity to comment on the CEMP when produced. • The document states “To limit effects upon groundwater during excavations”. We note that this again is regarding groundwater being pumped from excavations so our previous comments above regarding dewatering apply as follows: discharge of water from excavations is trade effluent, and therefore requires a Permit. For an exemption to be used in place of an Environmental Permit, any dewatering must be carried out within a period of 3 months together with any of the remaining criteria in the Agency’s Regulatory Position Statement (RPS), anything over this period of time will require an Environmental Permit. The RPS has been shared with the applicant. <p>The Environment Agency recommends the following mitigation measures to be put into place to protect water quality:</p> <p>- No vehicle washing effluent can discharge to watercourses under any circumstances. A designated area containing all run-off must be used. The effluent must be tankered off site. The</p>	

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REP3-008	<p>same applies for designated concrete and cement mix areas. All effluent must be contained and tankered off site.</p> <ul style="list-style-type: none"> - All oil and fuel storage must be on impermeable surfacing and secondary contained. - All nozzles must be kept within the secondary containment and securely locked at all times. - Silt must not enter any watercourse, pollution prevention measure such as silt busters, settlement tanks etc., must be put into place at all times to prevent pollution. - The Environment Agency must be informed immediately should accidental spillages occur and all emergency response procedures included in the CEMP must be followed. <p>We have yet to receive clarification as to what abstraction activities need to be carried out. We need clarification around what is being proposed, to what extent and duration, what monitoring and trigger levels there are before we can provide advice. The same applies to dewatering activities. Until then, we recommend that any reference to disapplication of abstraction and dewatering legislation is removed from the draft Protective Provisions.</p>	
008.09	<p>Disapplication of Legislation and Protective Provisions</p> <p>Highways England seeks to disapply various pieces of legislation (in the draft Development Consent Order submitted with the application). We are currently considering our position in relation to the legislation which is relevant to the Environment Agency. We are currently reviewing our preferred form of protective provisions (in particular because flood defence consenting now falls under the Environmental Permitting Regulations 2016 year rather than under the Water Resources</p>	<p>Discussions are ongoing between the Environment Agency and Highways England's legal team regarding the disapplication of legislation and Protective Provisions within the dDCO.</p>

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REP3-008	<p>Act 1991 as it did previously). We will be responding to the applicant on these issues in due course and will provide the Examining Authority with an update.</p> <p>HE seeks to disapply various pieces of legislation for the period of construction of the works authorised by the DCO. These are listed in Part 2 of the draft DCO. Those relevant to the Environment Agency are</p> <ul style="list-style-type: none"> • Regulation 12 (requirement for environmental permit) of the Environmental Permitting (England and Wales) Regulations 2010/675(a) (now EPR 2016); • Section 24 (restrictions on abstraction) of the Water Resources Act 1991; • The provisions of any byelaws made under, or having effect as if made under, paragraphs 5, 6 or 6A of Schedule 25 to the Water Resources Act 1991; • Section 23 (prohibition of obstructions, etc. in watercourses) of the Land Drainage Act 1991(b); • Section 32 (variation of awards) of the Land Drainage Act 1991; and • The provisions of any byelaws made under section 66 (powers to make byelaws) of the Land Drainage Act 1991. <p>The Environment Agency is prepared to consider disapplication of Flood Risk Activity Permits provided HE agrees to appropriate protective provisions for the benefit of the Environment Agency to be included in the DCO. We would stress that we would not agree to the disapplication of permitting legislation until further information and a complete FRA has been submitted. As the disapplication of legislation has not all been agreed yet, and ongoing environmental</p>	

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REP3-008	<p>permitting cannot be disapplied without justification (which we have not received), we are unable to agree any draft Protective Provisions or Requirements in the draft DCO. We are unable to agree to acceptance of the Requirements until we have accepted the protective provisions given the interface between the two. We are in ongoing discussions with HE on these issues and will update the Examining Authority in due course.</p> <p>HE included draft protective provisions for the benefit of the Environment Agency in the draft DCO submitted with their application. We have considered these draft provisions and will shortly be discussing them in detail with HE. We will be requiring amendments to the protective provisions put forward by HE.</p> <p>We will update the Examining Authority on the progress of the discussions regarding protective provisions in due course.</p>	
008.10	<p>Attendance at Hearings</p> <p>We will be happy to attend the hearing relating to environmental issues and any DCO drafting hearings to explain any of the above representations in further detail if that will assist the Examining Authority. Alternatively, the Examining Authority may wish to schedule a separate hearing on flood risk issues.</p>	Noted.

3. Friends Life and Aviva Investors (REP3-009)

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-008		
009.01	<p>Introduction</p> <p>This written representation is made on behalf of Friends Life Limited and Aviva Investors Group (referred to collectively as the "Interested party"). Friends Life Limited ("FLL") own and control land known as Sevington, North Highfield Lane which sits between the M20 and the CTRL ("the Site"). Part of the Site is included in the land to be compulsorily acquired pursuant to the proposed Development consent.</p>	
009.02	<p>Ashford Borough Council's Core Strategy 2008 (paragraph 7.10) identifies the Site as an expanded focus for employment development to the southeast of the town. Its location makes this an excellent opportunity for a range of employment types and uses and provides an opportunity to consolidate some of the larger scale employment uses that are less suited to higher density mixed use environments. Unlike the other strategic employment locations in the Core Strategy, this site is more suited to the delivery of B2 and B8 uses and has the space to accommodate relatively large buildings. The Site plays an important role in ensuring that there is sufficient supply in the overall available employment stock over the Development Plan period. The full release of the development at the Site is dependent on the Applicant's Scheme. As noted in the Applicant's Statement of Reasons one of the strategic aims is to increase the capacity of the road network to support and</p>	

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-008	allow the delivery of residential and employment development, either proposed or permitted, within the Ashford growth area.	
009.03	FLL and the group company, Aviva Investors Group (AI) (who will take forward development of the Site) support the Scheme in principle but have made a Relevant Representation [RR-016]) objecting to the proposed compulsory acquisition of FLL's land on the grounds that it is both unnecessary and would significantly prejudice FLL and AI's ability to deliver the development of the Site. The development of the Site is the very thing which the Scheme is intended to support.	Noted. The Applicant is hopeful that an agreement can be reached with the Interested Party so that the Applicant can acquire the necessary land and rights sought under the proposed compulsory acquisition provisions. Without prejudice discussions between the parties are progressing in a positive manner. However, unless indicated to the contrary elsewhere by the Applicant, it is not the intention of the Applicant to seek to remove any plots from the proposed compulsory purchase order, nor is it the Applicant's intention to remove any of the interests owned by the Interested Party from the compulsory purchase order, whether or not a private agreement is reached between the parties. It is essential that these plots remain in the compulsory purchase order. Any agreement reached with the Interested Party may or may not limit the exercise of the relevant powers of compulsory acquisition. In adopting this approach, the Applicant's position aligns with that typically adopted by promoting authorities of compulsory purchase orders and so it is not expected that this approach should be considered to be controversial. While without prejudice discussions are on-going between the parties, it is not considered appropriate to refer to the content of those discussions until a comprehensive agreed position has been reached and documented. It is not correct to say that "the development of the Sevington site is the very thing the Scheme is intended to support". This is far too simplistic. The Applicant's case is set out in the Statement of Reasons.
009.04	This written representation sets out the Interested party's representation regarding the application for the Development consent order. In particular this representation explains the	We are pleased that the ongoing discussions with the Interested Party are positive and that issues are being resolved.

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-008	<p>status of the planning permission and the discussions that have taken place with the Applicant to reach agreeable terms on land sharing to ensure both projects can co-ordinate their activities, manage potential conflicts and resolve any actual conflicts. Negotiations between the Interested Party and the Applicant are continuing. Based on recent positive discussions held with the Applicant, the Interested Party believes that an agreeable position is possible such that the Interested Party's objection can be withdrawn.</p>	
009.05	<p>The Interested Party's Land Ownership</p> <p>FLL is the freehold owner and are recorded in the book of reference for the following plots:</p> <ul style="list-style-type: none"> (a) 3/16/a; (b) 3/16/b; (c) 3/16/c; (d) 3/16/d; (e) 3/16/e; (f) 4/16/a; (g) 4/16b; (h) 4/16/c; (i) 4/16/d; (j) 4/16/e; (k) 4/16/f; and (l) 4/16/g. 	Noted.

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
009.06	<p>The Interested Party's Development Proposals</p> <p>An outline planning application was submitted to Ashford Borough Council in 2014 and was subsequently revised in 2015. The outline application seeks planning permission for the following development:</p> <p>"Development to provide an employment led mixed used scheme, to include site clearance, the alteration of highways, engineering works and construction of new buildings and structures of up to 157,616 square metres comprising: up to 140,000 square metres class B8 (storage and distribution) use); up to 23,500 square metres of B1a/B1c business (of which a maximum of 20,000 square metres of B1a); up to 15,000 square metres of B2 (general industry); and up to 250 square metres of A1 (retail shops) and 5,500 square metres of sui generis to accommodate Kent Wool Growers together with ancillary and associated development including utilities and transport infrastructure car parking and landscaping."</p>	Noted.
009.07	The Development is known as Stour Park and is referred to in the Applicant's Statement of Reasons.	Noted.
009.08	The plan showing the Site edge red is attached at Annex 1 to these written representations and comprises an area of approximately 48 hectares located to the south east of Ashford town. The site is bound by countryside and existing M20 to the north, Highfield Lane and Kingsford Street to the east, the Channel Tunnel rail link to the south and Church Road and existing A2070 to the west.	Noted.
009.09	The proposals have been led by the Borough Council adopting the Core Strategy in 2008 which as noted identifying the Site as an expanded focus for employment development. Amendments	Noted.

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-008	have been made to the application since submission. Since the submission of the application the Interested Party has worked with the Applicant to ensure that the Development does not prejudice the delivery of the Junction 10A and associated link road proposals	
009.10	<p>Objection to compulsory acquisition</p> <p>Details of why the Interested Party objects to part of the Site being subject to compulsorily acquisition was included in the Relevant Representation, a copy of which is appended to this representation at Annex 2.</p>	See Comments on Relevant Representations (Rep3-017) submitted at deadline 3.
009.11	A Statement of Common Ground is in the process of being prepared with the Applicant. As noted above discussions have taken place and detail of the position reached following those discussions is set out below.	The Applicant can confirm that a Statement of Common Ground is being prepared with the Interested Party.
009.12	<p>The Interested Party's objection to the compulsory acquisition of its land or temporary possession of it falls into the following categories:</p> <p>(a) land which the Interested Party acknowledges is required for the Scheme (either permanently or temporarily) but for which there is an alternative to compulsory acquisition, in that the Interested Party is prepared to negotiate the transfer of the land or rights to use the land. WIP#17982358v1[VJF01] 4</p> <p>(b) land which the Interested Party does not agree is required for the purpose of the scheme nor is it required to facilitate it; and</p> <p>(c) land that is required for the Scheme but which a lesser area could be acquired to achieve the same effect.</p>	Noted. However, unless indicated to the contrary elsewhere by the Applicant, it is not the intention of the Applicant to seek to remove any plots from the proposed compulsory purchase order, nor is it the Applicant's intention to remove any of the interests owned by the Interested Party from the compulsory purchase order, whether or not a private agreement is reached between the parties. It is essential that these plots remain in the compulsory purchase order. Any agreement reached with the Interested Party may or may not limit the exercise of the relevant powers of compulsory acquisition. In adopting this approach, the Applicant's position aligns with that typically adopted by promoting authorities of compulsory purchase orders and so it is not expected that this approach should be considered to be controversial. It is acknowledged by the Applicant that it may be possible that plot(s) may be removed from the proposed compulsory purchase order in due course

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-008		but this is currently under review and cannot be confirmed until the Applicant has fully investigated whether this will be possible.
009.13	Since a number of the parcels are also required for the Interested Party's own development, which is of strategic importance to the Borough, the need for agreement and collaboration between the Interested Party and the Applicant is paramount.	Noted.
009.14	The Applicant and the Interested Party intend to continue discussions with a view to documenting the land sharing and collaboration agreement. If the agreement is concluded then any need for compulsory acquisition falls away and the Interested Party's objection would be met.	Noted. However, unless indicated to the contrary elsewhere by the Applicant, it is not the intention of the Applicant to seek to remove any plots from the proposed compulsory purchase order, nor is it the Applicant's intention to remove any of the interests owned by the Interested Party from the compulsory purchase order, whether or not a private agreement is reached between the parties. It is essential that these plots remain in the compulsory purchase order. Any agreement reached with the Interested Party may or may not limit the exercise of the relevant powers of compulsory acquisition. In adopting this approach, the Applicant's position aligns with that typically adopted by promoting authorities of compulsory purchase orders and so it is not expected that this approach should be considered to be controversial. It is acknowledged by the Applicant that it may be possible that plot(s) may be removed from the proposed compulsory purchase order in due course but this is currently under review and cannot be confirmed until the Applicant has fully investigated whether this will be possible.
009.15	By way of summary in respect of each of the individual plots we confirm as follows:	(a) The Environmental Masterplan (DCO Document 6.2, Figure 2.6f) provides full details of the Scheme proposals, including the demolition of the existing Church Road Footbridge and the

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-008	<p>(a) plot 3/16/a – this is required by the Interested Party for its future development of Batts Farmyard and to provide car parking for the church. Currently the Interested Party allows parking for the church on the field beside Court Lodge Farm House. The Applicant says that it requires this land as part of the ecological mitigation strategy but is reviewing whether the strategy could be accommodated on a smaller area to enable the accommodation of parking associated with the church and the development of Batts Farmyard. The Interested Party's objection to the acquisition of this plot could be removed if a lesser area was acquired and the hope is that that will be achieved through negotiations;</p> <p>(b) plot 3/16/b – this land is required for a balancing pond for the Interested Party's Development. It forms an important part of the surface water strategy agreed with the Environment Agency and the Council and which the Interested Party will need to comply. The Interested Party is willing to transfer this land to the Applicant subject to the Interested Party being able to discharge into the balancing pond that will be created by the Applicant. The Interested Party's designs have been sent to the Applicant to provide comfort that its flows do not impact on the pond size and both the Scheme's requirements and the Interested Party's requirements can be accommodated. The Applicant's requirements can, therefore, be met through private agreements.</p> <p>(c) plot 3/16/c - the Interested Party objected to the inclusion of this plot on the basis that it has been planted with wild flora to provide ecological mitigation in relation to the Interested Party's Development. The Applicant's compound can be easily located on neighbouring open land to the west of the plot. The Applicant has agreed to relocate the construction compound</p>	<p>provision of a new footbridge accommodating pedestrians and cyclists. The proposal includes new ramps on both side of the A2070. Part of the land needed for this is owned by the Interested Party, and the Applicant needs to permanently acquire approximately 4052.9 square metres of land forming part of the existing Church Road- east side. This land is essential to maintaining the existing screening of Sevington from the A2070 and this land parcel is a key part of the dormouse mitigation strategy. If this land were removed from the dormouse licence (M20 Junction 10a Ghost licences (Main and Alternative) for Dormice submitted to Natural England in September 2016) it is likely that Natural England would refuse to grant the licence, as in order to grant the licence Natural England requires either proof of land ownership or a letter of long-term support for the mitigation proposals. It is considered that compulsory acquisition of the land is required to reduce the risk of Natural England refusing the licence.</p> <p>The Applicant is investigating if it can accommodate the request whilst maintaining its commitment to Natural England.</p> <p>(b) The Environmental Masterplan (DCO Document 6.2, Figure 2.6f) provides full details of the Scheme proposals, including the new A2070 Link Road and balancing ponds, for which it will be necessary to permanently acquire approximately 73966.8 square metres of land. Any increase in the size of this balancing pond will most likely affect existing trees within the immediate locality and will therefore affect the current arboricultural assessment and landscape design. In theory it is possible for the Applicant and the Interested Party to share the balancing pond, although it would need to be enlarged to accommodate run-off from both sites and liability implications would need to be satisfactorily resolved. Discussions are</p>

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-008	<p>and so this plot is no longer required. The plot should, therefore, be removed from land to be compulsory acquired;</p> <p>(d) plot 3/16/d – it was initially stated in the Interested Party's Relevant Representation that it is not necessary for the Applicant to acquire this plot for the stated purpose. Following the receipt of further information the Applicant acknowledges that this plot is required. Details of the nature of the temporary acquisition and the rights to be acquired are however being finalised with a view to these being acquired by agreement;</p> <p>(e) plot 3/16/e - the Interested Party in its Relevant Representations indicated that it is not necessary for the Applicant to acquire plot 3/16/e for the stated purposes. Further information is awaited as this area is also required for the Interested Party's Development's ecological mitigation strategy and the habitat created needs to be suitable for both schemes. Again the use of this plot ought to be capable of being agreed through the land sharing/corporation agreement;</p> <p>(f) plot 4/16/a and b – again acquisition of these plots is unnecessary as more comprehensive environmental mitigation is proposed by the Interested Party as part of its wider Development. Acquisition of this land would prejudice the future development of Sevington (East), circa 100 acres of land to the east of Highfield Lane running across to Blind Lane and Kingsford street, and which is also envisaged in the local plan for future development. The extent of this site is shown on the plan at Annex 1 to the east of the Site. Further discussions are being held with the Applicant in relation to the acquisition of this plot;</p> <p>(g) plot 4/16/c –this plot of land was required by the Interested Party under its Section 106 Agreement to provide a turning circle to enable vehicles to exit Highfield Lane. Discussions</p>	<p>ongoing to establish the feasibility of the Scheme and the Stour Park development sharing the balancing pond.</p> <p>(c)The Applicant is in discussions with the Interested Party regarding this plot of land.</p> <p>(d) The Environmental Masterplan (DCO Document 6.2, Figures 2.6a to g and 2.7 a to c) provides full details of the Scheme proposals. It will be necessary to temporarily use with rights to be acquired permanently approximately 1898.6 square meters of land (plot 3/16/d) located south of the existing M20, new right to construct, divert, remove, use and maintain utility connections and equipment including a mains gas pipeline (including access with or without vehicles, plant and machinery). A copy of the proposed construction timetable will be provided to the Interested Party in due course, to ensure the ecological mitigation works required for the Stour Park development will not be affected.</p> <p>(e) The Environmental Masterplan (DCO Document 6.2, Figure 2.6f) provides full details of the Scheme proposals. It will be necessary to permanently acquire approximately 7897.7 square metres of land (plot 3/16/e) required for the construction of slip road. The portion of plot 3/16/e that is not required for slip road construction is included within the Environmental Masterplan and will be reinstated to provide connective habitat and foraging areas for multiple protected species. It is noted that the area is also required for the Stour Park ecological mitigation strategy and the Applicant is exploring whether the habitat reinstated can be made suitable for both schemes as part of an agreement with the Interested Party. A copy of the proposed construction timetable will be provided to the Interested Party in due course, to ensure the ecological mitigation works required for the Stour Park development will not be affected.</p>

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-008	<p>have continued with Kent County Council and Kent County Council have now agreed to progress the turning circle at the cost of the Interested Party. Given Kent County Council's commitment to progress this part of the Scheme compulsory acquisition of this plot is unnecessary;</p> <p>(h) plot 4/16/d – it was initially stated in the Relevant Representation that it is not necessary for the Applicant to acquire these plots as more comprehensive environmental mitigation is proposed by the Interested Party and compulsory acquisition of this land would be contrary to best use of this land as promoted through the local planning process. The Interested Party accepts that this land is required and removes its objection to the compulsory acquisition of this plot;</p> <p>(i) plot 4/16/e/f/g – the Interested Party has indicated that it is not necessary for the Applicant to acquire these plots. The creation of balancing ponds within a scheme and elsewhere within the development will provide the required habitat. Acquisition of this plot and its use for habitat would prejudice the future development of Sevington (East) in considering the local plan. Following discussions with the Applicant we understand that they will no longer seek to compulsorily acquire this plot and will look to create its ponds elsewhere. These plots should, therefore, be removed from Land B compulsorily acquired; and</p> <p>(j) plot 3/16/g – the Interested Party acknowledges that it will be necessary for the Applicant to temporarily acquire with rights to be acquired permanently. Discussions are ongoing and further details are awaited as to the precise details of what is required to enable the Applicant's requirements to be met through private land agreements.</p>	<p>(f) The Environmental Masterplan (DCO Document 6.2, Figure 2.6f) provides full details of the Scheme proposals. It will be necessary to temporarily use with rights to be acquired permanently approximately 1606 square meters of land located south of Kingsford Street for environmental mitigation purposes. There are ongoing discussions with Friends Life regarding these plots. Please note that these plots are only required temporarily with permanent rights.</p> <p>(g) Kent County Council has now agreed to install a turning head in this location under a S278 agreement with the Interested Party. This is under negotiation. The Applicant is in discussions with the Interested Party regarding this plot of land.</p> <p>(h) Noted.</p> <p>(i) Discussions are currently ongoing regarding plots 4/16/e/f/g.</p> <p>(j) Discussions are currently ongoing regarding plot 3/16/g.</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-008 009.16	<p>Given the proximity of the junction works to the Interested Party's Development (not least as the new junction will provide access to it) there are a number of issues beyond land acquisition which the Interested Party and the Applicant are in discussion. These include:</p> <ul style="list-style-type: none"> (a) the form of the access; (b) the programme of works; (c) further detail on the high pressure gas main which will be diverted as part of the scheme; (d) further details on the foul pumping station works which involve a diversion of the foul pumping station; and (e) plans for power for street lighting along the new link road. <p>The above are not matters to which the Interested Party has raised any particular objection but are matters which the Interested Party and the Applicant are in discussion.</p>	No response required
009.17	<p>Summary</p> <p>In summary the Interested Party has provided the Applicant throughout with all information necessary to enable the two schemes to be advanced together. The Applicant is now making a proper attempt to acquire land by agreement and the Interested Party remains hopeful that its objection can be met through the completion of a land sharing and collaboration agreement. The Interested Party has, however, reserved its position to appear at one of the compulsory purchase hearings should agreement not be able to be reached and reserves its position to expand on the matters referred to in these written representations.</p>	Noted

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-008 009.18	Reasonable alternatives to compulsory acquisition have not until recently been explored by the Applicant. The Interested Party is willing to agree to the necessary land and/or rights being acquired by agreement on terms which will enable both the Scheme and the Interested Party's Development to proceed. If the Applicant is permitted to compulsory acquire those plots that are required for the Interested Party's Development the ability to deliver a development of strategic importance to the Borough would be undermined.	Noted. However, unless indicated to the contrary elsewhere by the Applicant, it is not the intention of the Applicant to seek to remove any plots from the proposed compulsory purchase order, nor is it the Applicant's intention to remove any of the interests owned by the Interested Party from the compulsory purchase order, whether or not a private agreement is reached between the parties. It is essential that these plots remain in the compulsory purchase order. Any agreement reached with the Interested Party may or may not limit the exercise of the relevant powers of compulsory acquisition. In adopting this approach, The Applicant's position aligns with that typically adopted by promoting authorities of compulsory purchase orders and so it is not expected that this approach should be considered to be controversial. It is acknowledged by the Applicant that it may be possible that plot(s) may be removed from the proposed compulsory purchase order in due course but this is currently under review and cannot be confirmed until the Applicant has fully investigated whether this will be possible.
009.19	<p>Original Relevant Representation</p> <p>Friends Life Limited and Aviva Investors (the "Interested Party") owns and controls the land known as Sevington, north of Highfield Lane. Sevington is allocated in the Ashford Borough Council planning policy for major employment development. Friends Life submitted an outline planning application to Ashford Borough Council (the "Council") for such a development on part of this land, known as "Stour Park" (the "Development"). The Development is referred to in section 2 of the Statement of Reasons. The Council resolved to grant planning permission for the Development, a section 106</p>	See Comments on Relevant Representations (Rep3-017) submitted at deadline 3.

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-008	<p>agreement is near to being finalised and outline planning permission will be granted shortly.</p> <p>The Interested Party supports the Scheme in principle. However, it objects to the proposed compulsory acquisition of its land on the grounds that it is both unnecessary and would significantly prejudice the Interested Party's ability to deliver the Development.</p> <p>The Interested Party objects to all of its land being included in the compulsory acquisition, in particular the following plots:</p> <ul style="list-style-type: none"> • 3/16/a It is not necessary for the Applicant to acquire the entirety of this plot for the stated purpose - a section of the plot would be sufficient. The Interested Party has included part of this plot abutting Church Road for a future development of the adjacent Batts Farm yard. • 3/16/b It is not necessary for the Applicant to acquire this plot for the stated purpose of creating a balancing pond. The Interested Party intends to construct a balancing pond in this location pursuant to the planning permission for the Development and has offered to the Applicant that it will create a sufficiently large pond that can be serve both the Development and the Scheme. This would create a significant saving to the public purse. If this plot is taken and the Applicant build a pond for its sole use, the Interested Party will need to have to divert all surface water to the south of the Stour Park site, creating an environmental impact which has not been tested in the Applicant's Environmental Statement. • 3/16/cde It is not necessary for the Applicant to acquire these plots for the stated purposes. 3/16/c is land which the Interested Party has planted with wild flora to provide ecological mitigation in relation to the Development. The Applicant's 	

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-008	<p>compound could be easily located on the neighbouring open land to the north west of this plot.</p> <ul style="list-style-type: none"> • 4/16/ab Acquisition of these plots is unnecessary. More comprehensive environmental mitigation is proposed by the Interested Party as part of the Development; acquisition of this land would prejudice the future development of Sevington (East) envisaged in the local plan. • 4/16/c This plot is the land upon which the Interested Party is required under its section 106 agreement to provide a turning circle to enable vehicles to exit Highfield Lane. This is a legal obligation on the Interested Party which it would not be able to comply with if this plot were taken. • 4/16/d It is not necessary for the Applicant to acquire these plots. More comprehensive environmental mitigation is proposed by the Interested Party and compulsory acquisition of this land would be contrary to best use of this land as promoted through the local plan process. • 4/16/efg It is not necessary for the Applicant to acquire these plots for the stated purpose. The creation of balancing ponds within the Scheme and elsewhere within the Development provide excellent habitat. Acquisition of this plot and its use for habitat would prejudice the future development of Sevington (East) envisaged in the local plan. <p>The Interested Party has throughout provided the Applicant with all information necessary to avoid or minimise the above issues. However the Applicant has not taken this into consideration and as such has not fully complied with its statutory to consult. Neither has the Applicant made a proper attempt to acquire land by agreement.</p>	

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-008	The Applicant has failed to demonstrate a compelling case that the acquisition of the Interested Party's land is necessary and that there is a compelling case for it.	

4. Kent Downs Area of Outstanding Natural Beauty Unit (REP3-026)

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-026	<p>026.01</p> <p>The Kent Downs AONB Unit considers it important to ensure that sufficient compensatory planting is provided, particularly on the east side of the realigned A20, where many existing trees and groups of trees would be lost to accommodate the new highways works. The loss of the trees has the potential to open up views of the highways infrastructure and the associated lighting in views from the Kent Downs AONB. In order to secure maximum early screening potential we consider it important to incorporate more specimen trees in the landscape design, particularly along the east side of the re-aligned A20.</p> <p>The Kent Downs AONB Unit also considers it important to secure more substantial tree planting along the south-west side of the proposed new link road to the A2070. This is required to assist in screening of the proposed development at Stour Park, south of the link (subject to a separate planning application, with a resolution to grant AS/14/00906), which will be enabled as a result of the proposed highways works.</p> <p>This supplementary tree planting is required to ensure that that the requirements of Section 85 of the Countryside and Rights of Way Act are met (the Duty of Regard). This requires that “In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural</p>	<p>Current proposals include the introduction of specimen standard trees alongside the north-western side of the new M20 J10a junction (Refer to Environmental Masterplan DCO Document 6.2 Figures 2.6a to g and 2.7 a to c). Opportunities to provide linear belts of trees and shrubs south east towards Bockham Lane have been constrained by the presence of utilities. However, subject to this constraint, opportunities for further specimen tree planting extending along the A20 in this area will be explored during the Detailed Design stage.</p> <p>Planting has already been maximised in this locality within the limited space available (Refer to Environmental Masterplan DCO Document 6.2 Figures 2.6a to g and 2.7 a to c). The linear belt of native tree and shrub planting coupled with specimen trees proposed to the south west of the Link Road will, in combination with planting incorporated into the Stour Park development, help to screen the development from views from the AoNB. It should be noted that the planting proposed for the Stour Park Development is outside of the control and scope of Highways England.</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-026	<p>beauty” (my emphasis added). The nPPG confirms that this Duty of Regard is relevant in considering development proposals that are situated outside of AONBs, but which might have an impact on the setting of, and implementation of the statutory purposes of them (para 003 Ref ID 8-003-20140306).</p> <p>The additional tree planting would also help ensure compliance with several policies of the Kent Downs AONB Management Plan. The national Planning Policy Guidance confirms that Management Plans can be a material consideration in planning decisions and this view is confirmed in previous appeal decisions, including APP/U2235/W/15/3131945, Land west of Ham Lane, Lenham, Maidstone, where at para 48 of the Inspectorate’s decision letter it is confirmed that “the Kent Downs AONB Management Plan April 2014 (the Management Plan) is also a further significant material consideration”. Ensuring compliance with AONB Management Plan policies is one way of ensuring that the S85 Duty of Regard is met.</p> <p>The following policies from the Kent Downs AONB Management Plan are considered particularly relevant:</p> <p>SD10 - Positive measures to mitigate the negative impact of infrastructure and growth on the natural beauty and amenity of the AONB will be supported.</p> <p>SD12 - Transport and infrastructure schemes are expected to avoid the Kent Downs AONB so far as practicable. Essential developments will be expected to fit unobtrusively into the landscape, respect landscape character, be mitigated by sympathetic landscape and design measures and provide environmental compensation by benefits to natural beauty elsewhere in the AONB.</p>	

5. Natural England (REP3-028)

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-028		
028.01	<p>PART I: Summary of Natural England's advice.</p> <p>We have no outstanding matters that are yet to be resolved, and are satisfied with the proposal.</p>	No response required.
028.02	<p>1.1 Purpose and structure of these representations</p> <p>These Written Representations are submitted in pursuance of rule 10(1) of the Infrastructure Planning (Examination Procedure) Rules 2010 ('ExPR') in relation to an application under the Planning Act 2008 for a Development Consent Order ('DCO') for construction of the proposed M20 Junction 10a, Ashford, Kent ('the Project') submitted by Highways England ('the Applicant') to the Secretary of State.</p>	No response required.
028.03	<p>This document comprises an updated detailed statement of Natural England's views, as they have developed in view of the common ground discussions that have taken place with the Applicant to date. These are structured as follows:</p>	No response required.
028.04	<p>2. Conservation designations, features and interests that could be affected by the proposed project</p> <p>The following is a brief summary of the interest features of the relevant designated areas of concern in this matter. Designation citation is included in Annex A.</p>	No response required.

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
028.05	<p>2.1 International conservation designations</p> <p>All relevant Internationally Designated Sites have been considered, and we agree with the conclusion made that the project would have no likely significant effect on these sites.</p>	No response required.
028.06	<p>2.2 National conservation designations</p> <p>Hatch Park Site of Special Scientific Interest (SSSI) 71.8ha</p> <p>This site is of special interest for its unimproved acidic grassland, a scarce habitat in Kent, and its ancient pollard woodlands, the latter supporting the richest epiphytic lichen community in the county. We have been in conversation with the applicant and agree that there is no adverse effect on the SSSI due to air quality.</p>	No response required.
028.07	<p>2.3 European and Nationally Protected Species</p> <p>We have no concerns regarding the above, and have provided detailed advice for all species (dormice, great crested newt, badgers, water voles, bats, reptiles) and have agreed a Letter of No Impediment for dormouse, great crested newt and badger.</p>	No response required.
028.08	<p>2.4 Landscape designations</p> <p>The nearest designated landscape is the Kent Downs Area of Outstanding Natural Beauty (AONB).</p>	No response required.
028.09	<p>3. Natural England's concerns and advice</p> <p>We have no issues, concerns or further advice in relation to the proposal.</p>	No response required.

6. Paul Bartlett (REP3-029)

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
029.01	<p>Kingsford Street/Highfield Lane</p> <p>The J10A scheme will create additional roundabouts and traffic lights for traffic travelling from the A2070 towards Sellenge. Because of the greater time for this journey via the junction, there is expected to be “rat running” via Highfield Lane, Kingsford Street and The Street, Mersham. To avoid additional traffic through the centre of Mersham, KCC has agreed to hold a consultation regarding prohibiting motorised traffic using Highfield Lane. If agreed, a turning circle will be installed at the western end of Kingsford Street to allow large vehicles to turn around at what will now be a dead end. If all goes to plan on the timetable for this work it will be completed by January 2018 when work on J10A works.</p> <p>This work should not be impeded by J10A work in that contractors should be aware of the turning circle, not damage it and not impede its construction if the work is not completed by the time the J10A work starts.</p> <p>It is noteworthy that once the Bellamy Gurner Scheme and Waterbrook development are implemented there will be 6 sets of traffic lights or roundabouts between Finberry and M20, these will stop/delay traffic so the whole design needs to consider the possible rat running to avoid these lights etc.</p> <p>The country lane nature of Kingsford Street, next to the new slip road, should be protected by retaining the existing country</p>	<p>Highways England have been informed by Stour Park Developers that closure of the Kingsford Street work has been included in their section 106 agreement with ABC. Highways England will work closely with Stour Park Developers to ensure that this will be incorporated. Highways England also have been informed by Kent County Council that they will forward fund for closure of the Kingsford Street work and will implement before the opening of the Scheme. They will work with Stour Park Developers to form an agreement.</p> <p>The limited space available along Kingsford Street will necessitate the removal of existing vegetation to allow the construction of the new shared footway/cycleway and noise barrier. A new hedgerow with intermittent trees will form part of the planting design for the area north of Kingsford Street. Proposed native tree and scrub planting will be provided to the rear of the noise barrier, providing screening for the new slip road and the existing M20 corridor. The Environmental Masterplan (DCO Document 6.2, Figures 2.6 a to g and Figures 2.7 a to c) provides full details of the Schemes' proposals. The lighting impacts of the Main and Alternative Schemes are assessed in DCO Document 6.1, Chapter 7. The lighting scheme includes the introduction of low directional LED bollards on Kingsford Street and the new Kingsford Street Footbridge.</p>

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-029	<p>hedge and constructing the footpath behind the hedge. If lighting is necessary on the footpath, it should be low level and discrete. Lighting on the footbridge should be the same.</p>	
029.02	<p>Flooding Risk and Land Contamination</p> <p>It is quite likely that properties near or on the floodplain (e.g. Bridgefield and Finberry) will be at risk of greater flooding due to the changes to the extent of the floodplain from the scheme. This is because part of the Scheme lies in Flood Zone 3a – High Probability. The Scheme must attenuate the risk of flooding at this point and take into account the added complication of runoff water from the Scheme being contaminated with petrol, diesel.</p>	<p>The Flood Risk Assessment (FRA) (DCO Document 6.3, Appendix 14.1) has assessed the flood risk from both the Main and Alternative Schemes. Following receipt of comments from the Environment Agency, the FRA is being updated to assess the effects of the proposed structures within FZ3. This includes flood modelling, to determine the extent of the changes in the flood zone and any mitigation measures required as a result. These mitigation measures will ensure that there will be no increase in flood risk as a result of the Main and Alternative Schemes, in accordance with the NPPF, and the Bridgefield and Finberry properties will therefore not be at greater risk.</p> <p>The proposed drainage design is provided as Appendix 1 to the FRA (DCO Document 6.3, Appendix 14.1), which states that penstocks will be installed upstream of each balancing pond, to allow isolation in case of a spillage incident within the relevant catchment. The penstocks, coupled with road gullies, comprise the necessary surface water pollution prevention measures without the need for interceptors. Discussions are ongoing with the Environment Agency in relation to the detailed design of pollution prevention measures.</p>
029.03	<p>Ambient Noise</p> <p>The noise impact on nearby residents needs to be mitigated. The current junction causes residents of Highfield Estate to suffer from the noise of Lorries moving slowly to the J10 in a low gear as J10 is at the top of an incline.</p> <p>There is also the very important question of the gradient of the link road between J10A and the A2070 along which there will</p>	<p>Noise impacts are assessed in the Environmental Statement (DCO Document 6.1, Chapter 11; Noise and Vibration), which indicates that there would be a reduction in noise on the A2070 on the approach to Junction 10.</p> <p>There will be no signalised junction between M20 J10a and new A2070 Link Road Roundabout. For proposed gradient on A2070 Link Road please see Engineering Section Drawing No.</p>

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-029	<p>be at least one set of traffic lights at the entrance to the U19 development, unless the gradient of this road is constant along its route residents on Kingsford Street be faced with the same noise pollution as the Highfield residents currently suffer as lorries move off onto the roundabout on a slope.</p> <p>Similar issues arise on the exit for traffic from Folkestone leaving the motorway as it slows on the approach to the new J10A roundabout. There needs to be sufficient noise attenuation for the properties in Kingsford Street because the dip in the landscape between the exit and the houses – it is a very open vista and noise needs to be minimised. We should ensure there is adequate landscaping for the sound barriers on the new slip road.</p> <p>Low noise road surface should be used throughout the scheme and as widely as possible on the approach roads and the M20 through Willesborough. The opportunity to do the work at the same time of the Junction should be taken as it is HE intention to use low road surface on all its roads by 2022 so the work will be done eventually and should be completed during construction.</p>	<p>HA514442-MMGJV-GENSMW- DE-Z-2911 the gradient is constant through A2070. It is anticipated that use of roundabouts instead of signal controlled junctions will help offset any disturbance from stop-start traffic.</p> <p>A noise barrier is proposed between Kingsford Street and the M20, providing screening for the existing properties along Kingsford Street from the Schemes and the existing M20 corridor. A new hedgerow with intermittent trees will form part of the planting design for the area between the new noise barrier and Kingsford Street, softening the potential visual impact of the barrier. The proposed native tree and scrub planting will be provided to the rear of the noise barrier and to the south of the new Junction10a, providing additional screening for the existing properties along Kingsford Street from the Schemes and the existing M20 corridor. The Environmental Masterplan (DCO Document 6.2, Figures 2.6 a to g) provides details of the proposed noise barrier and screening planting in this location.</p> <p>A thin surface course, which has noise benefits over conventional hot rolled asphalt, will be used throughout the Schemes, with the exception of the A20, where Kent County Council has requested that hot rolled asphalt be used.</p>
029.04	<p>A20 between J10 and J10A</p> <p>There is concern over the section of A20 between J10 and J10A, which inevitably will have more HGV movements, along a narrow section of road, with roundabouts and exits to the hospice and also to a new housing development proposed north of the A20. This traffic is additionally exacerbated by the potential development of U14. Responsibility of this section should be with HE who must use the low noise surface referred to above.</p>	<p>Highways England will not take on the maintenance responsibility for the maintenance of the Swatfield Bridge and this part of the A20.</p> <p>Highways England acknowledges that local traffic will use the A20 in preference if this is perceived as being a quicker route. The traffic numbers are expected to be relatively small; the traffic model forecasts this to be in the order of 5 to 10 vehicles an hour. Please refer to Chapter 6, para 6.5.36 of the Consultation Report for further details. The main traffic travelling east towards Dover or west towards London will be</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-029		<p>directed through new A2070 Link Road and new M20 J10a. A20 will be signed as a local road. Please see our Signing Strategy document (Volume 7, 7.5 Signing Strategy) for the detailed information about our signing strategy for the existing M20 J10 and new M20 J10a.</p> <p>Highways England will not trunk the A20 Hythe Road between M20 J10 and M20 J10a for the following reasons:</p> <ol style="list-style-type: none"> 1. Traffic modelling (PP.56-57 on the published TAR) clearly shows a significant reduction of traffic flows on this section with the new J10a (remarkable for northbound/westbound vehicles). This confirms that the traffic using this section would be mainly local traffic with local destinations (i.e. Tesco, William Harvey Hospital, Ashford centre to/from south-eastern area of A20). Therefore this would not fully align to the objectives of Highways England Strategic Road Network; 2. There will be a cost to Highways England to upgrade the assets to the appropriate standards; 3. This will mean changes to Service Provider contracts as it is an increase in responsibility.
029.05	<p>Pollution</p> <p>The additional traffic, much stationary at the various roundabouts and traffic lights will increase air pollutants. There will need to be monitoring of NO2 is required at J10A and nearby sites. In addition, the site is within 0.3 miles of the William Harvey Hospital and 0.1 miles to the Hospice, given the impact that particulates can have on public health a cautionary approach on this issue is required.</p>	<p>The traffic effects of the Schemes upon air quality are assessed in full and presented in DCO Document ES 6.1 - Chapter 5 – Air Quality. The assessment demonstrates that there are no significant air quality effects associated with either the Main or the Alternative Schemes.</p> <p>There is no proposal at this time to undertake any additional air quality monitoring. The reasons for this are:</p>

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-029	<p>It would be appropriate for HE to undertake continuous monitoring of NO2 in order to confirm whether increases in concentrations associated with the proposed development are acceptable. It is worth reminding ourselves that WHH has an amber warning in respect of CO2.</p> <p>Furthermore, the proposed uses of Stour Park and part of the development on Waterbrook are expected to be warehouses. Warehouses significantly impact public health due to particulate pollution emitted by the lorries that supply the industry, in particular this arises from the concentration and proximity of diesel trucks and idling engines near to warehouse sites.</p>	<p>a) The assessment concludes that the Schemes result in neither a significant air quality effect nor does it affect the UK's reported ability to comply with the Air Quality Directive. Consequently the Schemes are compliant with the National Planning Statement for National Networks and do not need any mitigation measures nor any air quality monitoring.</p> <p>b) There is existing monitoring collected by Ashford Borough Council, which is already notably below the UK AQ objective for annual mean NO2.</p> <p>It is the responsibility of the Stour Park development to assess the impacts from their development on air quality</p>
029.06	<p>Barrey Road</p> <p>The junction of Barrey Road and the A2070 has long been badly in need of upgrading to traffic lights or a roundabout. There have been a good number of accidents where slow moving traffic joins fast moving traffic.</p> <p>KCC and ABC are attempting to develop a solution, perhaps by seeking access to Local Growth Funding to reinstate the traffic lights that were removed from the J10A scheme in August 2015 to achieve a satisfactory Benefit Cost Ratio. It is very important that this work is not hampered by the J10A scheme as the proposals develop. Whatever solution is found for this junction must not be hampered or prevented from being implemented by the J10A scheme and the who control the A2070</p>	<p>Highways England understand concern regarding the Barrey Road exit onto the A2070, we notice that a number of residents have raised similar concerns in the relevant representations.</p> <p>The last traffic assessment of the Barrey Road Junction was done prior to 2013 when permission to occupy the empty units in the Ashford Retail Park was given, and at that time it was indicated that there would be a negligible impact on traffic overall. Therefore before the Scheme starts Highways England Area 4 have already put in place enhancements to the A2070 and Barrey Road by improving signage and visibility at the junction, and we will be reducing the speed limit to 40mph on Bad Munstereifel Road and re-routing traffic for right hand turns around the link road roundabout as part of the Scheme.</p> <p>Any subsequent amendment to this junction would require a Traffic Assessment of the Ashford Retail park and residential traffic impact to be initiated by the local network authority at the request of local stakeholders, which is not part of the Scheme</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-029		<p>as Highways England Major Projects deals with Nationally Significant Infrastructure (NSIP) Construction.</p> <p>Furthermore after a meeting on 30 November 2016 with Local Authorities and local businesses further discussions between Highways England Area4 Spatial Planning and Kent County Council were planned, and they are currently on-going, to resolve any existing traffic issue ahead of the Scheme, which is supporting the discussion by providing the relevant data and additional traffic surveys.</p> <p>The Scheme has always included improvements to the bellmouth of Barrey Road and a small left hand turn lane off the A2070.</p>
029.07	<p>Access to WHH</p> <p>The access to the William Harvey Hospital from Mersham and Sellindge will be hampered by the new road layout as car journeys will have to cross two big roundabouts and associated traffic lights at new J10A and old J10 to traverse. This will add over 250m to journey length and will add time to those seeking to get to the hospital.</p> <p>For similar reasons it is important that the access to the WHH from London is signed at J10 so traffic from West Kent can more quickly access the hospital. This is of particular importance as WHH has plans to take more patients from West Kent in its new 5 year Business Plan. Without adequate signage the exit at J10 journey distances to the Hospital will increase by over 500m.</p> <p>HE need to explain how traffic exiting the M20 will be segregated so that only traffic heading to Willesborough leaves at J10 and that all other traffic (such as that heading to Finberry</p>	<p>Traffic travelling M20 Eastbound will be directed to William Harvey Hospital (WHH) via M20 J10.</p> <p>Traffic travelling M20 Westbound will be directed to use new M20 J10a and A20 for the WHH. There will be additional signs for WHH added on the new A2070 Link Road so road users can use either A20 or A2070 for the WHH.</p> <p>Traffic travelling Northbound on existing A2070 will be directed towards M20 J10 for the William Harvey Hospital.</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-029	<p>/ South Willlesborough) leaves at J10A. This will ensure that J10 will be left just for servicing local traffic including the WHH.</p> <p>How is access to WHH going to be controlled once the application for new access route as part of 16/01722/AS is implanted? Will this be via J10 or J10A?</p>	
029.08	<p>Great Crested Newt Relocation</p> <p>Just one site has been identified to the east of Highfield Lane to relocate GCN who are on the area proposed for J10A. This is a very small area and the location is a single pond. This is not appropriate for correct diversification and possibility of growing numbers of GCNs. HE should create a much larger site for GCN, a complex of two or three ponds at the site identified.</p>	<p>The GCN mitigation has been designed in consultation with Natural England and is shown in the Environmental Masterplan in DCO Document 6.2, Figures 2.6a to g and Figures 2.7 a to c. No ponds used by GCN would be affected by the Schemes, therefore the location and scale of the proposed receptor area is considered proportionate and adequate. A Letter of No Impediment has been received from Natural England, indicating its agreement with Highways England's proposed approach to GCN relocation.</p>
029.09	<p>Parking during Construction</p> <p>During construction of J10A there will be a large number of workers on site. HE and the Contractor needs to ensure that adequate parking is provided on site. There are a number of large employers locally (notably the William Harvey) and there are considerable difficulties for residents when workers park on-street preventing access of residents to parking. This problem must not be added to by the construction.</p>	<p>Traffic and Transport Management Plan document will cover the parking arrangements. It is anticipated that parking spaces for construction workers would be provided in the site compound area.</p>

7. River Stour (Kent) International Drainage Board (REP3-030)

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-030	<p>030.01</p> <p>As stated during the initial stages of consultation in relation to the above, the site of this development proposal is partly within the River Stour (Kent) Internal Drainage Board’s district and as such, any works likely to affect any ordinary watercourse may require the Board’s prior written consent. Any works affecting any ordinary watercourse outside of the IDB district will require the prior written consent of Kent County Council. I can however confirm that there are no IDB adopted (maintained) watercourses which would be directly affected by the proposal and it would appear from the information available that there are in fact no ordinary watercourses likely to be affected.</p> <p>The only watercourse affected appears to be the Aylesford Stream, which is designated as Main River and therefore under the jurisdiction of the Environment Agency. I would therefore expect the Environment Agency, along with Kent County Council and Ashford Borough Council, to adequately cover local drainage and flood risk interests. I am however concerned to note that the requirements for formal consents under Section 23 of the Land Drainage Act and local Byelaws made under Section 66 of this Act are proposed to be dis-applied. I do not consider disapplication of these consent requirements to be necessary or appropriate in this instance.</p> <p>In order to fully understand the likely implications of the proposed dis-applications, the applicant (copied in to this email) should provide clarification of all watercourses within the</p>	<p>Discussions regarding the potential disapplication of legislation within the dDCO are ongoing with the Environment Agency.</p> <p>Watercourses within the site boundary are shown in DCO Document 6.2, Figure 14.1.</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-030	site boundary and any works which have the potential to affect them.	

8. Southern Gas Networks Plc (REP3-031)

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-031	<p>031.01 We write further to the representation lodged electronically 3 October 2016.</p> <p>We understand that Highways England (“Highways”) is in the process of applying for a Development Consent Order under the Planning Act 2008 entitled ‘M20 Junction 10a Development Consent Order’ (“the Order”). The Order would enable Highways to acquire rights in land to construct various works and exercise powers for the purposes of, and in connection with, the construction, operation and maintenance of the works proposed to be authorised by the Order, namely a new road junction on the M20 (“the Works”).</p> <p>Southern Gas Networks PLC (“SGN”) manages a network of apparatus that is used to distribute natural and green gas to 5.8 million homes and businesses across Scotland and the south of England. SGN are responsible for the safe and reliable operation of the said network, including gas mains that are located under a parcel of land adjacent to Hythe Road Sevington and which are shown on the plan enclosed with this letter (“the Existing Utility”). SGN is keen to ensure that their gas network, and in particular the Existing Utility, are not adversely impacted by the implementation of the Order or the carrying out of the Works.</p> <p>SGN is prepared to discuss the terms of the Order with Highways but at this stage wish to emphasise that their</p>	<p>The Statement of Common Ground between Highways England and SGN will be finalised and submitted to SGN for final review.</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-031	<p>agreement will only be provided if Highways can offer assurances that the safety and integrity of SGN's gas network will not be compromised by the Order or the Works. SGN have provided an Agreement for Highways to Graeme Smith SWECO 6 September 2016 to be signed prior to the implementation of the Order. SGN have also requested amendments to the Statement of Common Ground provided by Graeme Smith and are awaiting a response.</p> <p>Please note that SGN expect Highways to take all necessary measures to ensure that the Existing Utility is properly protected prior to the implementation of the Order and the carrying out of the Works. Please be advised that such protection works are likely to extend to the need for SGN to divert the Existing Utility and as such SGN expect Highways to obtain all the necessary land, and ancillary rights, that SGN may require in order to carry out such diversionary works.</p>	

9. The Trustees of the Henderson UK Retail Warehouse Fund (REP3-033)

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-033 033.01	<p>I act on behalf of the Trustees of the Henderson UK Retail Warehouse Fund which is the owner of the Ashford Retail Park located on Barrey Road in Ashford, Kent. Part of my client's land has been included as plot 3/15/a in the Development Consent Order application for M20 Junction 10a. The plot has been identified for compulsory acquisition.</p> <p>The land which has been identified for compulsory acquisition is in active commercial use. Part of the plot forms part of Unit A of the Retail Park which is a retail warehouse and garden centre leased to B&M Bargain Stores. The area in question is an external area comprising the garden centre. Another part of the plot houses an electricity substation which serves the units on the south side of the retail park.</p> <p>My client opposes the compulsory acquisition of its land interest due to the impact it will have on the garden centre and the substation. As an owner of land included for compulsory acquisition my client should have been consulted prior to the submission of the application. My client is not aware that any consultation took place and the earliest contact from the applicant was an email from Deborah Hagarth-Dodd of Highways England of 23 September 2016 seeking to progress discussions regarding the acquisition of the plot. This contact was after the application which was submitted on 19 July 2016.</p>	<p>The plot of land 3/15/a is required as described in the Statement of Reasons. Highways England require a small area of land which is located between the back of the Barrey Road footway and the green metal boundary fence to the adjacent business. See photo below. This area is currently planted with trees and vegetation. This strip of land does not impact on the operation of the business unit and substation which is in a car park away from this plot.</p> <p>As part of the consultation process for this scheme Highways England wrote to Ashford Nominee 1 Ltd, C/O Henderson Global Investors and business units 1 and 2 at the retail park 8 January 2016 and 29 March 2016 to inform them of the scheme and invite them to comment on the proposals.</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-033	<p>The Statement of Reasons states that plot 3/15/a is required for “Work No. 9 – Alteration works to Barrey Road”. It is not clear why the acquisition of my client’s land is required to achieve these alteration works. The Scheme proposals could be achieved without the permanent acquisition of my client’s land or potentially by acquiring a smaller area. In particular, the land on the opposite side of Barrey Road comprises vacant open land which is not occupied or in beneficial use and could be used to undertake the Barrey Road alteration works without causing disruption to a commercial concern. We are of the view that the land take requirements of the Scheme should be altered to avoid the acquisition of the areas of land which are currently leased to a commercial occupier and used as an electricity substation where there is a less intrusive and viable alternative option. This would enable the Scheme objectives to be achieved in this location with minimal disruption which should in turn reduce the compensation burden on the applicant.</p> <p>We also note that plot 3/14/d has been included for compulsory acquisition and plot 3/14/c has been included for temporary use. Both of these plots span the full width of Barrey Road which is the primary access into the retail park, and the only access which avoids residential streets. My client is concerned about any potential adverse impact on this access, either permanent or temporary, which could have a significantly detrimental effect on the operation of the entire retail park.</p> <p>My client hereby notifies the Examining Authority that it would like to speak at a Compulsory Acquisition Hearing.</p>	

10. Village Alliance (REP3-034)

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
034.01	<p>Capacity of Junction10 and Junction10a</p> <p>Firstly I would like to draw your attention to the reason for building a new junction, J10a.</p> <p>There are long queues daily from cars trying to join junction 10. These problems are exacerbated when the traffic lights fail to work properly. As this is a gateway to Europe it has also been affected by cross channel industrial disputes or break downs in the cross channel service causing traffic to queue back to J9-10.</p> <p>To solve these issues a new junction to the east of Ashford was proposed. This would increase the capacity on the local road network future proofing the area for the next 10 years. It also allows development of a raft of areas whose development has been restricted because J10 has reached its maximum capacity. Thus there has to be enough capacity built into the junction 10a design to ensure 'stresses' do not occur until 2030, even once all the planned development takes place.</p> <p>During meeting the solicitor for the church commissioners stated that HE has been working with them and even just their one development will 'stress' the new junction. Yet we have been told numerous times the increased use of the junction by the new developments cannot be measured.</p>	<p>Our tests have shown that it works acceptably in 2033 with the level of development assumed.</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-034	<p>There are two proposals being considered, one includes a purpose built junction to a new transport hub that will allow hundreds of vehicles to exit onto the new link road directly to J10a. The impact of this development must be considered and the stress on the current J10a included in the inspectorates decision.</p>	
034.02	<p>Impact on local infrastructure</p> <p>HE are concerned with the national road network. However, J10 and J10a are critical points in a local network. When superimposing a new motorway junction onto an existing network care needs to be taken not to create or increase other problems. Other speakers have mentioned the impact on the Barrey Road junction. This problem needs to be solved as part of the overall improved flow of local traffic remit.</p> <p>When there are problems at J10 people try to find alternate routes around it. The most obvious of these is Church Road, Highfield Lane and then onto the A20. However the new junction will remove access to the A20 forcing cars along a narrow lane, Kingsford Street and into Mersham village.</p> <p>There are some photographs and a map attached to the submission. The map shows the route 'rat runners' will be forced to take. The photographs are taken when cars cannot flow at J10 and Highfield Lane becomes blocked. Another problem is Lorry drivers not being aware that they cannot turn or reverse once they have entered Kingsford Street. This image shows how narrow Kingsford Street is.</p> <p>The issues will be addressed by KCC but HE should also consider them as these rat runs should be closed before development starts and a turning circle created to release trapped vehicles. Although this may frustrate some users it will</p>	<p>Highways England understand concern regarding the Barrey Road exit onto the A2070, we notice that a number of residents have raised similar concerns in the relevant representations.</p> <p>The last traffic assessment of the Barrey Road Junction was done prior to 2013 when permission to occupy the empty units in the Ashford Retail Park was given, and at that time it was indicated that there would be a negligible impact on traffic overall. Therefore before the Scheme starts Highways England Area 4 have already put in place enhancements to the A2070 and Barrey Road by improving signage and visibility at the junction, and we will be reducing the speed limit to 40mph on Bad Munstereifel Road and re-routing traffic for right hand turns around the link road roundabout as part of the Scheme.</p> <p>Any subsequent amendment to this junction would require a Traffic Assessment of the Ashford Retail park and residential traffic impact to be initiated by the local network authority at the request of local stakeholders, which is not part of the Scheme as Highways England Major Projects deals with Nationally Significant Infrastructure (NSIP) Construction.</p> <p>Furthermore after a meeting on 30 November 2016 with Local Authorities and local businesses further discussions between Highways England Area4 Spatial Planning and Kent County Council were planned, and they are currently on-going, to resolve any existing traffic issue ahead of the Scheme, which is</p>

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-034	<p>be safer for the majority. Minimising delays to local traffic during construction is also an imperative.</p>	<p>supporting the discussion by providing the relevant data and additional traffic surveys.</p> <p>Highways England have been informed by Stour Park Developers that closure of the Kingsford Street work has been included in their section 106 agreement with ABC. Highways England will work closely with Stour Park Developers to ensure that this will be incorporated. Highways England also have been informed by Kent County Council that they will forward fund for closure of the Kingsford Street work and will implement before the opening of the Scheme. They will work with Stour Park Developers to form an agreement.</p>
034.03	<p>Kingsford Street impact</p> <p>J10a will impact this road; it will bear the full brunt of the noise from the elevated link road, roundabout and the traffic slowing as it queues to come off of the slip roads. It will also be subjected to light and air pollution. The proposal for a footbridge across the M20 joining the A20 with Kingsford Street will also impact the street.</p> <p>There is an effort to ‘improve’ this rural lane by ‘neatening’ it, to do this the proposals are to remove the established natural hedges and replace them with a barrier. This is not what residents want, this is a rural area and should remain so even once the junction is built.</p> <p>Mersham village already has a ‘behind the hedge’ path along The Street where it accesses the A20. This works very well as it ensures separation of vehicles and pedestrians; low-level lighting also protects the environment from pollution. This is the preferred blueprint for the Kingsford Street path.</p> <p>Kingsford Street is an established bat foraging route and as such it’s integrity should be preserved. Retaining this natural</p>	<p>The limited space available along Kingsford Street will necessitate the removal of existing vegetation to allow the construction of the proposed M20 Junction 10a off-slip, and the new shared footway/cycleway and noise barrier along Kingsford Street. A new hedgerow with intermittent trees will form part of the planting design for the area between the new noise barrier and Kingsford Street, softening the potential visual impact of the barrier. Additional proposed native tree and scrub planting will be provided to the rear of the noise barrier and to the south of the new Junction10a, providing screening for the existing properties along Kingsford Street from the Schemes and the existing M20 corridor. The Environmental Masterplan (DCO Document 6.2, Figures 2.6 a to g) provides details of the proposed screening planting in this location.</p> <p>The operational lighting impacts of the Main and Alternative Schemes are assessed in the Environmental Statement (ES) (DCO Document 6.1) in Chapter 7 and Chapter 8. The lighting scheme includes the introduction of low directional LED bollards on Kingsford Street.</p>

PINS Ref. REP3-034	Written Representation	Response from Highways England (the Applicant)
	<p>link with the areas designated for environmental mitigation will be a benefit. The visual amenity of a tree-hung lane should not be underestimated. To prevent noise pollution a stark sound barrier is proposed. To prevent people being faced with a wall, this should be softened by retaining or introducing planting of a native hedge on the village side of the barrier. This could be included in the “behind the hedge’ path.</p> <p>Recent NICE draft guidelines have identified breaking and the idling of engines as producing the most harmful emissions. To mitigate this, the report suggests vegetation should be used. Thus there should be dense planting between residents and the link road, the roundabouts, the motorway junction slip roads and alongside the Kingsford Street path. The existing plans do not have enough planting to the south of the development.</p>	<p>The impact of the scheme on bats is assessed in DCO Document 6.1, Chapter 8; Nature Conservation. This assessment predicted that the Schemes would result in an overall Slight Beneficial residual effect in the long term once the habitats have become established. The loss of vegetation along Kingsford Street would be offset by the creation of additional habitat (3 balancing ponds; 14.19ha of grassland; and 4.89ha of tree, scrub and woodland habitats) and the provision of bat boxes.</p>
034.04	<p>Noise</p> <p>The diagram showing noise contours suggest a significant increase in noise to the north East of the junction. However, there are concerns that the sound will sweep across farmland to the South East of the junction towards Sevington and Mersham Villages. Thus they will experience similar noise levels to those on the Willlesborough side of the bypass.</p> <p>At present there is a very narrow area (line) of environmental mitigation along side the link road and behind the houses along Kingsford Street. (This is for dormice protection.) To protect the villages from excessive noise this should be significantly widened and planted. A greater area given over to environmental mitigation will reduce the impact on the wider rural landscape to the south east of the development.</p> <p>The planting schemes show they will take 15 years to reach maturity this means the surrounding area will have a decade</p>	<p>Noise impacts were assessed in the Environmental Statement (DCO Document 6.1, Chapter 11; Noise and Vibration). The noise changes shown on the noise contour maps (DCO Document 6.2, Figures. 11.2,11.3, 11.6 and 11.7) in the locations identified in the Written Representation are caused by predicted changes in relatively low traffic flows and are confined to a relatively small corridor of varying width. Any increase in noise levels to the north east of the new Junction 10a will not significantly adversely affect properties to the south of the M20 due to the predominant influence of existing traffic noise from the M20.</p> <p>Planting has already been maximised in this locality within the limited space available (Refer to Environmental Masterplan DCO Document 6.2 Figures 2.6a to g and 2.7 a to c) and additional planting along Kingsford Street is unlikely to provide further noise attenuation beyond that provided by the acoustic barrier.</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-034	suffering from pollution. Please consider planting more mature trees and some rapidly growing varieties that can be removed once other species have reached maturity.	
034.05	<p>Safety</p> <p>We have serious concerns about the safety on the London bound M20. There is a bend in the motorway; where the footbridge will be sited. There are numerous crashes at this point, mostly where drivers crash into the central reservation then over compensate and hit the banks alongside the hard shoulder. The 'one mile to the junction' sign has a different coloured lower part, replaced when a lorry hit it. In October 2015 a wagon driver was killed as his truck rolled onto the exact spot you are putting the slip roads off at J10a. This issue needs to be considered as a priority.</p>	<p>Collisions were reviewed as part of the design process, by examining STATS19 collision data.</p> <p>The latest five years data available at the time of the design was 1.1.2010 to 31.12.14, as there is a lag in the availability of STATS19 data (of often up at a full year).</p> <p>In the analysis three collisions were identified over approximately 200 metre distance on the M20 northbound carriageway, in the vicinity of the start of the new off slip in the five-year period reviewed:</p> <p>Collision 1: Single motorcycle lost control after hitting pot hole.</p> <p>Collision 2: Single car lost control travelling on wet road.</p> <p>Collision 3: Multiple vehicle shunt collision in roadworks, due to goods vehicle driver failing to look and see queue forming ahead.</p> <p>No patterns or trends were found in the analysis of these three collisions.</p>
034.06	<p>Personal visit</p> <p>In your statement you state you will make some personal site visits. The safety aspects mentioned can be best understood when you are actually travelling on the inside lane of the M20 towards London. I implore you to drive the 5 miles to J11 and back to experience what a traveller on the M20 sees. From the inside lane of the carriageway you would not see traffic</p>	No response needed.

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-034	<p>queuing on the motorway, as this currently occurs at J10 lights, this should be factored into the new junction design. (see photograph) Also bear in mind travellers at the slip road and new link road will be looking directly into the sun, both at sunset and sunrise. This results in drivers being blinded even if temporarily. If the alternative scheme is used they could be facing a constant stream of lorries exiting the distribution hub 24 hours a day.</p>	
034.07	<p>Construction</p> <p>This is a peaceful rural area. Noise travels over the farmland for long distances so night time construction should be restricted to ensure people can sleep. This is especially true of the Pilgrims Hospice, which is very close to the new J10a. Dust and other construction pollution should be kept to a minimum to stop them impacting on the people closest to the construction sites. Compensation packages should be offered, as soon as possible, to those whose homes and businesses will be adversely affected, particularly those employed at the garden centre site and Highfield bungalow, to enable them to find alternative sites.</p>	<p>Night time construction will be limited to activities which cannot be carried out safely during the day.</p> <p>Noise impacts on the Pilgrim's Hospice were assessed in DCO Document 6.1, Chapter 11; Noise and Vibration. This assessment concluded that levels of noise from the A20 once the Scheme is in place are expected to reduce. Highways England has also incorporated an acoustic bund 2m high to the rear of Summerhill Place, adjacent to the M20 junction 10a eastbound off-slip.</p> <p>The environmental impacts of the Main and Alternative Schemes, including lighting, noise and air pollution during and after construction, have been fully assessed in DCO Document 6.1; Environmental Statement. Construction phase impacts will be mitigated through the implementation of the Construction Environmental Management Plan agreed with relevant authorities. Operational impacts will be mitigated through the Environmental Masterplan proposals (DCO Document 6.2, Figure 2.6f) including the use of thin surface course (low noise) surfacing and noise bunds/barriers (DCO Document 6.2, Chapter 11, Paragraph 11.7.2).</p> <p>All affected persons (including Wyevale Garden Centre, Highfield Bungalow) has been issued with compulsory</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-034		purchase and compensation documents, please see Highways England compensation documents for details.

11. North Willlesborough Community Forum (REP3-039)

PINS Ref.	Written Representation	Response from Highways England (the Applicant)
039.01	<p>Local Issues</p> <p>Like most communities, North Willlesborough likes things just the way they are and would prefer no change. However, we realise that change is inevitable, and sometimes actually beneficial to the community. In this case, however, we are concerned that the new J10a scheme will actually make things worse.</p> <p>Our concern here is that HE is responsible only for England's strategic road network, i.e. motorways and major A roads, and that the scheme will be built for the benefit of long-distance travellers, at the expense of local road users.</p> <p>During our discussions with HE we talked briefly about their cost/benefit modelling and how results can be skewed by the weightings applied to different factors and groups. HE assured us that local users were taken into consideration but we remain sceptical.</p> <p>In the case of this scheme, ignoring local users will be self-defeating, given that it is the locals who will use (and be inconvenienced by) the scheme most. For example:</p>	<p>Agreed that this is likely from villages such as Mersham, Smeeth etc. but it would not adversely affect their travel time significantly to negotiate J10A. Also, with lower traffic flows expected on the A20 between J10 and J10A there could be some slight time savings for some journeys in that respect.</p> <p>The reduction in speed limit proposed for the A2070 to 40mph, the additional junction and the developments along it will mean that the road environment of the A2070 will change but it will remain a trunk road. Irrespective of this, and without the new junction and revised routing arrangements, additional congestion can be expected, simply through the forecast increase in general traffic growth.</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-039	<ul style="list-style-type: none"> • The Junction 10a roundabout will be used by residents of all the villages east of J10a simply to get to Tesco. • The A2070 will become a local road (rather than a trunk road) following the development of Stour Park, Waterbrook and Finberry. <p>We are concerned that the scheme will not service the needs of local people.</p>	
039.02	<p>Consultation</p> <p>NWCF engaged quite strongly with HE during the Consultation phase:</p> <ul style="list-style-type: none"> • Salvatore Zappala of HE presented the scheme at our Open Meeting on the 10th February 2016. The presentation prompted some lively debate and some interesting counter proposals. • We held a follow-up drop-in workshop on the 9th March 2016 for residents to discuss the scheme in detail with Salvatore Zappala. Alternative ideas were also presented for discussion. • We provided extensive written responses to both the initial consultation, ending March 2016, and the additional consultation, ending May 2016. (We cannot find a copy of our consultation responses in the documents.) <p>Not all of our consultation responses are included in the Table D 1-3 Section 47 non-statutory stakeholder responses in document 5.5 Consultation Report Appendix D. Our other responses concerned:</p> <ul style="list-style-type: none"> • A20 Junction 10a bypass. • Traffic capacity on the A20 between Junctions 10 and 10a. 	<p>These issues have been addressed as part of our response to the Relevant Representations. Please see Comments on Relevant Representations (Rep3-017) submitted at deadline 3.</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-039	<ul style="list-style-type: none"> • Retention of the Junction 10 eastbound sliproad to connect with Junction 10a. For the above we received responses from HE in meetings following the consultation. For the following we received no response so these are described again within this document: • Enhancements to the A2070 Roundabout • Traffic Modelling. • Public Transport. <p>We are concerned that the applicant documents do not fully cover the consultation phase so far as NWCF is concerned.</p>	
039.03	<p>The A2070 Roundabout</p> <p>We mentioned this in our consultation responses but received no feedback on it from HE, so are repeating our case here. It concerns the bypass lanes (see diagram below).</p> <p><i>(Highways England – This figure can be found in Appendix B Figure 11.1)</i></p> <p>A. The southwestern bypass lane makes sense.</p> <p>B. We are concerned about the northbound bypass lane - whilst useful for traffic heading to Willesborough and Kennington (via J10) it will also encourage London bound M20 drivers to use J10/Hythe Road, rather than J10a, no matter what the signage says. Also, traffic using this bypass lane will be unlikely to slow down, making it more difficult for traffic to exit Barrey Road and cross lanes to either go to J10a or southbound (unless the Barrey Road junction is signalised).</p> <p>C. Since the purpose of the link road is to link Junctions 10 and 10a we believe that the roundabout should have an eastbound bypass lane (shown in dark grey in the diagram), thereby</p>	<p>The proposed roundabout is designed to accommodate predicted traffic flows from the traffic modelling undertaken and this is reflected in the free flow lanes provided. A free flow lane between J10 and J10a is not required due to low traffic flows in that direction.</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-039	<p>facilitating and encouraging traffic flow from J10 to J10a via the link road (rather than the A20).</p> <p>We believe that this aspect of the design should be revisited.</p>	
039.04	<p>Traffic Modelling</p> <p>During the consultation period there were some interesting conversations where HE's answer was "but our traffic modelling shows that it will work". In the March-May 2016 consultation we were finally given some figures (figs 7.1 and 7.2 in the Transport Assessment Report) which, upon scrutiny, threw up some anomalies. We commented on these in our May 2016 response but received no clear response from HE. We have now examined some of the data submitted to EXA and find one of the anomalies highlighted to HE last May is still present.</p> <p>In our consultation response in May 2016 we observed that the figures showed that traffic to and from the Folkestone direction was nowhere near equal, even if it switched between the A20 and the M20:</p> <p><i>(Highways England – This table can be found in Appendix A Table 11.1)</i></p> <p>We therefore checked the figures on Table 1.6 in Volume 6.3, Appendix 5.3, Summary of Traffic Changes (TR010006-000310-M20_J10a_6.3_App_5.3.pdf) using the Figure ID's on drawing Figure 5.10B: Summary of Traffic Data (TR010006-000230-M20_J10a_6.2_Fig_5.10B.pdf).</p> <p>For the M20 Only:</p> <p><i>(Highways England – This table can be found in Appendix A Table 11.2)</i></p>	<p>This apparent imbalance is a consequence of how the 16hr, 18hr and 24hr future year annual average daily traffic (AADT) flows are estimated from the modelled 12hr flows (which are in turn made up of modelled AM, interpeak and PM flows summed).</p> <p>Long-term traffic counts on the M20 show that over 24hr, the AADT flows in each direction balance quite closely at approximately 25,000vpd. However over 12hr, they show a directional imbalance of the order of 1,500 vehicles, being higher south-east-bound. This characteristic is represented well in the 2014 (base year) modelling.</p> <p>Using this observed information, averaged over many locations around Ashford, factors were derived to convert the 12hr flows to 16, 18 and 24hr flows as required for environmental purposes – this is usual practice.</p> <p>To estimate the 2018, 2023 and 2033 16, 18 and 24hr future flows from the 12hr modelled forecasts, these factors were then applied universally. Since there is an imbalance in the 12hr flows on the M20, it is therefore carried forward into the expanded flow estimates. This does not occur on the A20, which has more balanced directional flows.</p> <p>While it is acknowledged that such approximations can be a consequence of this approach, it is not practicable to estimate these factors individually by road type, area, direction etc. More importantly, the environmental results that are based on these figures largely use the flow differences between the With and Without scheme cases. These would both be affected equally</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-039	<p>This shows 2099 vehicles per day going in the Folkestone direction and not coming back.</p> <p>As we did in April 2016, we then checked the A20 figures, as it could be that the 2099 returned via the A20. This was a bit trickier because there are 2 Figure ID's (55 and 60) for the A20 in the corresponding stretch, and it was also not immediately clear which numbers related to which direction. In the end, however, we deduced the following:</p> <p><i>(Highways England – This table can be found in Appendix A Table 11.3)</i></p> <p>i.e., these are the same figures we were given in April 2016, showing 2,614 eastbound vehicles (8%) never come back.</p> <p>We were not able to check the other anomaly we found in May 2016 as we can find no Figure ID for that stretch of road (A2070 north of Junction 10).</p> <p>Document 7.2 (Transport Assessment Report) provides a good narrative of the traffic data collection and modelling processes - it's a shame this was not available to us during the consultation phase as it would have formed the basis of discussions which may have resolved some of the issues and questions still in the air. We feel that HE missed an opportunity here but hope that the EXA will be able to obtain satisfactory answers to our concerns.</p> <p>We are concerned that the traffic modelling figures and processes, upon which much of the justification for the scheme hangs, are flawed.</p>	<p>by this imbalance, which would certainly reduce the effect of this inaccuracy on M20. Also, for Air Quality, corrections for such inaccuracies (derived from observed receptor data) are applied locally to further improve the estimates.</p>
039.05	<p>Public Transport</p> <p>The Scheme makes no provision for public transport - section 5.5 of volume 7.2 (Transport Assessment Report) simply</p>	<p>Please see KCC response to ExA FWQ 1.10 in which KCC state that they are satisfied that every effort has been made to</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-039	<p>describes the status quo. There are two places where such provision is essential and which should be included in the Scheme:</p> <p>Barrey Road - The Barrey Road estate is partly retail so both workers and shoppers need access by public transport; there are two alternatives:</p> <ul style="list-style-type: none"> • With a signalised junction providing a right hand turn onto the A2070 a bus stop could be provided on the Barrey Road estate as buses would have full access. • If a signalised junction providing a right hand turn onto the A2070 is not provided there will need to be bus stops on the A2070 with a pedestrian crossing/footbridge (the Church Road footbridge is too far away). <p>Stour Park - The projection is that Stour Park will employ over 1,000 people, many of whom will hopefully want to travel by public transport. Although the site's developer's plans do mention bus stops on the site we believe that the Scheme should also include bus stops on the link road, close to the site entrance.</p> <p>The Scheme should include and describe provision for public transport.</p>	<p>accommodate connections to support non-motorised users and to facilitate access to public transport.</p>
039.06	<p>Speed Limit Enforcement</p> <p>It is noted that the speed limit on the A2070 is to be 40 MPH.</p> <p>What provision for Speed Limit Enforcement is included in the scheme?</p>	<p>There are currently no provisions in scheme for speed enforcement.</p>

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PINS Ref. REP3-039	Written Representation	Response from Highways England (the Applicant)
039.07	<p>Barrey Road/A2070 Junction</p> <p>This junction has been the source of much discussion and frustration since it was built:</p> <ul style="list-style-type: none"> • It is not possible to turn right out of Barrey Road, which means that traffic wanting to travel southbound on the A2070 has to go north to J10 then either go all the way around it or turn left onto Hythe Road and use local roads. • Exiting Barrey Road means merging, from a standing start, with traffic travelling at up to 70mph. • Southbound traffic turning right into Barrey Road has to cross two lanes of northbound traffic travelling at up to 70mph. <p>This has been an inconvenience to both the residents of Sevington (approx. 100 households) and those working in and shopping at the units on the industrial estate, and culminated, just before Christmas 2016, in gridlock to the estate and queuing on the A2070. Over the years there have been numerous petitions and lobbying by both KCC and ABC councillors.</p> <p>Initially, HE proposed to include some improvements and ran a modelling analysis which showed a cost benefit in introducing traffic lights at this junction - this was shown on a presentation (160309_M20J10a_Presentation (2).pdf) sent to us on the 11th March 2016 - the relevant page is shown below:</p> <p><i>(Highways England – This figure can be found in Appendix B Figure 10.2)</i></p> <p>Subsequently, however, at a meeting of the Junction 10A Community Working Group in April 2016, the HE J10a team announced that they were referring matters concerning the</p>	<p>Highways England understand concern regarding the Barrey Road exit onto the A2070, we notice that a number of residents have raised similar concerns in the relevant representations.</p> <p>The last traffic assessment of the Barrey Road Junction was done prior to 2013 when permission to occupy the empty units in the Ashford Retail Park was given, and at that time it was indicated that there would be a negligible impact on traffic overall. Therefore before the Scheme starts Highways England Area 4 have already put in place enhancements to the A2070 and Barrey Road by improving signage and visibility at the junction, and we will be reducing the speed limit to 40mph on Bad Munstereifel Road and re-routing traffic for right hand turns around the link road roundabout as part of the Scheme.</p> <p>Any subsequent amendment to this junction would require a Traffic Assessment of the Ashford Retail park and residential traffic impact to be initiated by the local network authority at the request of local stakeholders, which is not part of the Scheme as Highways England Major Projects deals with Nationally Significant Infrastructure (NSIP) Construction.</p> <p>Furthermore after a meeting on 30 November 2016 with Local Authorities and local businesses further discussions between Highways England Area4 Spatial Planning and Kent County Council were planned, and they are currently on-going, to resolve any existing traffic issue ahead of the Scheme, which is supporting the discussion by providing the relevant data and additional traffic surveys.</p> <p>The Scheme has always included improvements to the bellmouth of Barrey Road and a small left hand turn lane off the A2070.</p>

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PINS Ref.	Written Representation	Response from Highways England (the Applicant)
REP3-039	<p>Barrey Road junction to the local HE team (Area 4) and removing it from their scheme - their reasons were:</p> <ul style="list-style-type: none"> • If J10a did not go ahead Area 4 could still deliver a solution. • Area 4 might be able to deliver a solution before the J10a scheme could. <p>In view of this, talks are ongoing between HE Area 4, KCC, ABC, residents and business owners to try to broker a solution. We are therefore surprised that, rather than leave the Barrey Road/A2070 junction issue to this group, HE intend to modify the junction under the J10a scheme:</p> <p>“The existing A2070 /Barrey Road junction would modified with a new a new left turn lane introduced from the A2070 into Barrey Road.”</p> <p>(Ref Section 2.3.6 of document Volume 6.1 Chapter 2-The Proposed Scheme (TR010006-000175-M20_J10a_6.1_ES_Chapter_2.pdf) and as shown on drawings in document 2.6 General Arrangement Plans (TR010006-000155-M20_J10a_2.6_General_Arrangement_Plan.pdf))</p> <p>The J10a scheme should either incorporate a proper solution to the junction, in line with their cost/benefit analysis, or omit the left turn lane and leave it wholly to the new multi-party group, especially as their proposed modifications could conflict with the solution currently being worked out.</p>	

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Appendix A. North Willesborough Community Forum Tables

Table 11.1

	Eastbound	Westbound	Difference
A20	7,241	6,662	
M20	26,921	24,822	
Total:	34,162	31,484	2,678

Table 11.2

Figure ID	Link ID	Direction	Flow (veh/day)
20 and 58	1044-1046	Eastbound	26,921
21 and 19	1045-1043	Westbound	24,822

Table 11.3

Figure ID	Link ID	Direction	Flow (veh/day)
55	50194-50021	Eastbound	7,241
55	50021-50194	Westbound	6,662
60	8020-50194	Eastbound	7,241
60	50194-8020	Westbound	6,662

Appendix B. North Willlesborough Community Forum Figures

Figure 11.1: The A2070 Roundabout



Figure 11.2: Revised design – Barrey Road



Revised design – Barrey Road



***Barrey Rd Merge Taper:**

- increases benefits from around £39M to £49M.
- evaluation of possible safety issues related to visibility of traffic merging (looking over the shoulder rather than at 90deg angle at the junction), as well as issues related to speed limit reduction.

***Signals at Barrey Rd:**

Tested

- full (includes right turn out of Barrey Rd)
- partial (excludes right turn out of Barrey Rd).

As above the benefits for the current BRJ design are £39.4M. The benefits generated by signalling the BRJ in the DM and DS are as follows:

Design	DM Signalled, DS Priority	DM and DS Signalled
Partial Signalisation	£46.4M	£51.0M
Full Signalisation	£54.7M	£47.9M

It appears that if we are signalling the DM only, then the full signalisation is the most beneficial, whereas partial signalisation is the only option that produces increased benefits when the DS is signalled as well as the DM.

This suggests that partial signalisation is, overall, better than the current design, whereas the full signalisation works primarily by creating increased dis-benefits in the DM. Partial signalisation could also be provided with the improved merge taper if A2070 NB traffic was held at the stop line (therefore making it a safer manoeuvre).