

# **Comments on Applicant's submissions at Deadline 2**

Medway Council

Planning Inspectorate Scheme Reference: TR010032

Unique Interested Party Reference: LTC-SP097

## Introduction

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### **Purpose, content and layout**

This Deadline 3 submission sets out comments on the Applicant's responses to Medway Council's Local Impact Report (LIR) (REP2-061).

This submission focusses on traffic and transport matters only. Many of the Applicant's responses are repetitive; this submission sets out comments on the Applicant's main responses only.

The content and layout of this submission is consistent with Table 1.1 of the Applicant's responses to Medway Council's LIR (REP2-061). Medway Council's comments have been inserted below the 'Applicant's response' rows.

Medway Council is preparing a Deadline 4 submission in response to the Examining Authority's written questions (ExQ1).

LIR Reference	Local Impact Report Extract / Applicant's Response / Medway Council's comment
Executive Summary Paragraph 5	<p>Some of the assessments to support the application are based on traffic modelling outputs. However, the traffic modelling does not reflect the spatial distribution of relevant planned development, particularly at Kingsnorth and the Isle of Grain. Furthermore, the traffic modelling assumes significantly fewer homes being built in future compared to what the local planning authority is required to plan for, therefore the traffic modelling does not reflect Medway's development needs. There is also a lack of certainty for local highway schemes that have been included in the traffic modelling.</p>
Applicant's Response	<p>The Lower Thames Area Model (LTAM) forecast demand has been developed in accordance with the Department for Transport's (DfT's) Transport Analysis Guidance (TAG) Unit M4 – Forecasting and Uncertainty. The core scenario includes developments which were under construction or had planning applications or permissions as of 30 September 2021. The LTAM demand is constrained to TEMPro 7.2 forecasts to ensure that overall growth is in line with Government projections. The demand development process is described in detail in Chapter 4 of the Combined Modelling and Appraisal Report Appendix C: Transport Forecasting Package [APP-522], and the full list of developments included is provided in Annex A in the Combined Modelling and Appraisal Report Appendix C: Transport Forecasting Package Annexes [APP-523]. A High Growth scenario was also developed to understand the implications if travel demand exceeds Government projections. The High Growth Scenario is detailed in Section 8.6 of the Combined Modelling and Appraisal Report Appendix C: Transport Forecasting Package [APP-522]. The Applicant provided Medway Council with further information on the assumptions within the core scenario in the form of a technical note (August 2021). Further discussions were held between the Applicant and Medway Council to discuss potential new pieces of work in relation to the development of Medway's local plan, although Medway Council did not accept the Applicant's offer to use the LTAM to assess the impacts of their emerging local plan.</p>
Medway Council's Comment	<p>Medway Council's Pre-Submission Draft Local Plan was withdrawn from a Cabinet meeting in October 2021.</p> <p>Medway Council did not have an opportunity to review the Uncertainty Log during the period October 2021 to early 2022. This is when updates to the future scenarios would have been made before the second application was submitted to the Planning Inspectorate.</p> <p>An assessment in the LTAM would have been of limited value. The Medway Aimsun Model – a detailed model of the Medway unitary authority area – was used by a contractor appointed by Medway Council to identify local impacts. The contractor's technical notes are at Appendix E and F of Medway Council's LIR.</p>
Page 16 Paragraph 3.2.2	<p>Furthermore, 10 planning applications have been identified that are missing from the Uncertainty Log. These planning applications, shown at Appendix B, meet the minimum size criteria as of 30 September 2021. In total, one planning application for 200 homes, along with eight planning applications amounting to 645,914 sqm non-residential floorspace, should have been included in the core scenario. Note that almost all of the missing non-residential floorspace is associated with planning applications for development located on the Hoo Peninsula.</p>
Applicant's Response	<p>As stated in paragraph 4.1.13 of the Combined Modelling and Appraisal Report Appendix C: Transport Forecasting Package [APP-522] the proposed MedwayOne development, which is a large non-residential development on the Hoo Peninsula, was excluded on the basis that the development proposal did not include necessary highway interventions that would maintain the integrity of the road network and, as stated in paragraph 4.1.14 of the same document, at the time of the LTAM modelling the Applicant was working with the promoters of these developments to agree appropriate mitigation for the road network. Currently the developers have accepted an initial cap on the number of vehicles from their development that can use the west facing slips at M2 junction 1, although this is subject to a monitor and manage strategy. The issue of the available capacity at this junction is still an open matter for discussion between the developers and the Applicant.</p> <p>It should be noted that when a development is included in the transport model it is necessary that adequate provision is also available or created for that traffic on the highway network. If not some of the traffic associated with the development gets 'stuck' close to the development and is not able to make its entire planned journey. It also results in a high level of congestion at specific points near the development that could cause other traffic in the model to re-route. The DfT Transport Appraisal Guidance says that developments with a planning application should be included in the modelling. However sometimes planning applications are submitted before the necessary highway interventions have been deemed acceptable by the relevant Council and the Applicant. For this reason, two developments, MedwayOne and Highsted Park, were excluded from the LTAM for the Development Consent Order (DCO) application.</p> <p>With respect to the other developments, the Applicant would comment as follows:</p> <ul style="list-style-type: none"> <li>National Grid Land (MC/09/1628 and MC/14/3872) – these applications pre-date the base year of the Applicant's transport model. The 2014 application is for the discharge of conditions. The 2009 application was consented in 2010 and so the Applicant would have relied upon the Council confirming that the development was not operational, as part of its model development in 2015/2016.</li> <li>Land at Thamesport (MC/19/0299) – the submitted Transport Statement sets out that the site would generate 17 two-way HGV movements an hour, plus 47 employee trips a day and so would not alter the Applicant's transport modelling outputs.</li> <li>Flanders Farm (MC/19/3128) – the submitted Transport Assessment confirms that the development would only generate 30 two-way trips on average in the peak hours and so would not significantly alter the Applicant's transport modelling outputs.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Combined Cycle Gas Turbine Power Station (MC/09/0961) – this application pre-dates the base year of the Applicant's transport model and given the nature of the development (generation of an additional 1000MW of power) it is not considered that it would generate many additional trips and so would not significantly alter the Applicant's transport modelling outputs.</li> <li>• Allhallows Holiday Park (MC/19/1820 and MC/19/2202) – it is not considered that either of these applications, given their scale and nature (upgraded facilities and 84 additional hard standing bases) would generate traffic within the modelled peak periods to alter the Applicant's transport modelling outputs.</li> <li>• MBS House (MC/20/0816) – this development is in the Applicant's Uncertainty Log (SECAmb Multi Use Centre)</li> <li>• Veolia (MC/20/2055) – the submitted Transport Statement sets out that there would be a net increase of four two-way trips in the AM peak and five two-way trips in the PM peak and so would not alter the Applicant's transport modelling outputs.</li> <li>• Dockside Outlet Centre (MC/21/0577) – the development is for a leisure use and is not permitted to operate during the AM peak. Given the scale and nature of the development, and that it is an alteration to an existing retail unit it is considered that the development would not alter the Applicant's transport modelling outputs (the Applicant notes the application is not accompanied by a Transport Assessment or Transport Statement).</li> <li>• Stoke Road Business Centre (MC/19/0888) – this is a reserved matters application, which relates to outline application MC/17/4424. This outline application does not form part of the Applicant's Uncertainty Log, but it is not considered that the inclusion of this site (forecast to generate 90 two-way trips in each peak period) would significantly alter the Applicant's transport modelling outputs.</li> </ul>
Medway Council's Comment	<p>The issue of the available capacity at this M2 junction 1 is not an open matter for discussion between the developers and the Applicant; it is a strategic planning matter concerning other stakeholders. Medway Council and Gravesham Borough Council are arranging to appoint a contractor to undertake an assessment on M2 junction 1, in consultation with National Highways and Kent County Council.</p> <p>Noting one of the scheme objectives, as set out in application document reference APP-494, "to support sustainable local development and regional economic growth in the medium to long term.", the Project should support relevant planned development and Medway's emerging Local Plan.</p> <p>Unlike Highsted Park, MedwayOne is part of the site allocation at Kingsnorth in the Medway Local Plan 2003 under Policy S12. The MedwayOne planning application meets the Applicant's minimum size criteria for planning applications as of 30 September 2021. An initial trip cap has been established by planning condition. With reference to Table A2 from Transport Appraisal Guidance Unit M4, Medway Council maintains that the MedwayOne application – one of the largest sites for economic growth in the Thames Estuary and the wider region – should have been included in the core scenario.</p> <p>'National Grid Land', i.e. Grain Business Park, should also have been included in the core scenario. Paragraph 3.2.10 of Medway Council's LIR describes the correct planning history and status. In February 2020, a Lawful Development Certificate was approved confirming that the outline permission had commenced. The landowner, National Grid, intends to realise the full potential of the site.</p> <p>Given the representations received from National Highways in Medway Council's determination of the MedwayOne planning application, the exclusion of both MedwayOne and Grain Business Park would alter the Applicant's transport modelling outputs at M2 junction 1, while the Gads Hill – Four Elms Roundabout – Medway Tunnel (A289) corridor is unlikely to perform as reported in the Applicant's assessment.</p>
Page 17 Paragraph 3.2.3	<p><b>The Uncertainty Log also shows five highway schemes that have been included in the core scenario. Table A.2 of the Uncertainty Log has been reproduced (for developments within Medway) at Appendix C, with Medway Council officers' comments appended as the last column. The five highway schemes should not have been included in the core scenario due to a lack of certainty.</b></p>
Applicant's Response	<p>Within Appendix C of Medway Council's submission, five schemes are listed:</p> <ol style="list-style-type: none"> <li>a. A289 Four Elms roundabout to Medway Tunnel</li> <li>b. B2097 Rochester Road</li> <li>c. Hempstead Valley – various improvements</li> <li>d. Hoath Way roundabout</li> <li>e. M2 junction 4</li> </ol> <p>As Medway Council state, the transport interventions on the Hoo Peninsula which were planned to be funded from the Housing Infrastructure Fund (HIF) will not now go ahead as that funding was withdrawn in summer 2023. The HIF schemes had not been included in the LTAM as they did not carry a sufficient level of certainty.</p>

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	<p>Improvements were coded into the LTAM at three roundabouts on the Hoo Peninsula:</p> <ul style="list-style-type: none"> <li>i. Four Elms – (A289 Hasted Road/A228 Four Elms Hill)</li> <li>ii. Sans Pareil – (A289 Wulfere Way/A228 Frindsbury Hill)</li> <li>iii. Anthony's Way – (A289 Berwick Way/A289 Vanguard Way tunnel)</li> </ul> <p>This was undertaken using the drawings available on the Medway Council website, A289 Four Elms to Medway Tunnel Highway Project Acquisition of Land and CPO.pdf, submitted to Medway Cabinet meeting in January 2017.</p> <p>These improvements to the junctions were required to enable the development that was included in the LTAM on the Hoo Peninsula to travel out of the immediate area so, in the absence of the HIF scheme, these improvements were added, together with some signalisation of the Four Elms roundabout to ensure that in the LTAM the traffic from the developments left the Hoo Peninsula and would appear in the traffic demand at the M2/A289 junction. The LTAM traffic forecasts are intended to provide a fair representation of conditions on the highway network in future years.</p> <p>The other four highway schemes listed by the Council have been coded into the LTAM as the developments that they serve are also in the LTAM as they have planning permission.</p>
Medway Council's Comment	<p>In the absence of the HIF scheme, there is currently no scheme for the Four Elms Roundabout, an important local junction which connects the main urban area with the Hoo Peninsula, and facilitates trips to/from the west and north of the urban area of Medway. The Sans Pareil and Anthony's Way roundabouts are not located on the Hoo Peninsula; rather, they provide an important corridor as part of the local road network, with the latter providing the main connection to the Medway City Estate.</p> <p>As in paragraphs 4.3.16 to 4.3.18 of Medway Council's LIR, Medway Council maintains that the journey time reductions for route No.5 (A289 – Four Elms Roundabout to M2 junction 1) are questionable for both the construction and operational phases, given the potential for the Hoo Peninsula as a significant supplier location, and the omissions of relevant planned development.</p> <p>A new scheme for the Four Elms Roundabout is likely to be developed to support Medway Council's new Local Plan.</p>
Page 26 Paragraph 4.3.3	<p><b>An assessment on behalf of Medway Council (Appendix E) identified negative operational impacts on M2 junctions 2, 3 and 4, the A289 corridor, the A228 through Cuxton and Halling and in Chatham and Strood town centres.</b></p>
Applicant's Response	<p>The Applicant's assessment of areas which would experience negative operational impacts is provided in Chapter 7 of the Transport Assessment [APP-529], and this also highlights these areas.</p>
Medway Council's Comment	<p>Despite the Applicant's and Medway Council's respective assessments identifying negative operation impacts at the same locations, the Applicant is not committing to any direct additional funding for mitigation on the wider network through the Development Consent Order application. Instead, the Applicant refers to existing investment processes and collaborative work with local authorities. This provides little certainty that local impacts will be mitigated.</p> <p>Some local junctions that require mitigation to accommodate Medway's future growth are likely to need a further upgrade to accommodate traffic flows generated by the Project. Medway Council's LIR highlighted this position as a challenge for local plan-making, noting the need for the Infrastructure Delivery Plan to specify National Highways as a funding source. A commitment from National Highways would provide more certainty to support local plan-making.</p>
Page 27 Paragraph 4.3.11	<p><b>An assessment on behalf of Medway Council (Appendix E) highlighted the increase in traffic flows on the M2, with approximately 1,350 Passenger Car Units (PCUs) westbound and 800 PCUs eastbound in the AM peak in 2030. This would seemingly affect the capacity and safety of traffic to merge and diverge. Meanwhile, the increase in traffic flows on the A289 between Wainscott and the M2 would be up to 400 PCUs westbound and 100 PCUs eastbound in the AM peak in 2030 (see Appendix E). This is likely to be significantly higher with the additions of MedwayOne and Grain Business Park, thereby exceeding the trip cap of 60 movements.</b></p>
Applicant's Response	<p>The Applicant acknowledges Medway Council's traffic study submitted as an Appendix E to Medway Council's Local Impact Report and wishes to reserve the right to provide further comment on this appendix at a later date in the examination.</p> <p>Additionally, the Applicant notes that safety does not form part of Appendix E (Medway LTC Support – Lower Thames Crossing), produced by Medway Council's traffic consultants, Systra.</p> <p>Please see paragraphs A.4.4. to A.4.7 of the Applicant's Deadline 1 submission – Post-event submissions, including written submission of oral comments, for ISH1 [REP1-183].</p>

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Medway Council's Comment	<p>Various junctions along the M2, including junctions 1 to 4, are listed as monitoring locations in the WNIMMP [APP-545]. The Applicant is proposing to monitor the impacts of the Project on traffic on the local and strategic road networks. If the monitoring identifies opportunities to further optimise the road network as a result of traffic growth or new third-party developments, then local authorities would be able to use this as evidence to support scheme development and case making through existing funding mechanisms and processes.</p>
<b>Page 29 Paragraph 4.4.4</b>	<b>Paragraph 5.3.4 and Plate 5.1 of the WNIMMP must add the Four Elms Roundabout (A289 / A228) as a location to be included in the monitoring scheme.</b>
Applicant's Response	<p>A mechanism allowing for review of the proposed monitoring locations is provided through Requirement 14 in Schedule 2 of the draft DCO [REP1-042], which requires the preparation of an operational traffic monitoring plan, which must be approved by the Secretary of State following consultation with the relevant highways authorities (including Medway Council). Relevant highways authorities will be able to propose locations for inclusion, which will be considered by the Applicant during the development of the operational traffic monitoring plan. The final decision on inclusion will be made by the Secretary of State through the approval process, as set out in Part 2 of Schedule 2 of the draft DCO [REP1-042].</p>
Medway Council's Comment	<p>Medway Council will continue to call for the Four Elms Roundabout (A289 / A228) as a location to be included in the monitoring scheme, along with any other junctions identified through an assessment to inform local plan-making.</p>
<b>Page 29 Paragraphs 4.4.5, 4.4.6</b>	<b>Following the Written Ministerial Statement on 9 March 2023, the monitoring scheme is unlikely to provide certainty in local plan-making, specifically funding sources in an accompanying Infrastructure Delivery Plan (IDP). Medway Council has commissioned a new traffic model and an assessment to inform local plan-making, including a 'with Project scenario'. Medway Council is engaging with National Highways (Spatial Planning) in producing the assessment. The assessment will include analysis to determine proportionate developer contributions from sites to be allocated for development, which is likely to include contributions due as a result of traffic flows generated by the Project; the IDP will need to specify National Highways as a funding source. A commitment from National Highways would provide more certainty to support local plan-making.</b>
Applicant's Response	<p>The Applicant is not proposing to provide funding for future investments to optimise the highway network, and would not agree to being identified as a funding source in any future IDP. The Applicant has an obligation under its licence to support local authorities as they develop their local plans and will continue to work with Medway Council. However, as set out in Transport Assessment Appendix F: Wider Network Impacts Management and Monitoring Policy Compliance [APP-535], the Applicant considers that it is not appropriate to apply the process for obtaining a Development Consent Order under the Planning Act 2008 to substitute the existing process which allows the Government to operate a transparent funding process, which can fairly consider requests for intervention and investment locally on a par with the way in which other projects which may be unrelated to Project are considered. This allows the Secretary of State to make decisions based on the merits in the context of government policy and government spending priorities. The existing system is fit for purpose and should not be set aside by this or any other DCO application.</p>
Medway Council's Comment	<p>Medway Council has responded to recent Road Investment Strategy 3 consultations.</p> <p>Medway Council has commissioned analysis to determine proportionate developer contributions from sites to be allocated for development, which is likely to include contributions due as a result of traffic flows generated by the Project.</p> <p>M2 junction 1, however, is not unrelated to the Project; the Order Limits straddle the northbound off-slip and the southbound on-slip links.</p>