

Our ref: EIR 101564

1<sup>st</sup> Floor  
Bridge House  
Walnut Tree Close  
Guildford  
GU1 4LZ  
[www.highways.gov.uk](http://www.highways.gov.uk)

Sent via email to:

8 December 2020

Dear

I am writing to confirm that we have now completed our search for the information, which you requested on 9 November 2020. Our response is detailed below.

**Q. Please can you issue the M2 Junction 5 Highways Capacity Study, or similar study. The response should set out the permitted sites and the forecast build out of those sites that are utilising the last residual capacity ahead of the delivery of the M2 Junction 5 highway improvement works. This is different to that of the planning applications currently help up or subject to Grampian conditions relating to the improvement works.**

A. Please find attached a list of Swale planning applications as at July 2020 along with two modelling files.

### **Background**

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this case M2 junction 5 and the A249 towards Sheerness.

Through the Swale Local Plan evidence base and reconfirmed via subsequent transport assessments submitted with applications, it has been demonstrated that M2 junction 5 has exceeded its effective operational capacity. This is further confirmed by the inclusion of M2 junction 5 in the 2015 Roads investment Programme in order to unlock future growth and development in Swale and to improve the safety of the

junction. We are due progressing a Major Project and it's public inquiry was due to commence on 28 April 2020 but was COVID delayed until November 2020 and, subject to the outcome, it has been assumed that the improvement would commence as soon as possible with completion due 2022. While the current COVID lockdown appears likely to have a short term impact on the timetable, there are currently no indications that the improvement will not proceed and be completed around 2023.

Likewise, the Local Plan and subsequent transport assessments have also demonstrated that A249 Grovehurst junction has also reached its effective operational capacity. This is further confirmed by the award of Government Housing Infrastructure Fund (HIF) funding to unlock future growth and development in Swale and to improve the safety of the junction. Kent County Council are leading on the HIF funded scheme. They anticipate completion during 2024, subject to the need to co-ordinate M2 junction 5/Grovehurst works and any coronavirus induced or other delays.

### **The Grampian Approach**

Therefore, while there are schemes in the offing, Highways England have been obliged to consider how it should respond to applications in the intervening period. It has taken a pragmatic stance in order to maintain traveller safety while facilitating early growth and development. Accordingly it has assessed the number of additional movements possible through both M2 junction 5 and Grovehurst junctions commensurate with maintaining safety. It then worked with Swale Borough Council to allocate those movements to sites considered most likely to deliver completions in the period prior to the completion of M2 junction 5 and Grovehurst improvements.

Allocations could apply to all of, or specified numbers on, particular sites, with Grampian Conditions specifying timings/ thresholds. Once all remaining movements were allocated, all subsequent applications would be subject to Grampians restricting any occupations to the period after the relevant improvement was open to the public.

It should be noted that:

- M2 junction 5 is severely over capacity and that there is no residual capacity in the junction. The additional trips agreed increase the delays and queue lengths already experienced but do not pass the point at which they are likely to cause severe safety implications.
- The current methodology has been applied to applications impacting on M2 junction 5 and/or Grovehurst junctions. In future it may also need to be applied to other junctions such as Key Street and Bobbing.
- It's a bespoke response to current circumstances i.e. an adopted Local Plan needing to be delivered and Highways England/HIF major projects lined up but not yet implemented. Therefore, it does not set a precedent for other places/circumstances.
- It's based on an assessment of the limits to capacity in terms of safety and not congestion.

- It's based on the best evidence we had available at the time and a pragmatic assessment of it. While others could seek to rework both, they are unlikely to change the outcomes by more than a few movements; and hence we do not believe it would facilitate the release of any other significant sites/ quantities of development. Therefore, we will stick to the current assessment for the sake of consistency and fairness to all.

Based on the above, we worked with Swale Borough Council to produce a table that list sites with the various Grampians (see 10 July 2020 version attached, updated information is sought from Swale but initial indications are that this will not change the position of the sites presented in the spreadsheet).

It should be noted that:

- We are content for the list to change provided that the overall movements caps are not exceeded.
- It is for Swale Borough Council to amend the list, so applicant's need to discuss it with them and not with us.
- We are content for elements of sites that would not generate additional trips through M2 junction 5 and/or any other relevant junction to start for example, social infrastructure such as school and community centres. The applicants or Swale Borough Council would need to inform us of their wish to proceed so that we can tailor our responses accordingly.

If you are unhappy with the way we have handled your request you may ask for an internal review. Our internal review process is available at:

<https://www.gov.uk/government/organisations/highways-england/about/complaints-procedure>

If you require a print copy, please phone the Information Line on 0300 123 5000; or e-mail [info@highwaysengland.co.uk](mailto:info@highwaysengland.co.uk). You should contact me if you wish to complain.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

If you have any queries about this letter, please contact me. Please remember to quote reference number EIR 101564 in any future communications.

Yours sincerely

Spatial Planning Manager for Kent and Sussex

