

**LAND OFF PUMP LANE  
RAINHAM  
KENT  
ME8 7TJ**

**TOWN AND COUNTRY PLANNING ACT 1990  
APPEAL REFERENCE: APP/A2280/W/20/3259868**

**APPEAL BY A C GOATHAM & SONS**

**INQUIRY DOCUMENT: Position Reached with Highways England**

**PREPARED BY:**

**Simon Tucker for the Appellant**

**17/02/2021**

**INQUIRY DOCUMENTS REF: ID.10**

## 1. INTRODUCTION

- 1.1. This Inquiry document is provided in regards to the Planning Appeal at Land Off Pump Lane Rainham Kent ME8 7TJ (Appeal Reference: APP/A2280/W/20/3259868) and has been prepared by Simon Tucker.
- 1.2. It confirms the current position with respect of the Highways England (HE) position on the application. Highways England have confirmed they have no objection to the application subject to an appropriate contribution being made towards M2 Junction 4.

## 2. SUMMARY OF AGREED POSITION

- 2.1. Section 7 of Simon Tucker's proof of evidence sets out an approach to deal with the mitigation sought by HE. The strategy provides for either a proportional contribution to a wider scheme or a Grampian condition to secure the works at an appropriate trigger. The latter point was included to address a concern raised by Medway in respect of a situation whereby the full cost of the scheme was not secured by others.
- 2.2. A copy of that proposal was provided to Highways England in advance of exchange of evidence and a response received, after exchange, on 12<sup>th</sup> February 2021 @ 19.12.
- 2.3. Subsequent to a query from Medway, HE clarified their position and the full email trail is attached. The final email dated 15<sup>th</sup> February 2021 @ 17.41 confirms their overall position and preferences.
- 2.4. This confirms that Highways England in principle accept either a Grampian condition or a contribution. They have preference for a contribution for the reasons set out in Mr Bowie's final email.
- 2.5. Either a Grampian condition or S106 contribution is acceptable to the Appellant.
- 2.6. It should be noted that in my evidence, the proportional contribution (Para 7.11 - £352,000) is slightly higher than Mr Bowie refers to (£339,000) as it is based on a marginally higher scheme cost of £2.6m, but the principle remains the same.

**From:** [Bowie, David](#)  
**To:** [harris, dave](#); [Bown, Kevin](#); [bull, andrew](#); [Peter.Canavan](#)  
**Cc:** [Simon Tucker](#); [Duncan Parr](#)  
**Subject:** RE: Pump Farm MC/19/1566  
**Date:** 15 February 2021 17:41:00

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Afternoon Dave,

On the unlikely basis that nothing else comes forward (Gibraltar Farm or IPM) the requested contribution will most likely permit changes to the junction that would mitigate the Pump Farm impacts. Alternatively, the funding could be used to design a much more comprehensive scheme at the junction for implementation at a later point when traffic conditions demand. Don't forget that Pump Farm is quite well removed from our network so by the time traffic from the development hits our network it is very much diluted but still adds to the cumulative impact!

If we go for the Grampian then we could end up in a waiting game as all three sites have the same required mitigation to which the other two would benefit. This way we at least end up with a contribution to the benefit of the junction early on in the buildout (if consented)!

I hope this sufficiently explains.

Kind regards

David

**David Bowie**  
**Area 4 Spatial Planning Manager (Acting)**

**Tel:** +44 (0) 7900 056130

Highways England | Bridge House | 1 Walnut Tree Close | Guildford | Surrey | GU1 4LZ

**Web:** <http://www.highwaysengland.co.uk>

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**From:** harris, dave [mailto:[dave.harris@medway.gov.uk](mailto:dave.harris@medway.gov.uk)]

**Sent:** 15 February 2021 13:26

**To:** Bown, Kevin <[Kevin.Bown@highwaysengland.co.uk](mailto:Kevin.Bown@highwaysengland.co.uk)>; bull, andrew <[andrew.bull@medway.gov.uk](mailto:andrew.bull@medway.gov.uk)>; Peter.Canavan <[Peter.Canavan@carterjonas.co.uk](mailto:Peter.Canavan@carterjonas.co.uk)>; Bowie, David <[David.Bowie@highwaysengland.co.uk](mailto:David.Bowie@highwaysengland.co.uk)>

**Cc:** SJT@dtatransportation.co.uk; Duncan Parr <[Duncan.Parr@rapleys.com](mailto:Duncan.Parr@rapleys.com)>

**Subject:** RE: Pump Farm MC/19/1566

**Importance:** High

Thanks for this Kevin,

As I read this from David it is an either or option for either Grampian condition or contribution, with the preference for the contribution. But what if we get the contribution by 200 dwelling

but no other contributions come forward? The implications are then that you (highways England) will accept all 1250 houses (the entire development) being occupied despite no improvements to junction 4?

Is that correct?

Thanks

Dave

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**From:** Bown, Kevin <[Kevin.Bown@highwaysengland.co.uk](mailto:Kevin.Bown@highwaysengland.co.uk)>

**Sent:** 15 February 2021 11:15

**To:** bull, andrew <[andrew.bull@medway.gov.uk](mailto:andrew.bull@medway.gov.uk)>

**Subject:** FW: Pump Farm MC/19/1566

**Kevin Bown BSc(Hons) MPhil CMS MRTPI Spatial (Town) Planning Manager  
Spatial Planning Team, South East Region Operations Directorate**

Highways England | Bridge House | 1 Walnut Tree Close | Guildford | GU1 4LZ

**Tel:** 0300 470 1046 (all calls to this number will also patch through to my mobile)

**Web:** <http://www.highways.co.uk>

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- **People should be gentle on themselves and others, not judging based on how they/ others are coping**
- **Individual and team success is not to be based on 'normal times' expectations**

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**From:** Bowie, David

**Sent:** 12 February 2021 19:12

**To:** Simon Tucker <[SJT@dtatransportation.co.uk](mailto:SJT@dtatransportation.co.uk)>

**Cc:** Jacqueline Aggiss <[JA@dtatransportation.co.uk](mailto:JA@dtatransportation.co.uk)>; Bown, Kevin

<[Kevin.Bown@highwaysengland.co.uk](mailto:Kevin.Bown@highwaysengland.co.uk)>; Planning SE <[planningse@highwaysengland.co.uk](mailto:planningse@highwaysengland.co.uk)>

**Subject:** RE: Pump Farm MC/19/1566

Good evening Simon,

Thank you for providing me with your short note relating to the approach to calculating a fair and proportionate contribution to the agreed highway mitigation scheme at M2 Junction 4.

I note that your approach looks at two possible scenarios. In the event the scheme is not delivered by a third party the appeal site will deliver the scheme prior to the occupancy of 972 dwellings on the basis of its impacts being comparable to that of the Gibraltar Farm site. Applying this requirement as a Grampian condition would be acceptable to Highways England.

The alternative suggestion is that the appeal site provides a contribution to the M2 J4 scheme cost in proportion to its impact and this works out at a contribution of £339,000 (index linked). No indication is given as to a point in the build out and occupancy of the appeal site at which this becomes payable. I would suggest that the contribution would be due on 200 occupancies to bring it into line with the Gibraltar Farm trigger.

Our preference would be towards the contribution scenario, with the option to allow Highways England to spend that contribution on either studies or works to the benefit of M2 J4.

I trust my initial thoughts on this matter are of assistance.

Kind regards

David

**David Bowie**

**Area 4 Spatial Planning Manager (Acting)**

**Tel:** +44 (0) 7900 056130

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**From:** Simon Tucker [<mailto:SJT@dtatransportation.co.uk>]

**Sent:** 21 January 2021 11:53

**To:** Bowie, David <[David.Bowie@highwaysengland.co.uk](mailto:David.Bowie@highwaysengland.co.uk)>

**Cc:** Jacqueline Aggiss <[JA@dtatransportation.co.uk](mailto:JA@dtatransportation.co.uk)>

**Subject:** Pump Farm MC/19/1566

Hello David,

Thanks for your time this morning. As discussed I attach a short note on the proposed approach on which I would welcome your comments / agreement.

Kind regards

Simon

Kind regards

Simon Tucker  
**David Tucker Associates**  
Transport Planning Consultants

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