

Agenda Item No:

Report To: Joint Transportation Board

Date of Meeting: 5th December 2023

Report Title: **A28 Dualling scheme update**

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Summary:	This report provides an update on the latest situation regarding the proposed A28 dualling scheme in Ashford.
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Introduction and Background

1. This report provides an update on the position regarding the proposed dualling of the A28 between the 'Matalan' roundabout and the 'Tank' roundabout on the western side of Ashford.
2. The proposals for dualling this stretch of the A28 within the Ashford urban area were conceived and drawn up to support the growth of new development on the western side of the town, most notably the development of the Chilmington urban extension which has outline planning permission for 5,750 dwellings and associated supporting services including retail, employment and 5 schools (4 primary and 1 secondary).
3. The dualling scheme is intended to provide more junction and link capacity along the part of Chart Road between the junction with Brookfield Road (the 'Matalan' roundabout and with Templar Way (the 'Tank' roundabout). A plan of the proposed scheme is attached at Appendix 1 to this report.
4. The delivery of the dualling scheme is predicated on funding from the lead developer at the Chilmington development (Hodson Developments Ltd) and this is enshrined in the Section 106 Agreement for the Chilmington site. Whilst this does not require Hodson to directly procure and deliver the scheme, they are obliged in the Section 106 Agreement to provide a financial bond to KCC to cover KCC's costs of delivery. At that stage it would then be KCC's responsibility to procure and deliver the dualling scheme on the ground, by forward funding the project and recovering the money over a 10 year period as detailed in the Section 106 Agreement.
5. The S106 Agreement sets a trigger-point for the provision of the bond at 400 occupations on the Chilmington development. This relates to occupations from all developers on the site, not just those on properties built by Hodson. Currently, there are just over 300 occupations recorded at Chilmington but if properties currently under construction on the site are completed and occupied, this would take the development past the 400 dwelling occupation threshold.
6. In the last month, Hodson has submitted an appeal to the Planning Inspectorate in respect of an outstanding Section 106A application to both ABC and KCC that seeks to vary or delete a significant number of the current

obligations in the S106 Agreement for the site. Amongst those requests is one that seeks to a significant postponement of the provision of the financial bond to cover the costs of the A28 dualling from the 400 dwelling occupation trigger-point. In the absence of any alternative form of funding the scheme, the consequence of this proposal would be to postpone the delivery of the dualling scheme.

7. The two Councils are currently awaiting a view from the Planning Inspectorate on the validity of the appeal but if confirmed, it is expected that a Public Inquiry would be held to consider all the proposed amendments to the S106 Agreement at some point in 2024.
8. KCC undertook a further study of this section of the A28 earlier this year to establish whether the need still remains for the dualling scheme in light of various new development coming forward (or not) in the vicinity and any changes in travel patterns relating to workforce behaviour such as increased 'working from home'. This study indicated that overall traffic flows in the peak hours are broadly similar to those when the scheme was conceived, evidence suggests that 'peak spreading' has occurred with drivers now using the corridor earlier or later than the traditional peak. It is considered that traffic conditions on the study network in 2023 remain heavily congested, as was the case in 2013 and the subsequent years when the A28 Chart Road improvement scheme was conceived.
9. Officers from ABC and KCC have met recently to discuss this issue and have reaffirmed that the scheme design remains appropriate (subject to minor updating to accord with current design standards) and the need for the additional highway capacity that the scheme would deliver also remains. With the passage of time from the initial scheme design and indicative costings, these have now increased to c. £30m as inflationary pressures have increased costs. In September, officers from KCC and ABC proposed to Hodson a without-prejudice discussion as to how and when the scheme should be moved forward but are still awaiting a response.
10. Officers have considered whether there are options for breaking the dualling scheme into separate phases that might deliver incremental improvements over time but the nature of the scheme means that delivering it in this way would only create marginal increases in highway capacity in any first phase whilst further adding to the overall scheme costs. Therefore, this is not considered to be a practical or cost-effective option to pursue.
11. The scheme has also been reviewed to see if it could be re-designed to reduce overall costs. However, there are significant limitations in how the scheme can be designed given land constraints, in particular the need to extend the existing A28 bridge over the Ashford – Tonbridge railway line. Design of the dualling also needs to factor in the connection to both roundabouts at either end and the Loudon Way signalised junction approximately halfway between them. In conclusion, officers are satisfied that the scheme design is the optimum available to deliver the necessary capacity improvements.
12. In 2018, initial works on the scheme, including some felling of trees alongside the road, commenced on the basis that there was partial funding available to

support the scheme from the Local Enterprise Partnership which would have reduced the overall financial burden on the developer. However, this option was eventually not pursued by the developer and this external funding support opportunity fell away. Since this time, no further works have been undertaken.

13. Once funds are available to deliver the scheme, procurement would be expected to take around 6 months with a further 3 months required to mobilise contractors on the site. Thereafter, a construction programme of around 1two years is envisaged to deliver the scheme.

Conclusion

14. There remains officer and Member-level support for the delivery of the A28 dualling scheme. The need for discussions with, and the current planning appeal from, the lead Chilmington developer means that there is currently some uncertainty about precisely how and when the scheme may be delivered. The outcome of these processes may assist in this and a further report to update the JTB at that point is suggested.

Contact and Email

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