

## Sittingbourne Northern Relief Road Ridham Avenue – Castle Road (Milton Creek Crossing)

Report by the Head of Transport Projects to the Highways Advisory Board on 10<sup>th</sup> January 2006.

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### Introduction

1. A revised alignment – Alternative Route B - for the Relief Road was approved by the Cabinet Member for Regeneration and Supporting Independence on 5 December, 2005. This followed a report to the Highways Advisory Board on 1 November, 2005 where Members were equally divided on their views and a subsequent site visit by the Cabinet Member and the Chairman of this Board. See Fig. 1 attached.
2. The report made reference to the opportunity to consider a lower bridge height following the relocation of the Dolphin Barge Museum and associated barges moored or undergoing restoration. The Report indicated that consultation was in progress.
3. When the outline scheme was developed and the planning application submitted, an air clearance of 6.4m above Mean High Water Spring tide levels was proposed. This followed consultation with the Barge Museum and in particular with the owners of the sailing barges. An air clearance of 6.4m could accommodate the largest barge with mast gear lowered in the manner in which barges used to operate to clear bridges on the Medway and Thames.
4. With the barges relocating, a reduced air clearance of 4.0m is possible. This has subsequently been increased to 4.2m following advice from Medway Ports Authority about the reference chart datum that should be used. While this gives a marginally increased air clearance the key dimension of Creek bed level to underside of bridge remains the same.
5. Whatever bridge height is adopted, it will need to be subject to the publication of a Scheme under S106 of the Highways Act, 1980. This is a statutory Order that seeks approval to cross a navigable waterway and is determined by the Secretary of State.
6. The consultation process is now completed and this Report discusses the process, the outcome, issues and makes a recommendation.

### Consultation

7. Consultation on a bridge height is not as straight forward as conventional consultation on a highway scheme where the target audience is fairly clear. To overcome this, consultation was carried out as follows:
  - (i) Discussions with Medway Ports Authority who have statutory maritime responsibility for Milton Creek and are the navigation authority in respect of the S106 Scheme;
  - (ii) Consultation with Swale Borough Council;
  - (iii) Letters were sent to the relevant statutory environmental organisations;
  - (iv) Letters were sent to landowners fronting the Creek upstream of the crossing point and any other people that had expressed an interest in this issue from earlier scheme consultation or responses to the planning application;

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- (v) Public notices were placed in the local newspapers stating that the County Council was minded to consider a height of 4.0m and inviting those interested to ask for an information pack to allow them to make informed comments.

### **Response to the Consultation**

8. Initial discussions with Medway Ports Authority, prior to formal public consultation, indicated support in principle to the height of 4.0m (now 4.2m as explained above). This was subsequently confirmed following consultation with their local boating organisation contacts.
9. English Nature welcomes the lower bridge height as it will be less visually intrusive and should form less of a barrier to the upstream inter-tidal mudflats for wintering migratory birds. The other statutory environmental organisations raised no objection or were neutral on the issue of bridge height.
10. Swale Borough Council have no objections to a lower bridge height but reserve their position to comment on the detail when it comes forward for planning permission.
11. From the 51 letters written to Creek frontagers or other interested parties only 15 replies were received. 5 supported the lower height and 6 objected. There were three main themes to the objections as follows:
12. The Barge Museum and others claiming an interest said that the formal arrangement relating to their move from Milton Creek had not been finalised and no irrevocable decision should be taken until there was this certainty.
13. A Creek frontager has planning permission for a slipway that is believed to be under construction. It is understood that the intention is to then seek permission to have pontoons and he has stated that a lower height would significantly restrict the size and type of craft that could be accommodated. He also feels that a decision to adopt a lower height would be short sighted and limit the potential of the Creek to support the regeneration of Sittingbourne.
14. Other objections do not want any future use of the Creek to be prejudiced and would be against the principle of a fixed bridge unless it could accommodate the maximum height of a yacht that potentially might use the Creek or would prefer an opening bridge.

### **Discussion on Bridge Height**

15. Milton Creek was at the heart of Sittingbourne's economy up until the early part of the 20<sup>th</sup> century. It was lined with brickfields and sailing barges exported these products with agricultural produce to London and beyond.
16. It is a very different picture now. The Creek is highly silted and none of the Creek frontagers are understood to use the Creek commercially for water borne transport. It is rarely used by pleasure craft other than the probable occasional exploratory visit. With the Barge Museum and associated barges relocating away from Sittingbourne, the only known use is in connection with Murston Wharf where the owner has planning permission for a slipway as referred to above. The owner states that a proposal to reduce the height from 6.4m to 4.0m will significantly restrict the size and type of craft that can be accommodated.

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17. Medway Ports Authority (MPA) has consulted informally and typical air drafts of motor cruisers in the Medway/Swale area are between 3.6m to 4.6m with the larger craft at 6.1m. MPA have indicated that they support the proposal to have an air clearance of 4.2m above MHWS as this will accommodate the majority of motor boat type leisure craft operating in the Medway and Swale area. Craft requiring a higher air clearance perhaps of the order of 6.0m could be accommodated at other states of the tide.
18. The difficulty with any yachts larger than a sailing dinghy is that it is likely to require an air clearance greater than 6.0m. The issue for yachts then is not whether to have 4.2m or 6.4m because the majority of them cannot be accommodated without a much higher bridge or an opening bridge.
19. An opening bridge has previously been considered and is not a viable option particularly bearing in mind the likely usage. The capital cost is higher than a fixed link but in particular it would have high annual revenue operating and maintenance costs.
20. In response to the specific objections:  
The concerns of the Barge Museum and those associated with it are understood. A decision now would not be an irrevocable decision because the bridge height will only be confirmed following the S106 process.
21. The objection of the Creek frontager with a slipway under construction and for pontoons is also understood. However, as described above, the original air clearance (6.4m) would have been restrictive for anything other than dinghys or very small yachts. The S106 Scheme if confirmed does provide for compensation in the event that any existing usage of the Creek is affected.
22. The final point relates to not prejudicing the future of the Creek. The Swale Borough Local Plan First Review Re-Deposit Draft – July 2005 states that improved highway infrastructure in the form of the Relief Road is key to successful implementation of the development strategy of the Local Plan. The early achievement of a viable scheme for the Relief Road is therefore paramount. The Local Plan in referring to the crossing states that ‘ it will be a bridge thereby retaining navigation rights.’ The intent of this phrase is that it would not be a barrage rather than the provision of unlimited navigation.
23. The Local Plan refers to the delapidated state of the Creek and that redevelopment gives opportunities to enhance the tourist attraction and celebrate the history of the Creek. It states that this could be ‘..done through design of development, through public art and by the provision of additional tourist attractions, for example a museum.’ The Plan does state that development and enhanced tourism should not be to the detriment of existing biodiversity and amenity. There are other references to development ‘ taking advantage of the waterside location.’
24. There are however no specific references to enhanced boating activity. This is not to say that there should not be any but it is presumed to be an acknowledgement of the difficulty of improving the Creek, probable commercial difficulties and competing alternative locations.

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25. A Milton Creek Masterplan for the lower reaches of the Creek is being prepared. A key relevant conclusion is the desirability of achieving a future access to the Church Marsh area from the Relief Road. This opens up possible environmental, tourist and cultural opportunities associated with the Country Park, the Sittingbourne & Kemsley Light Railway and the history of barge building and brick making. A lower crossing of the Creek makes such a future access more achievable.

### **Conclusions**

26. Medway Ports Authority support a lower crossing. They are the key statutory consultee without whose support a S106 Scheme could not realistically be promoted. English Nature supports a lower crossing as do Swale Borough Council.
27. Response to the public consultation was low and views were balanced. There is not therefore an overwhelming response either way that might significantly influence the decision.
28. A lower bridge height has the following advantages:
- (i) It will be less visually intrusive;
  - (ii) It is easier to achieve the route between Castle Road and the Creek where it runs through a narrow reserved land corridor and lessens the constraints and extent of visually dominant retaining walls;
  - (iii) Makes a future access connection to Church Wharf more achievable;
  - (iv) Cost saving contributes to offsetting increased costs of alternative route of the Relief Road that help to deliver it within the current provisionally approved funding.

The conclusion is that a lower bridge height of 4.2m should be adopted.

### **Financial Implications**

29. There are no additional financial implications and cost saving contributes to offsetting increased costs of alternative route of the Relief Road that helps to deliver it within the current provisionally approved funding.

### **Local Member Views**

30. The local Members for all Swale divisions have been consulted. The Member for Swale Central fully supports the reduced height recommendation. At the time of writing this Report no other views have been received but any that are will be reported verbally at the Board meeting.

### **Conclusion**

31. Subject to the views of this Board, it is proposed to recommend to the Cabinet Member for Environment, Highways and Waste that:
- (i) An air clearance of 4.2m above MHWS be approved for the Milton Creek bridge and form the basis for the promotion of a S106 Scheme subject to the overall Relief Road receiving planning permission;
  - (ii) The revised scheme plan shown on Drawing No.4568/WD/51RevC be approved in substitution for Drg. No. 4568/WD/51RevB approved on 5 December, 2005 following the Highways Advisory Board meeting on 1 November, 2005.

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**Background Documents**

Jacobs Babbie Report on Milton Creek Bridge Height Public Consultation – November, 2005.