

This statement by A J Bingham TD Dipl Arch ARIBA MRTPI (Retd) relates to Appeal Ref: APP/U2235/W/24/3351435 concerning Outline Planning Application Ref:23/504471/OUT (Maidstone Borough Council) Land at Moat Road, Headcorn.

At the opening of the inquiry into the above appeal on 26 February 2025 I heard that the Council had withdrawn all its reasons for refusing the above application. In effect, this means that the Council now raises no objection to the proposed application and it seems that the Council would approve a duplicate application. Today, the inquiry concentrated on matters of detail relating to topographical issues, landscaping, and highway works, indicating that the development was all but approved but without a formal decision notice.

Despite this situation, and notwithstanding the understandably sympathetic stance of the Appellant's expert highway witness, it is beyond doubt that implementation of the proposed development would severely worsen the unacceptable traffic congestion in Moat Road. It has to be experienced, particularly at peak traffic periods, to be believed.

I sent two letters to the Council objecting to the application proposal, with these letters containing much descriptive material with justification for refusal of the application on highways and traffic grounds. It appears that this evidence has been disregarded although I consider it included sound reasons for refusing the application. Despite the Council's change of stance, the outline application is the subject of the appeal and not the Council's revised thinking. The appeal needs to be decided on its merits at the time of the application and decision. In view of this I ask that the contents of my letters of objection sent to the Council be fully taken into account, hopefully leading to dismissal of the appeal in the interests of restoring Moat Road to carrying traffic in free flow rather than worsening the situation. For assistance I have attached copies of both letter of objection I sent to the Council before its decision was made.

A.J.Bingham 26 February 2025

A J BINGHAM TD MRTPI (Retd) Dipl Arch ARIBA

Chartered Town Planner (Retd) and
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Your Ref:

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Date: 30 October 2023

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Dear Sir

Planning Application Reference 23/504471/OUT

Owing to other commitments I regret that I have been unable to respond to your consultation on the above planning application until almost the end of the consultation period. It follows that I have also been unable to assess the application against current national and local planning policies. However, whether or not the application is policy compliant, I urge the Council to refuse the application for highways and traffic reasons, together with planning policy reasons if applicable.

My reasons for opposing the application relate to: (a) the inability of Moat Road to cater for any additional traffic in the light of the present unacceptable level of traffic congestion; (b) the inappropriate narrowing of the road bridge in Moat Road; and (c) the danger to road safety by virtue of the proposed pedestrian route along Moat Road.

Moat Road is one of the very few highways in Headcorn that is **not** subjected to extensive parking restrictions. Being close to the shops in the village centre, the railway station and primary school, the south side of Moat Road, fronting the existing residential development, and the road beyond, is mostly occupied at all hours by parked vehicles, and is frequently full to capacity. These vehicles are left there by shoppers, commuters, parents of children making the school run, local residents, their visitors and delivery personnel.

Moat Road carries 2-way traffic on a carriageway some 5.75m wide. At its eastern end it forms a crossroads at its intersection with Millbank (A274) to the north, Kings Road to the east and North Street (continuation of A274) to the south. At this intersection traffic is controlled by traffic signals installed in relation to a nearby recent development of 220 dwellings under the provisions of a Section 106 planning agreement. Parking restriction extend for considerable lengths on both sides of all three latter named highways, In the case of Moat Road, and immediate to the standards supporting the traffic signals at this highway intersection, there are short length of double yellow lines of negligible value. The parking activity described above results in the west bound lane of Moat road being occupied by parked vehicles, while waiting in the immediately adjacent east bound lane are vehicles queuing at the traffic signals. Accordingly, both lanes of Moat Road are completely blocked by stationary vehicles.

This queue is often in excess of 12 cars long. The principal land use of the land surrounding Headcorn is agriculture. This often gives rise to the queue of traffic being considerably longer when it includes agricultural tractors and trailers. The queue and the parked vehicles in Moat Road cause Moat Road to be blocked to traffic from all other arms of the crossroads. In turn,

traffic waiting but unable to enter Moat Road denies all traffic movements at the crossroads, paralyzing movement on the A274.

This traffic congestion is frequent owing to the fact the queue of traffic in Moat Road is slow to dissipate as the traffic signals are phased for a period of only some 7 seconds to allow traffic to exit Moat Road. Another reason for the slow dissipation of the traffic queue is the fact that many drivers approaching the traffic blockage see the congestion ahead. As a result they wait about 100m to 150m distant and they see a green light they drive to the traffic signals at speeds well in excess of the permitted limit. With about a 7 second time limit this is seldom a successful maneuver, with vehicles simply advancing to add to the length of the queue. More to the point it amounts to a serious road safety hazard.

This whole situation is unacceptable and currently causes *Road Rage*, loud confrontations, and a local resident has received a death threat. In addition there is increased air pollution from the exhausts of stationary traffic. As a consequence of this overall situation, traffic movements in Moat Road are limited only to vehicles reversing, or entering private drives, in an attempt, mostly unsuccessful, to find a route to pass the parked vehicles. Vehicles also mount the grass verge on the north side of the road, thereby causing significant damage.

The application proposes the provision of up to 110 dwellings. It is likely that, in total, its occupiers would own in excess of 200 vehicles generating substantially more than 400 vehicle movements on a daily basis when taking account traffic movements of resident, visitors, tradesmen and other deliveries, even without consideration of the volume of construction traffic. This would add significantly and unacceptably to the mayhem currently experienced at the east end of Moat Road. Even if the highway authority agreed to deny parking provision in the whole of Moat Road within the limits of existing development, the problems described above militate against the grant of planning permission for the proposed development..

The application proposal includes works to Moat Road which the applicant obviously considers necessary to render the proposal workable. However, in my opinion these works are unacceptable as their implementation would result in further undesirable road traffic congestion and unacceptable hazards to road safety. Firstly, the narrowing of the carriageway on the road bridge immediately south west of Moat Farm would prove hazardous to pedestrians, particularly owing to the provision of a footway only 1.5m wide and the decreased width of the carriageway on the bridge. Moreover, the decreased width of this part of the carriageway would be likely to deny access, or cause difficulty for some types of traffic, specifically agricultural vehicles such as heavy tractors, combine harvesters, and some HGVs.

Many parts of the proposed footway along Moat Road are only 1,5m wide, which is insufficient width to allow two wheelchairs to pass one another, unless one moves onto the carriageway. The proposed footway includes a route where pedestrians would need to cross Moat Road in the vicinity of curves in the highway that would unacceptably deny clear sight of moving traffic. Moreover, the crossing would prove to be a road safety hazard in its proposed location in proximity to any vehicles parked on the carriageway of Moat Road. I query the need for the pedestrian crossing when a safe route along the north side of Moat Road is available by means of use of the remnants of an existing footbridge. This would lead directly to the aforementioned traffic signals which could be adapted to provide a signalized crossing for pedestrians.

The application plan showing the proposed works to Moat Road appears to indicate that the proposed carriageway extension in the vicinity of the road bridge would project beyond the existing position of the southern parapet of the bridge. This element of the proposal seems to require partial demolition of the bridge. If my reading of this application plan is correct I question whether this is necessary or acceptable.

Having regard to my foregoing representations, I urge the Council to refuse this application for the following reason, together with any planning policy reasons it may identify. Insofar as the Council is not empowered to deal with matters relating to the designation of on-street parking issues, and recognizing that the highway authority would be implicated in the reason for refusal, to render my suggested reason for refusal procedurally correct I suggest that it should be worded on the following lines:

“No dwelling hereby approved shall be occupied until the local planning authority, in liaison with the highway authority, has implemented a scheme for the control of vehicle parking on both sides of Moat Road to the limits to be decided by the highway authority”

I hold the view that such a condition would not oblige the highway authority to alter the existing parking arrangements in Moat Road, neither would it deny the opportunity to provide a “Residents only” parking area fronting the residential properties in Moat Road which are devoid of vehicular access.

I hope my comments are helpful.

Yours faithfully

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Dear Sir

Planning Application Reference 23/504471/OUT

I am writing in response to your consultation letter dated 3 January 2024. It seems that the revised documents received by the Council amount to a schedule of assumed advantages and an annex, prepared by a consultant commissioned by the applicant. It seems the applicant believes that these advantages would result if the proposed development progresses to fruition. I urge the Council to treat this additional material with caution. I say this as a person who has been engaged in the planning and development industry for some 51 years.

In past years I have come upon this device of depositing late documentation which I have recognised as a ruse purely to enable an applicant to promote their application by informing the local planning authority of the assumed much desired assets that would result if the scheme were implemented. Needless to say, the document now submitted contains no meaningful information and understandingly it fails to reveal any detrimental effect that may have been identified by the applicant's consultant. Moreover, the annex to the information recently received by the Council is surprising, firstly by the lack of evidential data it contains, and secondly as it seems that Kent County Council (KCC), as the highway authority, has accepted the proposals for highway alterations despite the fact that they would not be in the interests of road safety or the essential need to secure necessary improvement to achieve the free flow of traffic on Moat Road.

Like the other large housing estates that have recently been built in Headcorn, which have destroyed the village's former rural character, I have no doubt that the proposed development fails to comply with policies of the current development plan. However, considering that road safety and the need to relieve the unacceptable level of traffic congestion in Moat Road are overriding matters I intend to focus on these particular issues.

The above mentioned annex, under the heading Traffic Impact, reads as follows: *Millbank/ King's Road/ North Street/ Moat Road (Signalised Crossroads). The applicant's capacity assessment confirms that the junction currently operates without any capacity issues. Following the addition of the development traffic the junction is anticipated to continue to operate within capacity, without any unacceptable levels of queuing or delays.*

Not only is there no statistical evidence to support this statement, (such as the applicant's capacity statement, time of day applied to this capacity statement, the applicant's assessment of traffic generation by the proposed development or analysis of directional movements likely to be

made by traffic leaving the application site) but as routine observation, particularly at peak periods shows, the statement "*the junction is anticipated to operate within capacity*" is clearly incorrect. At present, for reasons that follow, the junction is badly congested for much of the day. If an independent impartial assessment is needed I suggest that Headcorn Parish Council would be in a position to help.

As stated in earlier correspondence, Moat Road is one of the few roads in Headcorn that is **not** subjected to extensive parking restrictions. KCC consulted local residents on two occasions on the matter of introducing parking restrictions in Moat Road, but despite local support to ban on-street parking, no action was taken. The current situation is that being close to the shops in the village centre, the railway station, the village green and primary school, the south side of Moat Road, fronting existing residential development, and much of the road beyond, is mostly occupied at all hours by parked vehicles, and is frequently full to capacity. These vehicles are left there by shoppers, commuters, parents of children making the school run, local residents, their visitors and delivery drivers.

Before referring to the content of the documents recently submitted by the applicant, I need to dwell on the matter of the use of Moat Road. Moat Road is a public highway which was constructed and is maintained at public expense and which has been provided for the purpose of enabling the movement of vehicular traffic. In legislative terms it should be noted that the activity of parking is not recognised as a function of a public highway. However, I realize that parking on a public highway is not an illegal activity, but it is an activity over which a highway authority has power of control and has the ability to make a Road Traffic Order to ban on-street parking when such parking is deemed to cause a nuisance.

Moat Road carries 2-way traffic on a carriageway some 5.75m wide, but with a continuous line of vehicles parked on its south side during daylight hours, and most of the night, for the whole of its length within the built up confines of the village and beyond, the eastern end of this road effectively operates as a single lane highway carrying two-way traffic. The inadequacy of Moat Road to cater for this function is illustrated by the facts that: the verge on the north side of the road has been consistently overrun by vehicles which has caused unacceptable damage; verge marker posts have been run down and crushed; and the width of the carriageway has been extended without authorization onto the former grass verge.

When traffic is queuing on the north side of Moat Road while waiting at the traffic signals, the queue stands adjacent to the line of parked vehicles on the south side. During this very frequent event Moat Road is blocked and unable to accommodate vehicles turning into it from the other three arms of the intersection. The vehicles attempting to turn into Moat Road are obliged to wait on the A274 denying any movement at the crossroads. With the queue in Moat Road often consisting of more than a dozen vehicles with more vehicles waiting some 200m distant to avoid the mayhem, and with the traffic signals phased to provide an exit time from Moat Road of about 7 to 8 seconds, traffic congestion occurs frequently and is often long lasting.

Headcorn is a rural settlement that lies in an area where the principal land use is agriculture. No account appears to have been given to the fact that a considerable proportion of traffic using Moat Road comprises agricultural vehicles, mostly tractors many drawing substantial trailers. These vehicles seriously worsen the already unacceptable traffic congestion, not least because it takes a tractor and trailer some 10 seconds to move from Moat Road into North Street. It is without doubt that the vehicles generated by the proposed development of 110 dwellings would give rise to several hundred daily traffic movements. With the present unacceptable traffic conditions at the signalised junction it is most unlikely that the traffic from the proposed development would allow the junction to operate within capacity as anticipated by the applicant, particularly when the junction fails to provide conditions that allow traffic to move in free flow at the present time.

The provision of a pedestrian crossing in Moat Road, beyond the existing built limits of the village, is an anachronism and is unacceptable in terms of road safety. It would result in a hazard as vehicle drivers in the west bound lane would immediately come upon this feature after having difficulty in negotiating the traffic signals. Moreover, the pedestrian crossing is unnecessary, for as I have previously mentioned, there is a pedestrian route available which provides a safe means of crossing Moat Road at the traffic signals, and which avoids moving pedestrians onto the proposed narrow footway on the enclosed area of the road bridge used by vehicular traffic.

As I have said in earlier correspondence, the proposal to narrow the carriageway of Moat Road on the bridge is also unacceptable as any alteration to the highway should be made in then interests securing improvement to the highway. The proposal to require vehicles to wait for approaching vehicles to clear the bridge runs contrary to the objective of securing the free flow of traffic, particularly when seen in conjunction with the proposal for the nearby pedestrian crossing and the unacceptable delays currently experienced at the traffic signals.

If such drastic alterations to the bridge as proposed are required, it seems to me that the only logical approach, which would avoid the piecemeal and unacceptable proposals by the applicant, would be demolition of the bridge and its rebuilding in appropriate style with a bridge of sufficient dimensions to accommodate two way traffic and a footway of adequate width, or even a separate footbridge as mentioned in earlier correspondence.

In the light of my further justified criticisms of this proposed development I again urge the Council to refuse planning permission for it. However, if the Council decides to grant planning permission I request that, together with any planning conditions the Council considers appropriate, it includes the condition I set out in my previous letter of objection.

Yours faithfully

A J Bingham