



Marion Geary
Planning Case Officer
Maidstone Borough Council

By email

Public Protection

PROW & Access Service
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Phone: 03000 413331
Ask for: Kate Beswick
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12th January 2024

Dear Marion

Location – Land At Moat Road Headcorn Maidstone TN27 9NT

Proposal – Outline application (with all matters reserved except access) for the development of up to 120no. dwellings (Use Class C3) including demolition of existing buildings, new means of access into the site from Moat Road (not internal roads), associated highway works, provision of public open space, emergency/pedestrian access to Millbank, and associated infrastructure including surface water drainage (with related off site s278 highway works to Moat Road).

Thank you for the consultation letter regarding the above application **23/504417/OUT**. Public Footpaths KH590 is directly affected by the application with Public Footpath KH591 in immediate vicinity and multiple PROW in the wider area. The location of the paths are indicated on the attached extract of the Network Map. The Network Map is a working copy of the Definitive Map. The existence of the Public Right of Way (PROW) is a material consideration.

As a general statement, the KCC PROW and Access Service are keen to ensure that their interests are represented with respect to our statutory duty to protect and improve PROW in the County. The team is committed to achieve the aims contained within the KCC Rights of Way Improvement Plan (ROWIP). This aims to provide a high-quality PROW network, which will support the Kent economy, provide sustainable travel choices, encourage active lifestyles and contribute to making Kent a great place to live, work and visit.

Further to the recent additional information provided, KCC PROW and Access unfortunately maintain **their holding objection** as we still require clarification regarding the potential diversion of KH590 at this stage of the application. Other comments from our previous response are either to come or not as yet addressed. However, as before, we would be happy to lift this objection with engagement and resolution of the issues.

Agent email – response to KCC PROW and Access comments of November 2023

We consider that the potential diversion of KH590 should be confirmed or not at this outline stage rather than leave until any Reserved Matters – it is the detail of any application that is submitted at that stage. The outline application should ensure that the PROW route will be incorporated positively within the development from the earliest stages, particularly in this case as the application documents all refer to a diversion but of greater or lesser degree.

We note that the LVIA response will come as part of the overall Landscape response.

We note with thanks the agreement of our developer contributions request of £5,000.

Summary

KCC PROW and Access maintain a **holding objection** on the application for the above reasons, however, would be happy to lift this if the issues outlined are resolved

Comments are made in reference to the following planning policy.

- **National Planning Policy Framework** Section 104 : Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.
- **National Planning Policy Framework** Section 108 : Transport issues should be considered from the earliest stages of plan-making and development proposals, so that... c) opportunities to promote walking, cycling and public transport use are identified and pursued

Kent County Council Rights of Way Improvement Plan

Maidstone Local Plan Policy SP7 (4 i) / SP23

This response is made on behalf of Kent County Council Public Rights of Way and Access Service. The views expressed should be considered only as the response of the County Council in respect of Public Rights of Way and Countryside Access matters relating to the application.

Yours sincerely

Kate Beswick

Countryside Access Improvement Plan Officer
Public Rights of Way and Access Service