



**Marion Geary**  
**Planning Case Officer**  
**Maidstone Borough Council**

**By email**

**Public Protection**

PROW & Access Service  
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25<sup>th</sup> April 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 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, and engagement with the applicant, KCC PROW and Access **would be able to lift their holding objection** providing that an appropriately worded condition is made if permission is granted. The condition should require a PROW Management Plan to be provided at Reserved Matters and agreed and approved by the KCC PROW and Access Service as the Highway Authority for Public Rights of Way.

The Plan should encompass the recent discussions as follows :

- Details of surface, width, signage, entry/exit into and from the site, detail of appropriate PROW crossing over the access road, the route and status of the path to the connection /junction with Moat Road at the new footway. Construction period management of the PROW route throughout the site to ensure it is kept open and safe to use. The legal requirements for diverting KH90 and the continuation through the east of the site to Moat Road must be detailed and agreed. This will require consideration with ourselves regarding the status of the route at this point (will it be recorded PROW) and the legal event to bring this into force. We advise further discussion with ourselves for clarification once further detail comes forward (prior to any further application) as discussed during recent engagement.

We advise the Public Footpath is clearly marked and correctly referenced (Public Footpath KH90) on all drawings and plans for context and clarification.

### Summary

KCC PROW and Access will lift the **holding objection** on the application provided the above is conditioned as above in the event of future permission. We expect continued engagement as agreed with the applicant regarding the exact diversion route of Public Footpath KH90.

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