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Highways and Transportation

Ashford Highway Depot
4 Javelin Way
Ashford
TN24 8AD

Tel: 03000 418181

Date: 11 July 2022

Our Ref:

Application - MBC/22/501335/FULL

Location - Land North Of Little Cheveney Farm Sheephurst Lane Marden Kent

Proposal - Installation of a renewable energy led generating station comprising of ground-mounted solar arrays, associated electricity generation infrastructure and other ancillary equipment comprising of storage containers, access tracks, fencing, gates and CCTV together with the creation of woodland and biodiversity enhancements.

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters :-

Introduction

The proposals seek permission for the Installation of a renewable energy led generating station comprising of ground-mounted solar arrays, associated electricity generation infrastructure and other ancillary equipment comprising of storage containers, access tracks, fencing, gates and CCTV together with the creation of woodland and biodiversity enhancements.

Kent County Council (*KCC*) Highways note that a Construction Management Plan (*CMP*) has been submitted in support of the proposals. *KCC* Highways consider this to be proportionate to the scale of the development, given how any significant traffic generation will be temporary and time limited.

Discussion

To obtain access for construction vehicles the applicant is seeking consent for a new temporary construction access onto Sheephurst Lane. This is to take the form of a priority junction arrangement and will provide access for construction and delivery vehicles, as well as site operative vehicles. In order to determine actual observed speeds on Sheephurst Lane the applicant has undertaken a 7-day automated traffic count between 22nd and 28th July 2021.

Visibility sight lines commensurate with observed speeds and the requirements of the Design Manual for Roads and Bridges (*DMRB*) are proposed at the site access. The provision of such visibility sight lines is acceptable to *KCC* Highways. Importantly, the applicant has also demonstrated that these can be achieved within the existing highway boundary, or land within the applicant's control, subject to some vegetation clearance.

Although the applicant's Construction Management Plan (*CMP*) confirms that Bartons Lane will be extended to accommodate the secondary operational access, it is unclear if the construction access will be retained in perpetuity. Whilst paragraph 3.20 of the applicant's *CMP* confirms that during the proposals operational phase access will be obtained via Sheephurst Lane, it does not confirm if this relates to the construction access, or an additional new access. This should therefore be clarified.

The likely traffic movements during the development's construction phases are outlined in Tables 5.1 and 5.2 of the applicant's *CMP*. This confirms that the development could generate up to 30 HGV movements during the construction phases. Given the temporary nature of these activities, KCC Highways do not consider this to provide sustainable grounds for objection.

Once operational the development's likely level of trip generation is anticipated to significantly reduce (*10-20 visits a year*), owing to their being no need for a daily staff presence, with trips only anticipated for servicing and maintenance purposes.

It is indicated within the *CMP* that details of the proposed site compound are included on the site layout plan in Appendix A. KCC Highways have reviewed this plan and are unable to locate the proposed site compound. In addition, whilst the *CMP* suggests that the construction workforce will primarily travel to the site via minibus, once a contractor is appointed, it does not confirm the capacity of the staff car parking area. This requires clarification, given the sizeable workforce likely to be needed during any construction phase.

Finally, section 4 of the *CMP* indicates that construction traffic, including HGV's, will be routed via the A229, B2079 and then eventually to site via Albion and Plain Road. The suitability of this route is questioned, given how Plain Road is only suitable for the one-way flow of traffic and the B2079, West End Goudhurst Road is much wider and therefore more suitable. Any HGV movements should be timed to avoid school arrival and departure times due to the presence of Marden primary School on the B2079.

Summary and Recommendation

KCC Highways wish to raise a **holding objection** to the proposals, on the basis that the applicant should provide the following additional information:

- Confirmation if the proposed temporary construction access will be retained in perpetuity and form the primary site access onto Sheephurst Lane;
- An update site plan, preferably at scale 1:500, demonstrating the location of the site compound area;
- Confirmation of the number of parking spaces that will be provided in the site compound area;
- Amendments to the proposed route strategy so that all HGV's travel via the B2079, West End Goudhurst Road.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is

advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

Yours Faithfully

Director of Highways & Transportation

*This is a statutory technical response on behalf of KCC as Highway Authority. If you wish to make representations in relation to highways matters associated with the planning application under consideration, please make these directly to the Planning Authority.