



Maidstone Borough Council
Maidstone Planning Department
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Highways and Transportation

Ashford Highway Depot
4 Javelin Way
Ashford
TN24 8AD

Tel: 03000 418181

Date: 30 September 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 :

The applicant has confirmed that the temporary construction access proposed will be retained as the primary site access following the construction of the development. As set out in this authority's initial consultation response the applicant has demonstrated the suitability of this access in relation to observed speeds on Sheephurst Lane, and the types of vehicles that will require access to the site.

An updated site plan, which includes the location of the turning area and parking spaces has been provided by the applicant. Importantly, this plan confirms that onsite parking will be provided by the applicant for contractors as well as adequate areas for loading/unloading, turning and manoeuvring.

37 car parking spaces are to be provided for the development's construction phase.

Whilst the total number of vehicle trips by construction operatives is unknown at this time, KCC Highways consider the proposed provision to be acceptable given the likelihood of car sharing amongst construction operatives, all of whom would be travelling to the same site.

Finally, in accordance with this authority's advice the applicant has revised the proposed construction route. Whilst KCC Highways maintain the view that the characteristics of the B2079 are suitable for larger vehicles, the concerns of other consultees, including Marden Parish Council (*MPC*) are acknowledged.

Upon further reflection it is considered that the route suggested by MPC (*A229, B2079, Underlyn Lane, Green Lane, B2162, Sheephurst Lane (northern end)*) would provide a more appropriate route, given the existing weight restriction, width constraints and narrow bridges associated with the Southern end of Sheephurst Lane.

Although this route would involve the use of junctions where visibility is constrained such as Green Lanes junction with the B2162, any additional risk associated with its use is counterbalanced by the potential adverse impacts of using a section of Sheephurst Lane that is significantly constrained. In addition, it is recognised that Underlyn Lane provides the signed route for existing industrial areas situated on the outskirts of Marden village centre.

Subject to the proposed construction route being amended as set out above and the following planning conditions below, I raise no objection to the proposals on behalf of this authority:

-Before and after construction of the development, highway condition surveys for highway access routes should be undertaken and a commitment provided to fund the repair of any damage caused by vehicles related to the development.

-Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.

-Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.

-Provision of measures to prevent the discharge of surface water onto the highway.

-Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.

-Completion and maintenance of the access shown on the submitted plans (**drawing number: SK01 Rev A titled 'Sheephurst Lane Primary Site Access'**) prior to the use of the site commencing.

-Provision and maintenance of the visibility splays shown on the submitted plans (**drawing number: SK01 Rev A titled 'Sheephurst Lane Primary Site Access'**) with no obstructions over 0.9 metres above carriageway level within the splays, prior to the use of the site commencing.

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.