

22.01570 Appendix 2

KCC Highways Comments

06.09.22

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 erection of up to 52 residential dwellings, including affordable housing, open space and landscaping, roads, parking, drainage, earthworks and a new access to be formed from Wateringbury Road.

Kent County Council (KCC) Highways note that a Transport Statement (TS) has been submitted in support of the proposals, which was produced by DHA Consultants. I can confirm that the development has been the subject of pre-application discussions, which is appended to the TS.

I have the following highway comments to make in respect of the development:

### **Access**

#### **Vehicular**

Access is proposed via a singular all-purpose vehicular access onto the C254, Wateringbury Road. Contrary to the requirements of the Kent Design Guide (KDG) for a Major Access Road (MAR), which can serve between 50 and 300 dwellings the applicant is not proposing to provide an emergency access. The site access strategy should be reassessed to ensure compliance with the requirements of the KDG, as well as in the interests of network resilience.

Visibility sight lines of 2.4 meters by 17 meters are proposed at the site access. This is on the basis that the existing speed limit will be amended to incorporate the site access and it is

therefore acceptable to provide visibility splays for a posted speed limit of 20 miles per hour (*mph*).

Although KCC Highways consider the extension of the existing speed limit to incorporate the potential new built-up area to be sensible, Table 7.1 of Manual for Streets (*MfS*) requires visibility sight lines of 2.4 by 25 meters for speeds of 20 mph. Visibility splays that are compliant with *MfS* are required.

Whilst the applicant is seeking to amend the existing 20 mph zone given the modest nature of the extension, approximately 10 meters to the south, amendments to the existing Traffic Regulation Order (*TRO*) are not required in this instance. All other works, including the extension of the existing raised table can be secured via a S278 agreement with this authority.

The site access arrangements are not supported by a stage 1 independent Road Safety Audit (*RSA*), or corresponding designer's response. As the proposals seek amendments to the existing highway layout a stage 1 *RSA* and supporting designer's response is required.

Finally, no swept path analysis for the largest vehicle expected to require access to the site has been provided. The suitability of the access for such sized vehicles is therefore unclear. KCC Highways also note that whilst the *TS* indicates that the applicant is willing to bring forward a package of off-site highway improvements, in line with the local Parish Council's Highway Improvement Plan (*HIP*), it does not confirm what works may be brought forward. This requires clarification.

### **Pedestrian**

To ensure safe pedestrian connectivity the applicant is proposing a connection with the existing footway on the east side of Wateringbury Road, thereby allowing connections with East Malling Village Centre and its associated facilities. Whilst the footway itself is below desirable widths, it does provide a dedicated pedestrian route. No measures, including localised widening, are proposed by the applicant to cater for any additional demand that may be generated by the development.

### **Sustainability**

#### **Walking and Cycling**

The site is located on the far extents of the existing built-up area, approximately 550 meters from East Malling Railway Station. Although the site does benefit from an existing footway that provides continuous connections to East Malling Village centre, its narrow width will to some extent discourage pedestrian trips.

Whilst East Malling does also contain some existing facilities such as a school, small convenience store and local pub that will to some degree meets residents' day to day needs, given the modest nature of these services residents are also likely to require the use of further afield facilities to supplement day to day needs.

#### **Public Transport**

The applicant has concluded that the site offers good opportunities for travel by sustainable modes, owing to its proximity to East Malling train station and the bus stops in East Malling village centre. KCC Highways disagree with this conclusion, as whilst there are existing train stations and bus stops within walking distance that can be safely accessed, they are only

served by an infrequent range of services, even at peak times. It is therefore considered that sustainable transport will have a limited role in meeting the development's travel demands.

### **Trip Generation Forecasts**

The development is anticipated to generate 24 two-way movements (*combined arrivals and departures*) in the AM peak (08:00-09:00) and 26 two-way movements in the PM peak (17:00-18:00).

Of the 52 dwellings that are proposed the applicant is proposing that 13 (25%) would be affordable. The applicant has therefore provided separate forecasts for the private and social housing element of the development. Should the proposed housing schedule change then the forecasts presented in the TS would become invalid.

To derive the trip generation forecasts the applicant has utilized the TRICS database. This is a methodology that is commonly used and underpinned by independent surveys of developments with a range of locational characteristics. In this instance the applicant has focused on sites in a 'neighbourhood' or 'suburban' location. KCC Highways consider such site selection parameters to be acceptable for assessment purposes.

### **Trip Distribution and Assignment**

To determine how the development traffic is likely to distribute across the highway network the applicant has undertaken a trip distribution exercise. Census Travel to Work data for the Middle Super Output Area (MSOA) that the development is located in has been utilised in conjunction with a real time journey planner for assignment purposes. KCC Highways consider adoption of this methodology to be acceptable, as it is reasonable to assume that the travel patterns of the new development will be similar to that of the existing community.

Of the 24 AM peak hour trips the majority (21) are expected to route north via East Malling High Street, with the remaining (5) routing south anticipated to route south via Wateringbury crossroads, or Malling Road. A similar pattern is expected in the PM peak.

### **Off-Site Highway Impacts**

Applying the applicant's distribution assumptions, the amount of additional traffic that will route through East Malling High Street equates to approximately 1 vehicle every 3 minutes. Whilst the applicant has not undertaken a percentage impact assessment to determine the increases upon existing traffic flows, KCC Highways consider the likely increase in traffic to be modest.

KCC Highways acknowledge that some sections of East Malling High Street contain existing on street parking arrangements which to some extent interrupt the flow of traffic, owing to traffic travelling in opposing directions having to give way to each other.

However, East Malling High Street exhibits a good personal injury collision record. There is therefore no evidence to demonstrate that the limited levels of additional traffic that the development will generate will adversely impact upon overall levels of highway safety.

In addition, whilst the presence of on street parking to some degree impacts upon the free flow of traffic, it does also encourage lower vehicle speeds. On this basis KCC Highways do not consider the impact of the additional traffic on East Malling High Street would worsen conditions to an extent that could be reasonably described as 'severe.'

Waterinbgury crossroads is a junction that has been subject to long standing congestion problems. Although KCC Highways have previously consulted upon possible improvements to

alleviate the congestion that is known to occur at this location, they have not been supported locally. KCC Highways currently have no intentions of bringing forward any amendments to the existing junction layout.

In recognition of the need to assess the likely impact of the development upon this existing congestion hot spot, the applicant has forecast the amount of additional traffic anticipated to route through the junction because of the development. The development is anticipated to generate no more than 4 movements through the junction at peak times. KCC Highways consider that such levels of additional traffic will be well within daily fluctuations. On this basis it is the view of the highway authority that a congestion-based objection would not be reasonable or sustainable.

### **Personal Injury Collision Record (PIC)**

PIC for the access and the area within its immediate proximity for the period up to 30<sup>th</sup> September 2021 has been obtained by the applicant. During the period in question 8 collisions were recorded, 2 of these collisions were serious in severity. One of the serious collisions occurred on Waterinbury Road itself with the other occurring at Sweets Lane/Waterinbury Road crossroads. Neither the highway layout nor a defect within it were a contributory factor in either of the recorded collisions.

Although a number of collisions (*6 in total*) are clustered at Sweet's Lane junction with Waterinbury Road and near to 'Ivy Farm,' driver/rider error was a contributory factor in a significant proportion of the collisions. Given the limited number of collisions during the period in question it is not considered that the proposals will exacerbate any pre-existing highway safety problems.

### **Internal Layout, Turning and Servicing and Parking**

As this application is in outline form only, only the principle of the development is being considered. KCC Highways therefore have no comments to make in respect of the development's internal layout, turning, servicing and parking provision, as these will be the subject of separate reserved matter applications, should permission be granted.

### **Summary and Recommendation**

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

- An amended access strategy that includes an additional emergency only access;
- Provision of visibility sight lines commensurate with Table 7.1 of MfS;
- Submission of swept path analysis for the largest vehicle expected to require access to the site;
- Confirmation of the package of off-site highway works it is intended to bring forward as part of the planning application;
- Submission of a stage 1 RSA and supporting designer's response for the proposed site access and any off-site highway works.



**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 a 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

04.07.23

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**

Kent County Council (KCC) Highways note that in response to this authority's initial consultation response (*dated September 2022*) the applicant has submitted additional highway information. I have the following highway comments to make in respect of it:

### **Access**

#### **Vehicular**

The applicant has declined to amend the access strategy to include the requisite secondary emergency only access. This is on the basis that the quantum of development that permission is sought for is only marginally over the threshold for an emergency access, with the fact that only outline permission is sought offering potentially for a looped arrangement, as part future reserved matters applications.

Although KCC Highways consider that for network resilience, as well as emergency access reasons, a secondary emergency access would be preferential in accordance with the requirements of the Kent Design Guide (*KDG*), its absence is not considered a sustainable reason for refusal in isolation. To confirm the suitability of the site access strategy for their requirements Kent Fire and Rescue Service should be consulted.

KCC Highways welcomes the applicant's confirmation that the visibility sight lines proposed from the site access have been amended in accordance with the requirements of the road's

posted speed limit. These are shown on the revised site access drawing (*drawing number: H-01 Rev P4 titled 'Access Proposal'*) and are acceptable to KCC Highways.

It also noted that the previously requested swept path analysis has now been provided. This analysis confirms that the largest vehicle expected to require access to the site (*a refuse freighter*), would be required to overrun adjacent traffic lanes whilst manoeuvring in and out the site. The further information does not confirm if it possible to eliminate this hazard via amendments to the site access junction, including increased junction radii or overrunable areas.

Whilst it is considered that the optimum solution would be to amend the junction to fully accommodate the manoeuvres of refuse vehicles, KCC Highways remain mindful of the infrequent nature of such vehicles. As such, the junction arrangement is considered acceptable in this instance, particularly given how it will accommodate all other vehicle types.

Finally, it is noted that has now confirmed the package of off-site highways that are to be offered as part of the planning application. These include: additional road markings on Chapel Street, extension of the existing 20mph speed limit, introduction of a raised table feature at the site access and the enhancement and the change of priority of the existing narrowing feature to reduce traffic speeds on the approach to East Malling village centre.

As requested in this authority's initial consultation response these works, as well as the proposed site access, have now been subject to an independent stage 1 Road Safety Audit (RSA). The RSA has raised 5 problems. In all instances the applicant has accepted the auditor's recommendation and incorporated it into their final proposals.

### **Summary and Recommendation**

I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority, subject to the following conditions:

-Submission of a Construction Management Plan before the commencement of any development on site to include the following:

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage

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

-All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing a 7kw output) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list:

<https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

-Use of a bound surface for the first 5 metres of the access from the edge of the highway.

-Completion and maintenance of the access shown on the submitted plans (*drawing number: H-01 Rev P4 titled 'Access Proposal'*) prior to the use of the site commencing.

-Gradient of the access to be no steeper than 1 in 10 for the first 1.5 metres from the highway

boundary and no steeper than 1 in 8 thereafter.

-Provision and maintenance of the visibility splays shown on the submitted plans (*drawing number: H-01 Rev P4 titled 'Access Proposal'*) with no obstructions over 0.6 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 a 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



06.08.24

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

Having reviewed the planning portal there appears to be no new information relevant to highways. I can therefore confirm that this authority's position remains as set out in the response of 4th July 2023.

**It is important to note that Local Planning Authority (LPA) 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 a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, 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 and near the highway 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 pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

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. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, 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.

Further 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.