



Ashford Borough Council

Civic Centre
Tannery Lane
Ashford
Kent
TN23 1PL

Highways and Transportation

Ashford Highway Depot
4 Javelin Way
Ashford
TN24 8AD

Tel: 03000 418181

Date: 25 August 2022

Our Ref: MH

Application - 22/01041/AS

Location - Cradle Bridge Level Crossing Conningbrook Park, Kennington Road, Willesborough

Proposal - Full planning application for the construction of a footbridge crossing over the railway line and associated works.

Thank you for the consultation on the above planning application. The proposals have been subject to pre-application discussions with Kent County Council Highways and Transportation to inform the parameters of the footbridge including the proposed width of the footbridge at 2.5 metres in width and approach ramps (to be DDA compliant with a gradient of less than 1 in 20).

There are however a number of finer details that need to be addressed to enable Kent County Council to potentially adopt such a structure. The applicant is also strongly advised to commence an Outline Technical Approval process prior to the granting of any planning permission so all of the asset managers at Kent County Council can comment on the acceptability of the proposals from an adoption point of view with any changes being made to the scheme prior to the granting of any planning permission.

You should also consult my colleagues in the Public Right of Way (PROW) Team here at Kent County Council as the footbridge will involve the closure of the at grade PROW over the railway line and diversion of PROW's AU21 and AU22 and then the diversion or extinguishment of public right of way AU17.

- Kent County Council will not adopt handrail lighting for the bridge as this is not a standard lighting item. This will have to be adopted by the on-site management company at Conningbrook Park or Redrow and confirmation needs to be received from them that they will adopt the lighting.
- A resin bonded surface on the bridge is not acceptable as it is not on our standard palette of materials due to health and safety concerns. A resin bound surface may be acceptable but agreement would need to be reached with the Road and Footway Asset Team at Kent County Council as part of the outline technical approval process.

I look forward to further commenting on the proposals once additional information is submitted to address the above concerns.

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

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.