



Tonbridge & Malling Borough Council
Development Control
Gibson Building
Gibson Drive
Kings Hill
West Malling, Kent
ME19 4LZ

Highways and Transportation
Kroner House
Eurogate Business Park
Ashford
TN24 8XU

Tel: 03000 418181
Date: 4 August 2023
Our Ref:

Application - TM/23/01418/EASP

**Location - Development Site Land East Of Kiln Barn Road And West Of Hermitage Lane
Aylesford Kent**

**Proposal - Request for an EIA Scoping Opinion under Town and Country Planning
(Environmental Impact Assessment) Regulations 2017 (as Amended)**

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 Environmental Impact Assessment Scoping Report provided as part of this application identifies that a Transport Assessment (TA), stated within paragraph 6.8, will be provided with any future planning applications. KCC Highways regard the submission of a detailed TA to be essential in enabling the cumulative transport related impacts of the proposed development, up to 1,600 dwellings, to be properly understood.

The TA should include, but is not necessarily limited to, the following key items:

- An assessment of the existing transport networks and infrastructure.
- Robust forecasting of the likely trip generation and distribution impacts of the proposals.
- Detailed assessments, including junction capacity modelling, of the forecasted impacts in the context of the existing network. These assessments should consider road safety as well as highway capacity.
- Evidence to demonstrate how the proposed mitigation measures will address any potentially significant or severe impacts.

The Applicant has already initiated discussions with KCC Highways regarding the scope and content of the TA, as part of the Pre-Application Advice process. KCC Highways have asked the applicant to fully assess the impact of development on the constraints of Hermitage Lane and routing on the local and strategic network. The applicant is considering using the Kent Transport Model to run option testing. This communication will be an ongoing process.

It is recommended that the TA should be accompanied by a Framework Travel Plan (FTP). The applicant has confirmed as part of paragraph 15.7 of EIA that this will be the case. The

applicant will also provide a Construction Management Plan as part of any future application to enable the highway authority to understand phasing, construction vehicle routing, etc.

In conclusion, subject to the above comments, the proposed EIA scoping assessment methodology outlines a suitable approach for testing the environmental impacts of the proposed development from a transport perspective.

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.