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**Highways and Transportation**

Ashford Highway Depot  
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Ashford  
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**Tel:** 03000 418181

**Date:** 30 November 2021

**Our Ref:**

**Application - MBC/18/504836/EIOUT**

**Location - Binbury Park Bimbury Lane Detling Maidstone Kent**

**Proposal - Outline application (with all matters reserved apart from access) for the erection of up to 1,750 dwellings including affordable housing, 46,000 sq.m of commercial space, a hotel, a local centre, a new primary school, a park and ride facility, strategic highways improvements including new Kent Showground access/egress, accesses/roads including a new bridleway bridge, parking, associated open space, landscaping, services, and Sustainable Drainage Systems. In addition the proposals include a publicly-accessible country park including the Binbury Motte and Bailey Castle Scheduled Ancient Monument.**

Thank you for your re-consultation in relation to the above planning application.

It is noted that the applicant has submitted a Technical Note (dated August 2021), which is intended to address the comments in the KCC Highways consultation response of 9 April 2021.

Following a review of the Technical Note (TN) alongside the submissions previously made in support of the application, KCC Highways has the following additional comments:

**Site Access**

It is understood that the proposals for achieving vehicular access to the site via the A249 are essentially unchanged from those originally presented in the Transport Assessment (TA) dated September 2018.

The design guidance referred to in section 5 of the TA has been deleted over the intervening period and replaced with CD 122 'Geometric Design of Grade Separated Junctions' and CD 123 'Geometric Design of At-Grade Priority and Signal-Controlled Junctions'.

The applicant has not provided evidence to demonstrate that the access proposals have been reviewed against the new guidance and achieve conformity with it. KCC Highways require such evidence, which should include confirmation on proposed carriageway widths, visibility sightlines, merge/diverge dimensions, and applied adjustment factors to account for gradients.

Furthermore, the supporting Stage 1 Road Safety Audits pre-date the introduction of GG119, which replaced HD19/15 as the terms of reference to be used. The applicant must therefore

provide safety audits that fully accord with the current guidance to demonstrate the suitability of the access proposals in highway safety terms.

Notwithstanding the above, it is noted that the TN has confirmed that the two existing accesses onto the A249 to the north-east of the proposed showground access are to be removed. This addresses recommendation 2.1 of the previously submitted showground access Stage 1 Road Safety Audit.

It is noted that the original design for the main access relied on a design speed of 50mph. The applicant therefore needs to evidence whether such speeds are representative of current conditions on the A249 or confirm whether an intervention is proposed that would ensure such speeds are achieved.

It is noted that the TN includes drawing 14-013-069 Rev A. This demonstrates how the underpass roundabout design has been adjusted to satisfactorily accommodate the turning manoeuvres of an articulated Heavy Goods Vehicle.

The TN confirms that that the applicant is unwilling to widen the road connection leading from the A249 as 'futureproofing' of the design in capacity terms is not necessary in planning terms. This misinterprets the KCC Highways rationale for requesting the widening, which was based on the maintaining safe and efficient traffic flow on the steep gradient and the importance of achieving network resilience as part of any access configuration onto the A249. KCC Highways maintains the view that there is scope to improve the design to provide the best possible arrangement for road users.

It is noted that the submitted 'Parameter Plan: Vehicular Access' drawing indicates that access points to the development will be provided onto Binbury Lane. The applicant must therefore provide junction layout drawings for these accesses to demonstrate that they can incorporate the requisite width, radii and visibility splays.

The TA Addendum also indicated that a link road connection to Scragged Oak Road will be provided to the rear of Kent Showground as part of the proposals. The drawing included within the TA Addendum illustrated how the junction will incorporate 2.4m x 90m visibility splays. As Scragged Oak Road is subject to a 60mph speed limit, the applicant needs to provide speed survey data to support the assertion that splays commensurate with a speed of 30mph are appropriate.

### **A249 Footway/Cycleway**

The TN has reaffirmed the suitability of the proposed footway/cycleway alongside the A249 on the basis that the Stage 1 Road Safety Audit raised no issues regarding its width, which narrows to 2.5m alongside the proposed off-slip access to Kent Showground.

As noted above, KCC Highways require a safety audit that has been conducted in accordance with current guidance (GG119).

KCC Highways is mindful of Table 6.2 of Local Transport Note 1/20, which recommends a minimum width of 3m for shared use routes carrying up to 300 pedestrians per hour.

Furthermore, Table 6.1 recommends a minimum separation strip of 3m from the carriageway in instances where the speed limit is 70mph.

The applicant must therefore demonstrate how a design can be achieved that complies with the guidance or provide full justification for any relaxation in standards. This is of critical importance in view of the potential highway safety implications of pedestrians/cyclists having insufficient space and margin alongside a high-speed dual carriageway.

### **Traffic Data**

In response to the concerns raised by KCC Highways regarding the use of 2014 traffic data for the site access capacity assessments, the applicant has obtained more recent 2017/2018 data. This has been compared against the 2014 data as a means of confirming that the traffic flows in 2017/2018 are comparable to those in 2014.

The raw 2017/18 traffic survey data has not been appended to the TN so its suitability cannot be verified. Furthermore, it is unclear whether the applicant has investigated whether more recent (pre/post Covid 19) data is available that would provide a more up-to-date representation of conditions.

The applicant should also review whether the traffic associated with committed developments in the Boroughs of Maidstone and Swale has been fully accounted for, in view of the time elapsed since the TA Addendum was prepared in November 2019.

### **Trip Generation**

The TN has clarified how the primary purpose of the proposed Food Hub is to serve the internal needs of the development. This means that it is expected to generate relatively few trips on the wider highway network. The use of business park trip rates is intended to reflect how the Food Hub will be operated by multiple users and ensure robust forecasts are used for assessment. KCC Highways notes and accepts this explanation.

The TN confirms that the use of 'suburban' and 'edge of town' sites to derive trip generation forecasts is due to a lack of comparable 'free-standing' sites within the TRICS database. It affirms that the site selection is confined to rural areas with similar populations to ensure comparability with the development site.

Whilst KCC Highways is mindful that a wider site selection will usually provide greater robustness than a reliance on a small number of sites, it is noted that two of the five selected residential sites lie adjacent to Liverpool John Lennon Airport. The accessibility characteristics are therefore unlikely to be directly comparable and the trip forecasts must therefore be viewed in this context.

### **Traffic Impact**

#### ***Sensitivity Test***

The TN has included a sensitivity test that is based on a 10% trip internalisation assumption rather than the 15% assumed within the TA. This has the effect of increasing the forecast traffic flows and therefore provides greater robustness. The two site access roundabouts, M20 J7 and

junctions on the Bearsted Road corridor have then been modelled with the revised forecast flows.

The modelling indicates that both site access roundabouts would operate satisfactorily during both peak periods.

In the case of M20 J7, capacity modelling has been undertaken on the existing junction layout in a 2031 scenario with no proposed development traffic included. This had not previously been included in the TA. It confirms that the junction is expected to operate significantly over capacity in both peak periods.

Paragraph 2.3.2 of the TN indicates that further modelling of M20 J7 has been undertaken on a scheme design and signal operation provided by KCC Highways. Appendix D indicates that the modelling has been based on the layouts originally included in the Bearsted Road Improvement Scheme (dated November 2018).

It should be noted that the scheme layout for M20 J7 was subsequently modified by KCC Highways to include central splitter islands on the four-lane approach arms. This was to ensure road users are provided with suitable visibility to signal heads.

The TA had confirmed the applicants' proposal of a mitigation scheme that would involve the widening of the existing bridges.

KCC Highways therefore require layout drawings and capacity modelling of the proposed mitigation scheme, which incorporate central splitter islands on all four-lane approaches in a manner consistent with the layout devised by KCC Highways. The drawings should be of a scale to enable signal poles positions, island widths and pedestrians facilities to be checked in detail.

The TN confirms that the applicant has obtained layouts for the KCC Bearsted Road Improvement Scheme (dated November 2018), which encompasses the Bearsted Road and New Cut Road roundabouts. Capacity modelling has been undertaken based on assumed traffic signal operation arrangements. The findings indicate that both roundabouts will continue to be congested in 2031, with the proposed development adding up to 7 PCUs to the queuing on individual arms.

KCC highways is currently undertaking a review of the Bearsted Road Improvement Scheme design to maximise the benefits that it will bring to road users. This limits the weight that can currently be attributed to the findings of the applicants' capacity modelling analysis.

In view of the importance of this part of the network as a route connecting the site to the Maidstone urban area, it is essential that this planning application is not approved until the outcome of the review is known and further capacity modelling of any revised scheme can be completed.

The capacity modelling within the TN highlights how the Children Hundreds roundabout is expected to operate over capacity by 2031, with substantial queuing on all arms in both peak periods. The addition of the development traffic has greatest impact in the AM peak, with queuing on A249 Sittingbourne Road expected to increase from 147 PCUs to 213 PCUs. The TN concludes that this represents a minimal impact. KCC Highways disagrees with this

conclusion and would expect mitigation to be provided to prevent worsening delays on the A249 corridor.

#### Notes

1 - Passenger Car Units (PCUs) are a means of translating all types of vehicles into a common traffic 'currency'

### **Showground Events**

The TN has included a further sensitivity test to account for event days at the Kent Showground, when the local network could carry higher-than-normal traffic flows. The applicant has obtained historical data for individual events that took place between 2013-2019. The scale of events captured within the data is not defined, although reference is made to the Red Arrows in 2015.

The data has enabled an hourly average of arrivals to the Showground to be calculated over the period 08:30-12:30 on a Friday, Saturday and Sunday. These peak at 818 arrivals between 09:30-10:30 on a Saturday.

The assumed distribution of the arrivals on the A294 is 50% north and 50% south. These have been added to existing traffic flows on the A294 derived from 2017 survey data and weekday development traffic forecasts factored to reflect weekend patterns. The southbound traffic volumes on the A249 are shown to peak at 2459 at 10:30-11:30 on a Saturday.

Comparison with the observed 2017 flows on the A249 indicates that event days are unlikely to exceed those at peak weekday periods.

Capacity modelling has been undertaken for the two site access junctions in a Showground event scenario. These assume that northbound event arrivals will route via the improved showground access junctions and southbound event arrival will route via the main grade-separated development access. The results indicate that both accesses would operate satisfactorily across the Friday, Saturday and Sunday peak periods.

### **A249 Corridor**

The TN has confirmed the applicants' view that highway safety along the A249 will be improved by the proposals. This is understood to be founded on the removal of right-turn movements associated with the showground and Scragged Oak Road junctions by virtue of the proposed new junction arrangements. The grade-separated roundabout will also enable u-turn movements to be undertaken.

The TA identified a number of crash clusters at other existing junctions along the A249 corridor in section 4. These included the Church Hill, Rumstead Lane, Pilgrims Way and The Street junctions. It concluded that the junctions were poor in terms of highway safety and should therefore be removed or improved. No update to the TA crash analysis, which covered the period October 2012 to September 2017, has been provided.

The proposed development will increase the number of traffic movements at the junctions, thereby increasing the potential for highway safety to be worsened as those using the side roads have greater difficulty in finding gaps in traffic.

KCC Highways therefore requires a corridor-based approach to mitigation that will ensure highway safety along the entirety of the A249 between M20 and M2 is maintained.

### ***M2 J5***

It is noted that the applicant intends to submit capacity modelling of the M2 J5 with the improvement scheme (currently under construction) in place. This is awaited.

### ***Rural Routes***

The TN has confirmed that no development trips have been assigned to the rural roads in the vicinity of the site.

In the case of trips associated with the residential and employment elements of the proposals, the justification given for this approach is that it has ensured a robust assessment of the primary route network and the dispersal of trips across rural roads would be unlikely to indicate a significant impact. KCC Highways is supportive of this approach in view of the imperative attached to ensuring the assessment of the major road corridors is robust.

The TN also states that the other proposed land uses would be unlikely to attract trips from areas external to the site and that any residual trips would be existing and diverted in nature.

KCC Highways regard it to be plausible that the local centre, sports and education facilities and Country Park could be used by nearby existing communities such as Bredhurst, Boxley, Detling and Stockbury. These trips could either be newly created or diverted from existing facilities elsewhere.

The submitted 'Vehicular Access Parameter Plan' indicates that the development will incorporate vehicular access points onto Binbury Lane. Furthermore, section 3 of the TA Addendum confirmed that a road link will be provided between the development and Scragged Oak Road. Both of these routes of access will be convenient for some of those travelling to/from the nearby existing communities.

It therefore remains likely that roads such Scragged Oak Road, Cox Street, Binbury Lane and Yelstead Road will experience increases in traffic. These roads are characterised by narrow widths, no footways and, in places, limited forward visibility. KCC Highways remain concerned that the highway safety implications have not been fully assessed by the applicant, with a view to confirming the suitability of the proposed access strategy or identifying the need for further mitigation measures.

### **Public Transport**

The TA included a feasibility assessment of the proposed park and ride service and records of discussions held with the current operator of bus services along the A249 corridor. As these items date from 2016, the applicant should confirm whether they remain valid in the context of reduced public transport patronage following the Covid-19 pandemic.

The TN has confirmed that the applicant regards there to be insufficient demand for additional bus stops on the A249 to serve the proposed development. This misinterprets the KCC Highways request for clarification regarding upgrades to existing bus stops along the A249 corridor, which was founded on maintaining passenger safety in the context of the increased

traffic movements. KCC Highways would seek to secure a contribution towards providing the bus stop upgrades via a Section 106 Agreement.

### **Recommendation**

KCC Highways wishes to raise a holding objection in respect of this planning application, on the basis that the applicant should be required to address the substantive issues identified above.

KCC Highways would want to be reconsulted following the submission of the additional information by the applicant.

In the event that the Borough Council is minded to grant planning approval against the advice of the Highway Authority, a Section 278 Agreement will be required to secure all required highway works on the A249 corridor, M20 J7, Binbury Lane, Scragged Oak Road and Pilgrims Way. The applicant should be required to implement the works prior to first occupation.

It is also requested that any planning obligation relating to funding for bus services provides flexibility to enable further dialogue to take place on the specific service operation arrangements.

The following should be also secured via a Section 106 Agreement and planning conditions as appropriate:

- Provision and implementation of a site-wide Travel Plan that has been approved by the planning and highway authorities;
- Provision of a Travel Plan monitoring fee;
- Provision of a financial contribution towards bus stop improvements on the A249 corridor;
- Preparation and submission of a Construction Environmental Management Plan for approval by the planning and highway authorities;
- 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 wheel washing facilities 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 and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing;
- Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the use of the site commencing;
- Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing; and

- Completion and maintenance of the access shown on the submitted plans 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.