



**Ashford Borough Council**

Civic Centre  
Tannery Lane  
Ashford  
Kent  
TN23 1PL

**Highways and Transportation**

Kroner House

Eurogate Business Park  
Ashford

TN24 8XU

**Tel:** 03000 418181

**Date:** 17 July 2023

**Our Ref:** MH

**Application - 21/02146/AS**

**Location - Land at Eureka Business Park, Trinity Road, Boughton Aluph, Kent**

**Proposal - Outline planning application for the development of up to 375 dwellings, up to 34,869m<sup>2</sup> commercial floorspace (comprising 31,269m<sup>2</sup> of class E(g)(i) and E(g)(ii) and 3,600m<sup>2</sup> of flexible Class E floorspace), open space, and associated infrastructure including a Wastewater Treatment Plant with all matters reserved for future consideration aside from access (excluding internal circulation). Note this is an EIA application accompanied by an Environmental Statement.**

Thank you for the consultation on the transport technical note dated 14th July 2023 on the Ashford Borough Council planning website. I have the following comments to make in respect of highway matters:

**Stage 1 Road Safety Audit**

A Stage 1 Road Safety Audit of the proposed Drivers Roundabout mitigation scheme has been completed. This also includes the updated proposals for the A251 Trinity Road / Lower Pemberton junction and the A251 Trinity Road / Nicholas Road roundabout. A Designer's Response to all of the issues raised within the audit has also been completed. This is now acceptable to KCC Highways and Transportation.

**A251 Trinity Road / Nicholas Road Roundabout**

Additional capacity is now being proposed at this roundabout in the form of increasing the inscribed circle diameter (ICD) of the roundabout from 41.0m to 47.5m. The circulatory has been increased from 7.3m to 8.0m to allow for two lanes of traffic. Two lanes of entry and exit are also shown on both the Trinity Road north and south arms, to allow for all 'ahead' movements to utilise both lanes. The mitigation scheme can be found in Appendix C of the technical note. This scheme mitigates the impact of the development and is acceptable to KCC Highways and Transportation. Given that this roundabout junction will be operating in excess of capacity in a 2026 Do Nothing scenario these works are required to be implemented prior to the 1st occupation of any development on site.

**Updated Mitigation Plans**

The final improvement plan for the A251 Trinity Road / Thomson Road / Bradfield Road /

Rutherford Road roundabout, along with the proposed Toucan crossing on Trinity Road, is included at Appendix E. This is acceptable to KCC Highways and Transportation.

### **A251 Trinity Road / Faversham Road Signalised Junction**

The footway on the eastern side of the A251 Trinity Road has been widened to 2.3m to ensure that the effective width of the footway is no less than 2.0m with the guard railing in place. The updated drawing and associated swept path analysis is included at Appendix F. This is acceptable to KCC Highways and Transportation.

I now have no objections to the application subject to the following planning conditions / Section 106 Legal Agreement being attached to any planning permission granted:

#### **Planning Conditions**

1) Submission and approval of a Construction Management Plan before the commencement of each phase of 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

2) Any application for reserved matters shall show adequate land, reserved for parking to meet the needs of the development and in accordance with the Ashford Local Plan parking standards or any adopted guidance or policy which may have superseded it. The approved area shall be provided, surfaced and drained in accordance with the approved details before the buildings to which it relates are occupied and shall be retained for the use of the occupiers of, and visitors to, the premises. Thereafter, no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on the land so shown as to preclude vehicular access to this reserved parking area.

3) No building / dwelling shall be occupied until space has been laid out within that site for bicycles to be parked under cover for commercial uses and both secure and undercover for residential uses in accordance with details that shall have been submitted to and approved by the Local Planning Authority. Such cycle parking facilities shall subsequently be retained available for use by staff and visitors to the commercial units and for residents for residential properties.

4) Unless otherwise agreed with the Local Planning Authority, reserved matters applications for all commercial buildings with a floorspace of 2,500sqm or more should demonstrate how building users may access cycle changing/shower/drying and locker facilities. No commercial building with a floorspace of 2,500sqm or more shall be occupied until the approved facilities have been provided for that building (whether in that building or in an adjoining one or in a centralised facility within the site) in accordance with details that shall have been submitted to and approved by the Local Planning Authority and these facilities shall subsequently be retained available for use by staff and visitors to the premises.

5) (A) Prior to the first occupation of any dwelling at the site, a Framework Residential Travel Plan (F RTP) shall have been submitted to and approved in writing by the Local Planning Authority. The F RTP shall set the long term management arrangements for the F RTP.

(B) Prior to the first occupation of any commercial building at the site, a Framework Commercial

Travel Plan (FCTP) shall have been submitted to and approved in writing by the Local Planning Authority. The FCTP shall include the overarching Travel Plan approach for that part of the site and establish a threshold, above which occupiers of floorspace are required to produce an individual Workplace Travel Plan taking forward the content of the FCTP and below which are required to adopt and work towards the targets and objectives of the FCTP via a pro-forma/template contained within the FTP.

6) Within 8 months of first occupation of a building or any part of a building of a size identified in the FTP as necessitating a Workplace Travel Plan (WTP), a WTP for the occupier of that floorspace that accords with Best Practice and the principles of (i) encouraging sustainable movement and (ii) reducing the reliance on the private motor vehicle as set out in the NPPF and builds on baseline survey work carried out by the occupier within a maximum 6 months of first occupation shall have been submitted to and (following consultation with the local highway authority) be approved by the Local Planning Authority.

WTPs shall contain: (a) Details of measures designed to achieve and maintain an appropriate target modal split of travel to and from that building, (b) The contact details of an individual who will be appointed as WTP Co-ordinator within his/her job description and who will act as the contact point for the Local Planning Authority and the measures set out within the WTP, (c) A mechanism for information to be provided to the Local Planning Authority annually (or as agreed in writing) as to the implementation of the measures set out in the WTP, and (d) Proposed measures to maintain the appropriate modal split for the site and to monitor the performance of the WTP and appropriate measures to cover against failure to meet the agreed targets. The agreed WTP for each occupier shall subsequently be implemented in full within 3 months of written approval by the Local Planning Authority and thereafter shall be maintained unless otherwise agreed in writing by the Local Planning Authority.

7) Before the first occupation of each building forming part of the development, the following works between that area and the adopted highway shall be completed:

- (a) Footways/cycleways, with the exception of the wearing course,
- (b) Carriageways, with the exception of the wearing course, including the provision of agreed turning facilities together with related highway drainage, including off-site works,
- (c) Junction visibility splays, street lighting, street nameplates and highway structures if any.

The relevant wearing courses shall be completed within one year of the first occupation of the relevant building and the works as completed shall thereafter be retained and maintained.

8) Prior to the occupation of any built development, details and a timetable shall be submitted to and approved by the Local Planning Authority in writing for the provision of bus stops along the spine road which shall incorporate bus shelters, bus border kerbs and real time information displays. Details of their maintenance shall be provided at the same time. Such works shall be carried out to the approved timetable and in accordance with the approved details unless the Local Planning Authority otherwise agrees in writing. The bus stops & displays shall be maintained in accordance with the approved details unless the Local Planning Authority otherwise agrees in writing.

9) Prior to the occupation of any built development, the highway improvement works to the Trinity Road / Nicholas Road roundabout and Trinity Road / Lower Pemberton junction (as shown in drawing 14382-H-09 Revision P3) shall be completed and opened for use by the travelling public.

10) Prior to the occupation of any commercial development, the highway improvement works to Drovers Roundabout (as shown in drawing 14382-H-12 Revision P1) shall be completed and opened for use by the travelling public.

11) Prior to the occupation of any built development, the highway improvement works to the

Faversham Road / Trinity Road traffic signal junction (as shown in drawing 14382-H-08 Revision P3) shall be completed and opened for use by the travelling public.

12) Prior to the occupation of any commercial development, the highway improvement works to the Trinity Road / Thomson Road / Rutherford Road / Bradfield Road roundabout (as shown in drawing 14382-H11 P3) shall be completed and opened for use by the travelling public.

13) Prior to the occupation of any commercial development, the A28 Chart Road improvement works between Tank and Matalan roundabouts shall be completed and opened for use by the travelling public.

14) Prior to the occupation of any commercial development, the M20 Junction 9 improvements works (as set out in Otterpool Park planning application Y19/0257/FH) shall be completed and opened for use by the travelling public.

15) Prior to the occupation of any built development, the highway improvement works consisting of the 4 metre wide shared footway / cycleway on the western side of Trinity Road from Nicholas Road and Toucan crossing across Trinity Road (as shown in drawing 14382-H11 P3) shall be completed and opened for use by the travelling public.

### **Section 106 Requirements**

Public Transport Improvements - The full length of the loop road will need to be implemented prior to occupation of the 150th dwelling which is required to allow buses to access the site. A Section 106 contribution will be required for a period of 7 years. Discussions with colleagues in the public transport team at KCC Highways and Transportation have taken place and it can be confirmed that a contribution of £230,000 per annum over a 7 year period is required, payable from the 150th dwelling, therefore a total contribution of £1.61 million is required.

Framework Travel Plan - The required residential and commercial travel plans should be secured through the Section 106 Legal Agreement for the site. KCC Highways and Transportation will require a robust monitoring regime over a 10 year period (from the date of the occupation of the 100th dwelling or after the occupation of 8,000 square metres of employment floor space whichever is earlier) so that the number of vehicle movements associated with the development can be assessed yearly over a 10 year period to ensure that the actual number of movements is not greater than those predicted in the Transport Assessment. Should vehicle movements be greater than predicted for the commercial development then there will need to be financial penalties (Between 1 and 20 additional movements £3,000 per additional vehicle movement in the AM and PM peaks, 21+ £5,000 per additional movement in the AM and PM peaks) to further encourage the use of sustainable transport to and from the site. Therefore on-site multi-modal counts will be required at the vehicle and pedestrian site access points at yearly periods over that 10 year monitoring period. Upon final occupation of the last dwelling on-site and all of the proposed employment floorspace the applicant will be required to undertake a fully complaint TRICS survey for the site including for the proposed residential and non-residential uses. This should be sent to TRICS for validation to enable this site to be uploaded to the TRICS database. A £10,000 monitoring fee (£1,000 per annum over a 10 year period) is required so that KCC Highways and Transportation can effectively monitor the travel plan to ensure that the initial trip rates are met.

**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.