



Folkestone and Hythe District Council

Civic Centre
Castle Hill Avenue
Folkestone
CT20 2QY

Highways and Transportation

Kroner House

Eurogate Business Park
Ashford

TN24 8XU

Tel: 03000 418181

Date: 13 March 2024

Our Ref: MH

Application - 24/0198/FH/TDC

Location - Middle House Nursery, Brookland, Romney Marsh, TN29 9QU

Proposal - Technical Details Consent for 4-8 dwellings pursuant to permission in Principle (PIP) granted under 23/1497/FH

Thank you for the consultation on the amended plans as dated 23rd February 2024 on the Folkestone and Hythe District Council planning web-site. The submitted refuse vehicle tracking is satisfactory. The applicant has also provided a highway boundary plan which shows that a new 1.8 metre wide footway can be delivered along Straight Lane, details of this can be secured through a suitably worded planning condition. I therefore have no objections to the application, subject to the following planning conditions being attached to any planning permission granted:

1) Submission and approval 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

2) Provision and permanent retention of the vehicle parking spaces as shown on the submitted plan (3979_ 03 Revision A) prior to the occupation of any of the dwellings as to which the parking spaces serve.

4) Provision and permanent retention of the vehicle turning facilities as shown on the submitted plan (3979_ 03 Revision A) prior to the occupation of any of the dwellings hereby permitted.

5) Provision and permanent retention of the cycle parking facilities as shown on the submitted plan (3979_ 03 Revision A) prior to the occupation of any of the dwellings as to which the cycle parking facilities serve.

6) Completion and maintenance of the access details as shown on the submitted plan (3979_ 03 Revision A) prior to the occupation of any of the dwellings hereby permitted.

7) Provision and maintenance of the visibility splays as shown on the submitted plan (1197/201) with no obstructions over 0.6 metres above carriageway level within the splays, prior to the access hereby permitted being brought into use.

8) No development can commence (except for demolition and site clearance) until a footway scheme along Straight Lane linking the site with the existing footway has been agreed in writing with KCC Highways and Transportation. The footway scheme shall then be delivered prior to the first occupation on site.

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.