



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: 18 March 2024

Our Ref: MH

Application - 23/2065/FH

Location - Land Adjoining 10, Range Road, Hythe, CT21 6HQ

Proposal - Use of temporary hard standing on a permanent basis to provide off street car parking.

Further to the previous non-protocol response to the above planning application, KCC Highways and Transportation have been contacted by local residents regarding this application. The application has therefore been reviewed by KCC Highways and Transportation.

A new access is proposed onto Range Road to serve the proposed 5 space car park but no details of achievable visibility splays have been submitted onto Range Road. Visibility splays of 2 metres by 25 metres are required in both directions due to the 20mph speed limit along Range Road. Visibility out of the proposed access is however obstructed by parked vehicles on both sides of Range Road. Therefore any vehicles emerging out of the proposed car park area will have no visibility, to the detriment to highway safety. I therefore recommend this application is refused for the following reason:

1) The required visibility splays out of the proposed site access cannot be provided due to parked vehicles along Range Road to the detriment of highway safety.

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.