



**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:** 14 May 2024

**Our Ref:** MH

**Application - 18/01822/AS**

**Location - Land at Court Lodge, Pound Lane, Kingsnorth**

**Proposal - Construction of up to 1000 new homes (C3), local centre comprising retail uses (up to 450 sqm A1-A5) flexible office space (up to 350 sqm B1) and community facilities including a primary school (2.4ha), a combined community hall and site management suite (upto 650 sqm D1). New means of vehicular accesses onto Pound Lane, Long Length, Magpie Hall Road, new pedestrian and cycle routes laying out of green infrastructure, including allotment gardens and areas of ecological habitats. Drainage infrastructure, earthworks and ancillary infrastructure.**

Thank you for the consultation on the amended plans / additional information in relation to the alterations to the junction of Ashford Road / Magpie Hall Road / Steeds Lane as dated 13th May 2024 on the Ashford Borough Council planning website. The amended plans are satisfactory and have subject to a Stage 1 Road Safety Audit and Designers Response. This junction arrangement will only come forward in the event that the Kingsnorth Green planning application which has recently been granted planning permission does not come forward. Suggested condition 9 of my previous planning consultation response dated 14th June 2021 will therefore need amending to reference the proposed junction improvement. A suggested condition is below:

- Prior to the occupation of any dwelling hereby permitted the alterations to the junction of Magpie Hall Road / Steeds Lane / Ashford Road as shown on drawing number 1281-SK-02 Revision F shall be completed and open to vehicular traffic unless the Kingsnorth Green development comes forward and implements their junction improvement as shown on drawing number 30292\_5510\_004 REV F.

**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.