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 Maidstone Planning Department
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 Kent
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Highways and Transportation
 Ashford Highway Depot
 4 Javelin Way
 Ashford
 TN24 8AD
Tel: 03000 418181
Date: 30 July 2021

Application - MBC/21/502369/FULL

Location - Pilgrims Retreat Hogbarn Lane Harrietsham Maidstone Kent

Proposal - Retrospective change of use of land to a caravan site, including the siting of 84no. residential caravans.

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters:

It is understood that this application seeks full planning permission for 84 residential (caravan) units, as an extension of the existing permitted site.

Background

It is noted that this application is substantially the same application as was submitted previously under 21/500786/FULL. The Transport Statement submitted in support of this application is the same as the one submitted under the previous application with no further information provided except for the two "Vehicle Passing Strategy Plan" documents which have been provided in support of this application.

In our response to 21/500786/FULL, dated 9th April 2021, KCC Highways raised a holding objection stating the need for further information which was required to fully assess the potential impacts that the proposals may have on the public highway. The previous Highways response concluded as follows:

"This application is seeking full planning permission for 84 units of residential dwellings. While this is a retrospective application, the Transport Statement confirms that the area of the site with existing planning permissions in place has capacity for 133 caravans and that this application therefore seeks permission to increase this by 84 units, or approximately 40%.

Insufficient evidence has been provided for a robust assessment to be made as to the impact these proposals would have on the highway network and there are significant concerns around the road safety and sustainability of the proposals which have not been satisfactorily addressed in the Transport Statement.

*I can therefore confirm that KCC Highways wish to raise a **holding objection** to the proposals*

- *Evidence of a robust trip generation assessment (as described above).*
- *Evidence to support the suitability of the access junction (including visibility splay diagrams).*
- *Detailed plans demonstrating the proposed offsite highway works.*
- *Evidence of the impact that the proposals would have on road safety on the surrounding highway network and appropriate proposals to mitigate any significant impacts.*
- *Details of the proposed parking provision.”*

New information

The following subheadings identify what new information has been provided in regard to the details required by KCC Highways' holding objection to 21/500786/FULL.

Trip Generation

No new information has been provided in regard to trip generation. I therefore refer you to the comments provided under “Trip Generation” in KCC Highways; April 2021 response to 21/500786/FULL.

Access

No new information has been provided in regard to the suitability of the access junction. I therefore refer you to the access related comments provided under “Access & Road Safety” in KCC Highways; April 2021 response to 21/500786/FULL.

Offsite highway works

While no new information has been provided within the Transport Statement in regard to the proposed offsite Highway works, plans have been provided in support of this application to illustrate a “Vehicle Passing Strategy Plan”.

Having assessed the proposed strategy and consulted with our road safety experts, I can confirm that the proposed approach is unfortunately not appropriate as a road safety measure. The proposed approach of using road markings only to create passing points is not considered likely to be effective and would be more likely to cause driver confusion than it is to improve the free flow of traffic.

There are further concerns around the highway maintenance implications of the proposed strategy and the viability of the proposed visibility improvements, given that the applicant appears to lack sufficient control or ownership over the land required to implement these visibility improvements.

If there are further meetings of the referenced Steering Group to advise offsite highway improvement proposals, it is recommended that KCC Highways should be involved in the discussions.

Road Safety

No new information has been provided in regard to impacts these proposals might have on road safety in the surrounding area, beyond the above referenced "Vehicle Passing Strategy". I therefore refer you to the road safety related comments provided under "Access & Road Safety" in KCC Highways; April 2021 response to 21/500786/FULL.

Parking Provision

No new information has been provided in regard to the proposed parking provision. I therefore refer you to the parking related comments provided under "Access & Road Safety" in KCC Highways; April 2021 response to 21/500786/FULL.

Conclusion & Recommendations

As explained above, the Transport Statement submitted in support of this application is the same as the one submitted in support of 21/500786/FULL. KCC Highways raised a holding objection to application 21/500786/FULL, identifying the need for a number of further items of information in order to fully assess the potential impacts that the proposals would have on the public highway.

The Transport Statement provided in support of these proposals is the same as that which was provided for the previous application, to which the above referenced holding objection was raised. With the exception of the proposed offsite highway improvements, no further information has been provided.

The proposed offsite highway improvements are not supported by KCC Highways as they are not considered likely to be successful in their aims and would likely represent a detriment to road safety as a result of increased driver uncertainty.

Given the above points, the same conclusions as were reached in KCC Highways' response to 21/500786/FULL apply for this application also. Insufficient evidence has been provided for a robust assessment to be made as to the impact these proposals would have on the highway network and there are significant concerns around the road safety and sustainability of the proposals which have not been satisfactorily addressed in the Transport Statement.

I can therefore confirm that KCC Highways wish to raise a **holding objection** to the proposals

on the basis that the applicant should provide the following information:

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- Evidence of a robust trip generation assessment.
- Evidence to support the suitability of the access junction (including visibility splay diagrams).
- Evidence of the impact that the proposals would have on road safety on the surrounding highway network and appropriate proposals to mitigate any significant impacts.
- Details of the proposed parking provision.

In the event that the Borough Council is minded to grant planning approval, the following should be secured via planning conditions or obligations as appropriate:

- The proposed access and car parking to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority.
- Submission 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
- 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 measures to prevent the discharge of surface water onto the highway.
- Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.

INFORMATIVE: 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 where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

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 road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

APPENDIX F

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such 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.

Yours faithfully

James Lehane



Maidstone Borough Council

Highways and Transportation

Ashford Highway Depot

4 Javelin Way

Ashford

TN24 8AD

Tel: 03000 418181

Date: 9 April 2021

Application - MBC/21/500786/FULL

Location - Pilgrims Retreat, Hogbarn Lane, Harrietsham, Maidstone, Kent

Proposal - Retrospective application for a material change of use of land for use as a caravan site including engineering works to create a ditch to the south of the site.

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters:

It is understood that this application seeks full planning permission for 84 residential (caravan) units, as an extension of the existing permitted site.

The submitted Transport Statement (dated February 2021) explains, in section 4.9, that the existing permitted site has a capacity of 133 caravans and that this application seeks permission to extend the site and increase capacity to 217 caravans, an approximately 40% uplift over the extant permission.

It is noted that this site was the subject of a recent planning application (19/502469/FULL) seeking *“retrospective planning application for the change of use of land from mixed uses (leisure (180 caravans) and residential (19 caravans) to a residential park home site comprising the siting of 248 caravans, including engineering works to create terracing, retaining walls, and the extension of the site along the south eastern boundary.”*

KCC Highways raised holding objections to application 19/502469/FULL for several reasons. These included:

- The lack of sufficient assessment on the impacts that the proposed site would have on highway safety and capacity. This in the context of narrow rural roads with no pedestrian infrastructure and insufficient passing opportunities.
- That the location of the site is inherently unsustainable and that the proposals were therefore in conflict with paragraphs 102 and 103 of the NPPF.

Section 5 of the Transport Statement (TS) seeks to assess the likely trip generation impact of the proposed 84 residential units.

The methodology applied uses a peak hour turning movement survey at the site access and divides the total movements recorded within a given hour by the total number of occupied units on site at the time to reach a trip rate per one unit. This number is then multiplied by 84, in order to represent the total trips likely to be generated by 84 units on this site.

This is an appropriate methodology, however paragraph 5.1 confirms that the turning movement survey was carried out on only one day (Thursday the 4th of April 2019) and only between the hours of 07:00 to 10:00 and 16:00 to 19:00. A single day is not considered to be a sufficient sample size to represent a robust evidence base, because there is no accounting for potentially anomalous data.

The limitation of the traffic count to peak periods only is understandable in that it seeks to assess the impact during the times with the highest levels of existing trips on the network, however this approach fails to provide any indication of the total daily trips.

While the methodology applied to deriving trip generation from traffic counts is suitable, the fact that the input data is based on such a small survey sample means that the outputs provided in table 5.1 of the TS unfortunately cannot be considered robust.

It is recommended that the applicant should be required to provide a revised trip generation assessment, based on a more extensive survey sample. Typically, the best approach in this case would be to provide an on-site traffic count, similar to the one already provided, but covering at least 07:00 to 19:00 Monday to Friday on a “normal week”.

It is recognised that the above survey may be difficult to achieve at present due to the lack of any “normal” conditions on the Highway as a result of the ongoing Covid-19 pandemic. If pre-pandemic data is not available, then a suitably robust trip generation assessment utilising the TRICS database would be a sufficient replacement for site specific data.

Access & Road Safety

Paragraph 4.14 of the TS confirms that there are no proposals to modify the existing access, internal access roads or the parking provision.

Despite being retrospective, this application nonetheless is seeking an approximately 40% uplift in scale over the capacity of the currently permitted site. This is why section 5 of the TS seeks to assess trip generation.

The TS does not include any evidence to demonstrate that the existing access can safely accommodate the extra trips that would be generated by the proposals. No evidence is provided to demonstrate that the layout of the access junction is suitable for the expected level and types of vehicle movements, no visibility splay diagrams are provided and the access junction does not appear on the submitted plans.

While this is an existing junction, the proposals would generate extra vehicle and pedestrian movements through the junction and therefore a lack of suitable sightlines and / or dimensions would represent a detriment to road safety.

It is recommended that the applicant should be required to prove evidence to demonstrate that the existing access is suitable to accommodate the proposed increase in trips. This evidence should include visibility splay diagrams.

KCC Highways has consistently raised concerns in regard to the unsuitability of the local highway network in the proximity of this site for supporting development of the type and scale proposed. Hogbarn Lane and Stede Hill are narrow rural roads with minimal passing opportunities for vehicles and a general lack of pedestrian infrastructure.

Paragraph 4.15 of the TS states that a *“strategy to install and upgrade a number of passing places along Hogbarn Lane and Stede Hill has been investigated as part of the planning application submission”*. No details are provided in regard to this strategy, however, so it is not possible to comment at this time as to whether they would suitably address the concerns raised historically and above in regard to the lack of passing provision.

It is recommended that the strategy for passing places on the highway network should be submitted as part of the planning application, so that the suitability of the proposals can be properly assessed.

As well as generating an increase in motor vehicle trips, these proposals would also generate an increase in pedestrian movements on the local highway network. Due to the lack of any suitable pedestrian infrastructure and the narrow road widths, the proposals therefore represent an increased risk of dangerous conflict between motor vehicles and vulnerable road users. No assessment has been provided in regard to the pedestrian safety of the proposals.

The road widths and infrastructure available are insufficient when compared to standards set out in the Kent Design Guide. It is recommended that the Applicant should be required to provide evidence either to demonstrate the suitability of the local highway network to support the proposals or to demonstrate that suitable mitigation measures are available.

No detail is provided in terms of what level of parking provision is proposed to be provided. While it is recognised that this is a retrospective application and it is not proposed to alter the existing provision, it is still recommended that the Applicant should be required to provide details of the proposed parking provision for the proposed 84 units and that this provision should be consistent with IGN3 and SPG4 parking standards.

Sustainability

Section 3 of the TS provides details in regard to the accessibility and sustainability of the proposals.

Paragraphs 3.5 to 3.9 confirm that there are not sufficient facilities within walking distance to consider this location accessible to pedestrians, based on Manual for Streets standards. This issue is compounded by the lack of pedestrian infrastructure on Hogbarn Lane.

Paragraph 3.11 states that the local roads are considered suitable for cyclists, however there is no evidence given to support this and no assessment as to whether the uplift in traffic to be

generated by these proposals would represent a significant increase in conflicts between motor vehicles and vulnerable road users. APPENDIX F

Paragraphs 3.13 to 3.15 and 3.18 of the TS confirm that there are no public transport services available within a suitable vicinity of the site.

Paragraphs 3.16 and 3.17 describe a shuttle bus service which is provided by residents of the site. This service does seem to represent one sustainable option of transport mode available on site, however there is minimal information provided in terms of hours of operation, service regularity and how the service is funded. It is noted that this is provided by the residents and not the applicant, so it is unclear as to how long this service will be retained.

Based on the above, the previous assessment from KCC Highways that these proposals do not represent sustainable development remain valid.

Summary & Recommendations

This application is seeking full planning permission for 84 units of residential dwellings. While this is a retrospective application, the Transport Statement confirms that the area of the site with existing planning permissions in place has capacity for 133 caravans and that this application therefore seeks permission to increase this by 84 units, or approximately 40%.

Insufficient evidence has been provided for a robust assessment to be made as to the impact these proposals would have on the highway network and there are significant concerns around the road safety and sustainability of the proposals which have not been satisfactorily addressed in the Transport Statement.

I can therefore confirm that KCC Highways wish to raise a **holding objection** to the proposals on the basis that the applicant should provide the following information:

- Evidence of a robust trip generation assessment (as described above).
- Evidence to support the suitability of the access junction (including visibility splay diagrams).
- Detailed plans demonstrating the proposed offsite highway works.
- Evidence of the impact that the proposals would have on road safety on the surrounding highway network and appropriate proposals to mitigate any significant impacts.
- Details of the proposed parking provision.

In the event that the Borough Council is minded to grant planning approval, the following should be secured via planning conditions or obligations as appropriate:

- The proposed access and car parking to be laid out and constructed in accordance with details to be submitted to and approved by the Local Planning Authority.

- Submission 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
- 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 measures to prevent the discharge of surface water onto the highway.
- Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.
- Provision of a Travel Plan monitoring fee.

INFORMATIVE: It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

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 road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such 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.

Yours faithfully

James Lehane



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Highways and Transportation
Ashford Highway Depot
4 Javelin Way
Ashford
TN24 8AD
Tel: 03000 418181
Date: 24 June 2019

Application - MBC/19/502469/FULL

Location - Pilgrims Retreat, Hogbarn Lane, Harrietsham, ME17 1NZ

Proposal - Retrospective planning application for the change of use of land from mixed uses (leisure (180 caravans) and residential (19 caravans) to a residential park home site comprising the siting of 248 caravans, including engineering works to create terracing, retaining walls, and the extension of the site along the south eastern boundary.

Kathryn

I note that the appendices to the Transport Statement are now available for this application. I particularly note the traffic survey undertaken on Thursday 4th April at the site access, details of which are given in Appendix 1. Cross referencing this survey with the statements on pages 6 and 7 of the body of the report under Trip Generation and with Appendix 2 do not appear to be consistent/correct. There are, I believe, several errors, inconsistencies and omissions.

Also, fundamentally I note that paragraph 5.8 concludes that 'It can be seen from the above table that *measured* peak hour trip rates for the application site are broadly similar to those for retirement homes'. Yet the transport statement does not go on from there to discuss the application? i.e. 'the conversion of existing holiday homes to permanent homes.', paragraph 2.9 of the Transport Statement. No forecast traffic flows are given.

I do not consider that a determination can be made without an indication or forecast given regarding the change of traffic flows that might be expected from the change of use/occupancy type. It would also be helpful if the applicant could confirm that whilst the survey was undertaken when 212 units were occupied, if this meant that 212 units were in use. In the meantime, if I can be of any further assistance, please do not hesitate to contact me.

Yours faithfully

Terry Drury
Senior Development Planner

Maidstone Borough Council
Maidstone Planning Department
King Street
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Highways and Transportation
Ashford Highway Depot
4 Javelin Way
Ashford
TN24 8AD
Tel: 03000 418181
Date: 27 August 2019

Application - MBC/19/502469/FULL

Location - Pilgrims Retreat, Hogbarn Lane, Harrietsham, ME17 1NZ

Proposal - Retrospective planning application for the change of use of land from mixed uses (leisure (180 caravans) and residential (19 caravans) to a residential park home site comprising the siting of 248 caravans, including engineering works to create terracing, retaining walls, and the extension of the site along the south eastern boundary.

Kathryn

Thank you for re-consulting this authority regarding this application. I have read the recent Transport Technical Note submitted.

Page 3, Chapter 2 Development Proposals

Paragraph 2.3 – ‘It is confirmed that the proposed development site is currently operating as a residential site for over-50’s and will continue to do so.’ Is this effectively or actually; a view, an opinion or applied by restriction?

‘Given the location and nature of the site, it is considered that caravans on this site are most attractive to this demographic.’ – but not entirely?

‘If it is considered necessary by the Local Planning Authority, this could be controlled by an appropriately worded planning condition.’ I am not sure of Maidstone Borough Council’s view regarding how readily this could be checked or enforced. Paragraph 55 of the NPPF states ‘Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, **enforceable**, precise and reasonable in all other respects.’

Paragraph 2.5 – ‘The site will be strictly restricted to over-50’s and will be closely monitored by the Local Authority.’ This seems to be at odds/conflict with the last sentence of paragraph 2.3. The applicant does not appear to be sure how to deal with an assertion or possibility that the site could be limited to over 50s.

Paragraph 2.4 – ‘The specific proportion of retired resident’s vs employed residents is unknown.’ This is an issue of fundamental importance in transport terms. The rest of paragraph 2.4 is speculative and unsubstantiated.

Without clarity on the above, the surveys undertaken have no value and have no basis for undertaking projections/forecasts. For robustness and without further information, the application should be considered as one for 230 new homes.

Sustainability

The applicant, through the transport consultant and the latest technical note has helpfully provided distances from the site to services and facilities. This in my view has demonstrated admirably that the site is unsustainable. There are no bus services or meaningful sustainable connections. Apart from the on-site shop, services and facilities are out of walking or cycling range.

Transport Impact

The site is situated in a rural area accessed by rural, narrow roads. Previously the applicant undertook a conflict analysis for Hogbarn Lane in paragraph 5.10 of the original Transport Statement. Reference to rural lane capacity research is also made in paragraph 5.11 of the same document.

Objection conclusions

Without an impact assessment undertaken for 230 new homes this authority recommends a holding objection.

It is further considered that this site is contrary to paragraphs 102 and 103 of the NPPF and this authority therefore recommends an objection to this application on that basis.

Yours faithfully

Terry Drury

Senior Development Planner