Highways and Transportation
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Tel: 03000 418181
Date: 21 February 2024
Our Ref: TJ

Ashford Borough Council
Civic Centre
Tannery Lane
Ashford
Kent
TN23 1PL

Application - 22/00668/AS
Location - Land south of M20, Church Lane, Aldington, Kent
Proposal - Installation of a solar farm with a generating capacity of up to 49.9MW comprising: ground mounted solar panels; access tracks; inverter/transformers; substation; storage, spare parts and welfare cabins; underground cables and conduits; perimeter fence; CCTV equipment; temporary construction compounds; and associated infrastructure and planting scheme.

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

I note the discussion within the SEI Chapter 8 with regard to the cumulative construction traffic from nearby sites potentially occurring at the same time and issue of construction traffic avoiding of peak times. Although the latter is of course sensible, these details do not address all of the issues raised in my previous response which include the physical size of delivery vehicles, limitations of the access route and potential need for off site goods transfer to smaller vehicles.

The SEI Chapter 8 concludes that traffic impacts can be managed via a Construction Management Plan via planning condition. I do not agree that it is appropriate to address all of the previously raised issues after granting planning permission, should the LPA deem to do so. With this in mind, as submitted, I see no reason to remove my previous recommendation of refusal on highway safety grounds.

Previous comments of 26/08/23 copied in below for your convenience:

1. *Within the provided Construction Management Plan, much is detailed regarding on site routing and methodology but not as much forethought seems to have been applied to the public highway. The CMP routing details HGV deliveries direct to all site locations. This would actually involve going under two bridges with height restrictions (3.8m) which would not allow passage of such vehicles. Clearly this is unacceptable, and the delivery strategy needs to be revised.*

2. *The construction of the existing nearby solar project used a compound area north of the railway as a staging compound to unload from large delivery vehicles and transfer onto smaller vehicles which would fit under the railway bridges. I would suggest similar is explored for this proposal.*

3. *Church Lane may be relatively quiet compared to many of the County's Roads, it does still however carry an element of background traffic. The section of highway south of the National Grid sub station narrows and does not allow for delivery vehicles to pass any traffic travelling in the other direction. Visibility from the south heading north is restricted by a bend just south of the highway bridge over The River Stour. I would suggest that to remove the risk of opposing vehicles obstructing each other this would be best managed by the access gate immediately to the south of The Stour gates being manned. When deliveries approach from the north, these can stop at the northern compound and radio ahead to enable the banksman at the southern entrance to stop any vehicles travelling north simply via STOP/GO board or similar arrangement until the delivery vehicles have left the highway.*

4. *When the maximum sized vehicle useable has been established (item 1), details regarding the maximum laden weight of these vehicles should be provided so discussions with the Kent County Council Structures Team can be had with reference to the brick built bridge over the River Stour.*

5. *Routing for construction traffic in terms of approach direction is suitable and the common sense approach for delivery vehicles. Despite this however, I am aware that the previous solar farm construction still resulted in several delivery vehicles approach the site from the south using an unacceptable route and causing access difficulties for local residents. With this in mind, signing needs to be provided at the Church Road?Roman Road junction and the Roman Road/Knoll HIll Junciton clearly stating No Access to the East Stour solar site. Likewise, if access points on to the highway are to be un-manned, then no right/left turn signing (as suits) should be placed at site exit to remind deliver drivers of appropriate routing.*

There are several issues raised above that require attention, however that raised in point 1 is significant. With this in mind and as presented, I recommend the proposal be refused on highway safety grounds.

Should revised details be provided I will be happy to provide further comment.

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.