

Technical Note

Project No: ITL09289
Project Title: Land at Appledore Road, Tenterden
Title: KCC PRoW Response
Ref: NM/ITL09289-033A TN
Date: 24 June 2021

Public Footpaths

- 1.1.1** This note has been prepared following Kent County Council's (KCC) Public Rights of Way (PRoW) consultation response letter (dated 7th May 2020 although assumed to refer to 2021) to the planning application on the Land between Woodchurch Road and Appledore Road, Tenterden, Kent (reference: 21/07890/AS).
- 1.1.2** The applicant welcomes KCC PRoW team's "no objection" to the amended application and acknowledgment that the incorporation of Public Footpath AB12 through the site is incorporated as previously discussed and agreed.
- 1.1.3** The applicant acknowledges the points raised by KCC in relation to the recent claim of a new Public Footpath circulating the site and that an Order to record a Footpath has been made. However, the Order is subject to an objection by the landowners and has been referred by KCC to the Secretary of State to determine whether or not it should be confirmed. So as not to prejudice the Inspector's decision on the Order, no amendments are considered necessary at this stage as the route could be accommodated through any future Reserved Matters application if necessary.
- 1.1.4** In relation to the Transport Assessment and Travel Plan Statement that were submitted in support of the application, KCC PRoW team has raised a number of points as follows:
- The reports refer to the existing Footpath AB12 being upgraded. This implies a change of recorded status. The applicant has no intention of changing the status of the Footpath, and agrees that the term "improved" should be used instead of "upgraded". The applicant is willing to accept a Condition that the surface of Public Footpath AB12 through the site will be improved and ensure that the footpath is maintained to its full legal width, in accordance with details to be agreed with KCC's PRoW team.

- The reports refer to future users being “discouraged” from using Public Footpath AB12 at its northern end in the vicinity of Woodchurch Road. The applicant agrees that such wording is unnecessary. Whilst the applicant will be providing an alternative pedestrian route to Woodchurch Road, at a location where vehicular speeds are lower and visibility is better (and therefore arguably a safer location for pedestrians to cross the road), there is no intention to place measures to discourage use of the existing Footpath. As above, the applicant is willing to improve the surface and re-instate Footpath AB12 to its full legal width as requested by KCC’s PRoW team. The applicant is also willing to retract the wording “likely that the use of the PROW will be minimal although it will be retained” from paragraph 4.5.8 of the Transport Assessment.