

APPROACH PRINCIPLES COLLABORATION DEVELOPMENT



# the Kent design guide

making it happen - technical assessment and adoption  
(policy)

# Overview

This part of making it happen includes our adoption policy for new highways and any works carried out on the existing highway network.



policy

## General

You will need to contact both the local District Planning Authority and ourselves at an early stage when preparing your development proposals, especially if the proposed layout is not explicitly covered by the guidance in this document.

Early consultation will provide an opportunity to resolve any potential problems and avoid delays before proposals are submitted for planning permission.

We would encourage you, wherever possible, to design schemes that are in accordance with this document.

### Those offered for adoption must either:

- be residential developments consisting of more than five dwellings; or
- be multiple-building, multiple-occupation industrial or commercial developments, where there is a clear benefit for the public to use the road layout.

We will consider adopting other forms of development on a site-by-site basis.

## Adoption

We will adopt areas that are required for the use and maintenance of the highway and will consider other associated areas for adoption. You will be required to transfer to us ownership of any land on which the public highway is situated.

Alternative provision for maintenance may take many forms, ranging from setting up a management company to dedicating land to the Parish or Town Council. You must hold discussions over such arrangements early in the design process.

We will only adopt roads, footways, footpaths and cycleways that connect to other highways maintained at public expense.

You must ensure that access to the proposed development is either across land in your ownership or via a publicly maintainable highway. Access must not be over private land or land forming a ransom strip.

We will not adopt or become responsible for any part of a development consisting of less than five dwellings, private developments and layouts that do not conform to our requirements.

### You should be aware of the implications both for yourselves and/or future householders where we do not adopt the development - issues include:

- future maintenance liabilities;
- public liabilities;
- provision of street cleansing and refuse collection;
- pedestrian facilities;
- lack of or poor standard of lighting;
- adequate drainage provision;
- inability to use enforcement powers under the Highways Act 1980;
- the Police's lack of powers to resolve disputes over parking issues or obstructions;
- provision of unfettered access for emergency services and public utility companies;
- the need to display private road signs ; and
- a requirement to submit details to us under Section 31 (6) of the Highways Act 1980, identifying the roads and footpaths which are to remain private.

You must prove ownership of all land to be transferred to us. In situations where land is identified as "unknown ownership", we will require you to provide adequate Defective Title Indemnity Insurance. This must be in place prior to the Agreement being signed with us.

If the number of dwellings served by a cul-de-sac exceeds 50 or where a major access road is designed as a circuit road, then an alternative



*A good quality public realm requires definition, appropriate specification of materials and a robust scheme of maintenance. In some instances private schemes of maintenance for specific areas may be more appropriate.*

means of access for cyclists and pedestrians, which could also be used for vehicular access in the event of an emergency, will be required.

Routes that provide alternative means of access will be adopted by us and must be lit to adoptable road lighting standards.

All adoptable areas and structures will, as a minimum, meet the objectives and requirements set out in this document and current highway design standards.

All adoptable areas need to be clearly identifiable on site and any delineation must be sympathetic to the locality.

Access for fire appliances and equipment to reach the scene of a fire must be considered when designing a layout for adoption. Early discussions with the Fire Brigade, the local District Planning Authority and ourselves are essential to ensure that access arrangements are suitable and acceptable.

Access for those with impairments must also be considered when designing a layout for adoption. You must discuss any proposals with the various disability groups, the local District Planning Authority and ourselves to ensure that access arrangements are suitable and acceptable.

All means of access for future inspection and maintenance of the highway must be agreed with the Divisional Manager.

## Roads

We will adopt roads that are intended primarily for use by the general public.

Shared surfaces and Home Zone layouts that provide direct access to dwellings will also be adopted.

Geometric standards must conform with those included in this document except where local circumstances dictate variation and are agreed with the Divisional Manager.

Turning facilities must be provided wherever vehicles would have to reverse over long distances or generally where there is no through route.

Junctions can be used as turning areas, where the following recommended maximum reversing tolerances are met:

- Refuse/large service vehicles – No more than 40m;
- Pantechicons – No more than 60m; and
- Cars/smaller service vehicles – No more than 25m.

Where roads abut private land and no footway is provided, a minimum 0.6m wide safety strip (may be hard paved), is required for vehicle overhang. The safety strip will be adopted by us.

## Footways, Footpaths and Cycleways

Footways, footpaths and cycleways constructed in accordance with our requirements will be adopted where they provide the principal means of access between public highways, or are an essential part of the highway system/cycleway network, whether separate or combined.

Footways provide pedestrian routes adjacent to the road whereas footpaths provide pedestrian routes remote from the road.

Footpaths will not be adopted where they provide direct access to dwellings, or are a secondary means of access such as to the rear of properties.

Where there is extensive widening of a pedestrian route, clear delineation between areas intended for the passage of pedestrians and that set aside for amenity purposes, such as the provision of play areas, benches and ornamental features, is required.

Amenity areas will not generally be adopted by us, but should be adopted by the local District Planning Authority or Parish/Town Council.

We may be willing to adopt pedestrian areas through or outside shopping precincts and forecourts, where they provide the principal means of access between public highways. The Divisional Manager must be consulted over such proposals.

Cycleways provide access routes either on, adjacent or remote from the road.



*The public realm has a variety of functions and adopted areas need to be defined so as to enable public areas to be safe, secure, attractive and well maintained. Certain areas are not appropriate for adoption, for example private accesses and footpaths leading to individual properties or rear gardens.*

## Visibility Splays, Service Margins, Verges, Landscaping and Amenity Areas

We will adopt all visibility splays, service margins, verges and landscape areas that are required for highway purposes.

Areas between the road and the footway or cycleway will only be adopted if they are required for highway purposes. If these areas are not required for highway purposes, we may adopt them where a commuted sum is paid to us to cover the future maintenance.

You must provide or arrange for the long-term management and adoption of areas not required for highway purposes. Some private organisations may wish to sponsor landscaping areas such as on roundabouts. You must discuss any such proposal with the Divisional Manager.

The local District Planning Authority may be willing to adopt amenity areas under Section 9 of the Open Spaces Act 1906.

## Highway Drainage

We will adopt infrastructure (pipework, gullies, manholes, catchpits and soakaways) laid for the sole purpose of discharging surface water from the highway.

We will not adopt pumping stations or private drainage systems.

Highway drainage must be laid within adoptable areas with the possible exception of soakaways, which can be located outside the highway. Such arrangements will require a legal covenant or deed of grant to enable us access for future maintenance.

Private parking areas, combined sewers draining foul and surface water, and surface water sewers draining rainwater from buildings, yards etc, will not be adopted by us, but may be adopted by the Drainage Undertaker.

In certain circumstances and with written consent from the Divisional Manager, we may be willing to adopt surface water control features such as hydro-brake devices. Acceptability will be subject to full technical

approval and payment of any necessary commuted sums to cover future maintenance of such features.

As an organisation fully committed to the implementation of sustainable drainage solutions, we fully endorse and encourage you to use sustainable urban drainage (SUDS) solutions for draining highway areas in new developments.

Acceptability of SUDS systems and solutions will depend on many factors and will require approval from the Divisional Manager. Adoption of such features is at the discretion of the Divisional Manager and will depend on criteria relating to specific schemes.

Soakaways or SUDS systems that require licences for 'consent to discharge' under the Environment Agency's (EA) "Policy and Practice for the Protection of Ground Water", will not be adopted until you have paid all commuted sums necessary to cover such annual charges incurred by us.

All Soakaways, including those that require 'consent to discharge' licences from the EA, will not be adopted until you have paid all commuted sums that are necessary to cover future maintenance. These sums will vary depending on the environmental circumstances and location of each Soakaway. The type of Soakaway proposed will also have a bearing on any payment required. Further advice is included in our 'Soakaway Design Guide', which is included in the reference section on our website.

Some elements of the highway drainage system may be classified as highway structures and will require technical approval in accordance with the requirements set out in the highway structures section.





*The attractiveness of new developments should not be compromised by the application of visibility requirements and other technical specifications. Such areas should be an integral part of the design layout. In many cases visibility splays, service margins, verges and drainage facilities can be successfully incorporated into a landscape strategy for the whole site.*



## Street Lighting

We will only adopt road lighting situated within adoptable areas, except where specific alternative arrangements are approved by the Divisional Manager. Such arrangements must be covered by a legal easement or covenant.

In some layouts, such as Home Zones or shared surfaces, street lighting may be affixed to walls or private property. Such arrangements must have prior approval from the Divisional Manager and occupiers of the property and be covered by a legal easement or covenant. We are prepared to adopt such road lighting installed with our permission.

**The local Parish or Town Council must be consulted about the provision of street lighting in new developments, particularly if the surrounding environment has no street lighting.**

We would consider shared surface arrangements and Home Zones unsuitable for adoption where the local Parish or Town Council resist the use of road lighting.



You must hold discussions at the earliest opportunity with the Parish or Town Council to establish the suitability of your lighting scheme.

Where non-standard road lighting equipment is proposed to be adopted, we may require you to pay a commuted sum to cover the maintenance of such equipment.

## Highway Structures

We will only adopt highway structures that are either in, over, under or adjacent to the highway, and where they materially affect the highway and/or the safety of the public.

Any structure spanning over a highway will not be adopted by us, unless that structure itself carries a highway or forms an integral part of the highway, such as a traffic sign gantry.

Other structures will, where permitted, need our approval and must be licensed by us.

We will not adopt retaining walls constructed to support the highway, except in agreed exceptional circumstances, as it is our preference for the highway to be supported by embankments or similar.

Walls supporting private land adjacent to the highway will not be adopted by us and must be totally founded on private land.

All retaining structures situated within 3.66m of a highway, or which otherwise may structurally affect the highway or its support, whether adopted by us or not, will be subject to our Technical Approval and may require a Maintenance Agreement.

All unadopted structures or protrusions over the highway, where permitted, will need our approval and must be licensed by us.

All highway structures will only be adopted after you have complied with the procedures set out in the highway structures section.

### Shared Surface Arrangements and Home Zones

We will adopt most shared surface areas, with the exception of private curtilages and driveways.

We will also adopt areas where Statutory Undertakers install their equipment and apparatus, unless it is located in private areas.

We will adopt areas in the Home Zone that include parking spaces, trees, planters, bollards, street lighting columns, play areas and other items of street furniture.

We will not adopt or maintain amenity features in the Home Zone, including children's play equipment, sculptures, benches, rubbish bins and other similar items of street furniture.

You must make arrangements for such elements to be adopted and maintained privately. The local District Planning Authority, the Parish/ Town Council or some other agreed authority may be willing to maintain certain features by way of agreement. Residents Association Groups could be allowed to maintain certain elements such as landscaping under licence arrangements with us. Such arrangements must be disclosed and agreed with the Divisional Manager.



### Parking Areas and Lay-bys

Only parking areas and lay-bys that form an integral part of the highway for casual parking will be adopted by us.

We may be willing to adopt all parking areas in the Home Zone where provision is low. Off-street parking arrangements are more appropriate for high density developments, and must not be situated in areas to be adopted.

Private parking areas and lay-bys will not be adopted by us. These must be located outside the limit of the adoptable highway and clearly identified by appropriate delineation.

### Alternative Access Link for Emergency Road Closures

A secondary means of access for emergency vehicles to use, if the main access is closed, is required where a development serves over 50 dwellings or only has a single point of entry.

The alternative access link will generally be adopted by us.



### Services

Utility requirements must be agreed with the relevant Statutory Undertaker and details submitted to us for approval.

You must ensure that all new developments are pre-ducted to accept cable television by direct liaison with the Cable Franchise Company. We will not adopt any road that has not been pre-ducted, unless it is confirmed in writing by the Cable Franchise Company that they do not intend to supply the development with their cable network.

Private services (excluding service connections) must not be located in the highway, except in exceptional circumstances and with the approval of the Divisional Manager.

Where private services are permitted in the highway they must be covered by a licence under Section 50 of the New Roads and Streetworks Act 1991.