Gravesham Borough Council

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20260520
Location	28 Timber Bank Vigo Gravesend Kent
Proposal:	Application for a Proposed Lawful Development Certificate; Installation of a dropped kerb in association with a driveway.
Applicant:	Mrs Lorraine Heather
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form;
Site Location Plan (received on 23.06.26);
Block Plan – Existing (received on 19.05.26);
Block Plan – Proposed (received on 19.05.26);
Supplementary Information – Picture of Kerb; and
Supplementary Information – Vigo Parish Council Letter.

Property Type

28 Timber Bank is a two storey semi-detached property.

Material Consideration

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Relevant Planning History

No relevant history.

Consultations, Publicity and Representations

This is an application for a Lawful Development Certificate that is considered on its facts and relevant planning law. As confirmed in national planning guidance, views expressed by third parties on the planning merits of such cases are irrelevant. Accordingly, unlike planning applications, there is no statutory requirement to undertake publicity or consultation. Comments have been received from the Dickens Country Protection Society, however as aforementioned above these comments are irrelevant to the assessment of this application and have not been taken into account.

Officer Assessment

In order to be permitted development, the proposal needs to comply with the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This assessment is made below.

Permitted Developments Rights Restrictions

Article 2 (3) Land (National Landscape, Conservation Area)	**Y (National Landscape). However this designation does not impact this current proposal**
Article 4 Direction	N
Permitted Development Rights Removed/Restricted	N
Would the works involve an engineering operation?	N
Is the road a trunk road or a classified road?	N
Is the hardstanding area existing?	N

<u>Schedule 2, Part 2, Class B – means of access to a highway</u>

Permitted Development

The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).

In the case of this application, Timber Bank is not a trunk road or a classified road and the means of access to a highway is required in connection with an area of hardstanding. As such, it stands to be assessed whether the hardstanding area accords with the specifications of the GPDO 2015 (as amended).

<u>Schedule 2, Part 1, Class F – hard surfaces incidental to the enjoyment of a dwellinghouse</u>

Development consisting of -
(a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or
(b) the replacement in whole or in part of such a surface.

F.1	**Development is not permitted by Class F if –**	**Y/N**
(a)	Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use); or	N
(b)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
F.2	Development is permitted by Class F subject to the condition that where-	Y/N

(a)	the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and	(Y)
(b)	the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,	(Y)
	either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.	Y As confirmed by email the material is permeable and the driveway shall also have drainage installed

Other issues

The Highways Authority (Kent County Council (KCC)) provide guidance on the provision of dropped kerbs, the Residential Dropped Kerb Guidance and Self-Assessment (April 2025). This document sets out that, for a dropped kerb to be acceptable, various criteria must be met. Therefore, although the proposal would be permitted development, KCC may or may not allow the formation of the proposed dropped kerb. As such, it would be necessary for the applicant to contact KCC direct to discuss the access to the proposed parking area. The applicant can be made aware of this in an informative attached to the decision.

Conclusion

As established in the above assessment, the access is required in connection with a hardstanding area.
The area of hardstanding complies with the GPDO (2015) (as amended) and therefore the proposed access is Lawful and a Certificate should be Granted.

The proposed development complies with Schedule 2, Part 2, Class B and Schedule 2, Part 1, Class F of **the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended and the Lawful Development Certificate is Granted.**

Recommendation: Grant Lawful Development Certificate

Case Officer:	Mrs Lucy Hankin	**Team Leader:**	**Richard Hart**
Signed:	L Hankin	**Signed:**	*R Hart*
Dated:	12th August 2026	**Dated:**	**12th August 2026**