



Growth, Environment and Transport

Public Rights of Way and Access Service

West Kent PROW Team
Worrall House
30 Kings Hill Avenue
Kings Hill
West Malling
Kent ME19 4AE

Direct Dial: 03000 412328
Ask For: Deborah Scott
Date: 17th March 2026

Mrs Lisa Fisher
Planning Department
Gravesham Borough Council

Dear Lisa

**20260223
UPRN 010012032459**

Application for Outline application with all/some matters reserved for the development of up to 50 residential dwellings (including affordable housing), vehicular access road from School Lane, internal roads, car parking, landscaping, public open space, and other associated works and infrastructure. All matters to be reserved with the exception of the main site access

Land North Of High View, School Lane, Higham, Rochester, Kent

Thank you for your letter dated 2nd March regarding the above planning application.

We note a clear discrepancy between the alignment of Restricted Byway NS153 as shown on the submitted plans and the legally recorded route. This discrepancy must be addressed. The development layout will need to be designed around the definitive legal line of the byway, or alternatively the applicant will need to submit and secure a Public Path Diversion Order to enable the route to be lawfully relocated.

With regard to any proposed closure of the route during construction, this should be kept to an absolute minimum. The applicant should not proceed on the assumption that the byway can be closed from the commencement of development works until completion. Instead, they will be expected to provide suitable alternative routes and/or adopt appropriate phasing of works to maintain connectivity for the public wherever reasonably practicable.

As the route is a Restricted Byway, we will require a minimum surfaced width of 3.0 metres. Our preference is for an unbound aggregate surface within a green corridor. However, should a bound surface be necessary, the required specification is AC14 dense surf 100/150 Pen 65.

We would not support the Restricted Byway sharing its alignment with any vehicular access, other than at designated crossing points. Where such crossings are proposed, we will require clarification on whether the estate roads in question are to be adopted as public highway.

If the roads are to be adopted, Kent Highways will determine the required crossing-point design. If the roads are not to be adopted, the Restricted Byway will retain the dominant right, and in such cases we will require all road crossings to be constructed as speed tables, ensuring the byway crosses at grade and vehicles are required to slow accordingly.

I enclose a copy of the Public Rights of Way network maps showing the line of the path for your information.

The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then this office will deal on the basis that:

- The applicant pays for the administration costs.
- The duration of the closure is kept to a minimum.
- Alternative routes will be provided for the duration of the closure.
- A minimum of six weeks' notice is required to process any applications for temporary closures.

This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

Yours sincerely



Deborah Scott
Technical Support Officer
Public Rights of Way & Access Service