



To: **Planning Reps**
From **Highways Development Management Officer**

Date 19th October 2021

Your Ref 20210876
Location 21 Darnley Road Gravesend Kent DA11 0RZ

I note Kent County Council's unsigned response of the 12th October 2021 but my views are as follows.

These proposals are always difficult to assess. As a restaurant there would be little reason to object, as customers would be long stay and as such have to find a suitable location to park any vehicle which would be little different to the current usage and Rathmore Road car park is not far away, whilst the surrounding streets are subject to some form of parking controls, at least during the day.

It is the takeaway element that is of concern, and I accept such a use already in the neighbouring property, but they offer a free delivery service on orders above a £10, or at least they did in December 2020 when Google Street View last visited the area.

Whilst I accept that there are double yellow lines outside the property which should deter on street parking, when the visit is brief this often doesn't deter people from parking on them as the risk of being fined is minimal, this can have an adverse impact on passing traffic particularly so close to a traffic signal controlled junction. The kerb face is also low which would encourage pavement parking to the detriment of pedestrians, particularly those with visual impairments, not just the blind. The problem of on street parking is confounded by the fact that there does not appear to be a loading restriction outside the property. My understanding is technically, if there is no exchange of money, by whatever means, payment having been done in advance, the collection of food would be a loading operation and so waiting restrictions do not apply, providing only the food already paid for was collected, whatever the wait. (Although I don't have the details, I remember a case many years ago when a lady was collecting a clock from a shop and parked on yellow lines in Windsor, she was fined but when it went to independent appeal the fine was quashed as she was loading and not carry out a financial transaction).

So in my opinion whilst a restaurant is acceptable I have concerns about the takeaway element. In such cases my usual approach would be for the two uses to be separate planning applications, so a permanent permission can be granted for the restaurant, whilst the takeaway is either refused or a temporary permission is granted so any impacts can be monitored and as the restaurant exists there should be no significant costs in establishing the takeaway.

Les Seaborn
Highways Development Management Officer

