

Householder Planning Statement

282 Lower Higham Road, Gravesend,
Kent, DA12 2NR

Formation of vehicular access onto 'C'
classified road and provision of one or two
off-street parking spaces in front garden
with associated hard standing



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1 Introduction

- 1.1 This Householder Planning Statement has been submitted in support of an application for the following development at 282 Lower Higham Road, Gravesend, Kent, DA12 2NR (hereafter referred to as 'the Site'):

Formation of vehicular access onto 'C' classified road and provision of one or two off-street parking spaces in front garden with associated hard standing

- 1.2 The proposed development affects the following Land Registry title(s):

Title Number	Description	Owner
K61393	282 LOWER HIGHAM ROAD, GRAVESEND DA12 2NR	The Applicant.

- 1.3 The application is accompanied by the following plans and documents:
- 4635.ON – Planning Statement.
 - 4635.ON - Appendix 1 - Appeal Decision 3351002 (37 ORW).
 - 4635.ON - Appendix 2 - Appeal Decision 3375413 (16 ORW).
 - 4635.ON - Appendix 3 - Costs Decision 3375413 (16 ORW).
 - 4635.ON - Appendix 4 - Planning Permission 20250412 (278 Lower Higham Road).
 - 4635.ON - Appendix 5 - Appeal Decision 6001994 (7ORW)
 - 4635 - 01 Site Location Plan and Existing Block Plan
 - 4635 - 02 Existing Plan and Elevations
 - 4635 - 03 Proposed Block Plan
 - 4635 - 04 Proposed Plan and Elevations

2 Site Context

- 2.1 The Site consists of a semi-detached dwelling that is situated on the south side of Lower Higham Road amongst other detached and semi-detached dwellings and occupies a total of 388m²
- 2.2 The principal elevation of the dwelling is constructed from red brick material, with the roof being made from clay tiles. The same tile is used below the first-floor windows for the roof that extends from the front wall. The double front door is predominantly glass, whilst the windows are white UPVC, and the guttering is black plastic.
- 2.3 The existing front garden comprises a range of soft landscaping, including grass and a variation of hedges and other planting along the garden boundaries. There is also a path along the western boundary that leads to the front door. Overall, the garden extends approximately 8m from the existing front wall of the house.
- 2.4 The rear garden extends approximately 24 m from the original rear wall of the dwelling and is accessible via a side access point due east of the dwelling. The garden itself comprises a large garage that is a common theme along Lower Higham Road and is accessible via vehicle from an unclassified track that branches from Darenth Drive.
- 2.5 In a wider context, Lower Higham Road is a predominantly residential street that comprises a mix of both hard surfaced and landscaped front gardens. Furthermore, there is a significant amount of on-street parking that lines the road.
- 2.6 Lastly, the Site forms part of the town of Gravesend, which comprises a range of amenities including schools, hotels, restaurants and a range of shopping facilities. Additionally, Gravesend station provides links to London and subsequently the wider country.
- 2.7 This Site is the subject of the following planning constraints and characteristics:
 - Flood Zone 3

3 Relevant History

3.1 It is understood that the subject Site has no relevant planning history.

4 Proposed Development

4.1 The application entails the following elements:

- Replacement of the front garden area with 2 parking spaces.
- Allow for dropped kerb access.
- Removal of existing bush on the north elevation.
- Proposed planting to the south and east elevations.
- Retention of existing concrete path leading to the front door.
- Materials to comprise a permeable block paving.
- Driveway to be 8.3m in depth (at its deepest) and 6.7m in width.
- Parking spaces to be 5m in depth and 2.5m in width each.
- Existing pathway to the house to be retained.

5 Planning Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Court of Appeal has clarified that for a decision maker this means establishing whether a proposal is in accordance with the development plan as a whole. The question of compliance with one policy should not dictate the outcome of a proposal in the absence of considering compliance with all other relevant policies. Decision makers are therefore tasked with identifying and understanding all relevant policies and material considerations in order to reach a properly informed planning judgment on a proposal, and to avoid an irrational or vulnerable decision that may be subject to criticism in a public law challenge.
- 5.2 Paragraph 2 of the National Planning Policy Framework ('the Framework') reiterates what is said in Section 38(6), whilst paragraph 12 of the Framework is clear that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 5.3 Paragraph 39 of the Framework encourages local planning authorities to approach decisions on proposed development in a positive and creative way. It also encourages working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, adding that decision-makers should seek to approve applications for sustainable development where possible.
- 5.4 Annex 1 of the Framework confirms that for the purposes of decision-taking, the policies in the plan should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. It adds that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, with greater weight being given to those policies that are closer to the policies in the Framework.

Development Plan

- 5.5 It is understood that the Development Plan for Gravesham Borough Council (GBC), within which the Site is located, comprises the following documents:

- Core Strategy (2014) (CS).
- Gravesham Local Plan First Review (1994) (LPFR) – Saved Policies.

5.6 In the CS, the following policies are considered most relevant in the determination of this application:

- CS01 – Sustainable development.
- CS02 – Scale & distribution of development.
- CS11 – Transport.
- CS19 – Development & design principles.

5.7 In the LPFR, the following policies are considered most relevant in the determination of this application:

- T1 – Impact of development on the highway network.
- T5 – Access of identified highway network.
- P3 – Vehicle parking standards.

Other Material Considerations

The Framework

5.8 In summary, the following paragraphs are considered most relevant as additional material considerations in the determination of this application:

- 116 - Highway safety.
- 124 – Making effective use of land.
- 131 – Achieving well-designed places.

Manual for Streets 1 (MfS1) (March 2007)

5.9 MfS1 (published in March 2007) contains helpful guidance in respect of visibility and frontage accesses. Chapter 7 considers the geometry of streets. This chapter comprises several parts.

5.10 Section 7.9 is entitled frontage access, which reflects the type of access associated with the proposal. The proposed development does not involve the formation of a junction between roads, streets, or lanes. The subsequent parts of this section are of specific relevance.

- 5.11 Paragraph 7.9.1 confirms that the provision of front accesses helps to “generate activity and a positive relationship between the street and its surroundings.”
- 5.12 Paragraph 7.9.2 sets out the four factors that should be considered when considering a frontage access:
- The speed and volume of traffic on the street.
 - The possibility of vehicles turning around within the property, where this is possible.
 - The presence of gathered accesses if individual accesses are not considered acceptable.
 - The distance between the property boundary and the carriageway is to provide adequate visibility for the emerging driver.

Manual for Streets 2 (MfS2) (September 2010)

- 5.13 MfS2 confirms that it “builds on the guidance contained in MfS1, exploring in greater detail how and where its key principles can be applied to busier streets and non-trunk roads.” Published in 2010, this guidance is also more up-to-date than MfS1.
- 5.14 Chapter 9 of MfS2 covers junctions, crossings, and accesses, and, as with MfS1, MfS2 contains a specific section on frontage accesses (9.10). Paragraph 9.10.2 refers back to the research referenced in MfS1, noting that there was no indication that traffic of up to 10,000 vehicles per day on roads with frontage accesses would indicate a decline in road safety.
- 5.15 The next paragraph refers back to research referenced in the Highways Agency's Design Manual for Roads and Bridges TD 41/95 (a precursor to MfS1, published in March 1995), which examined the relationship between access frequency and collisions on 3,000km of all-purpose trunk roads in England, including urban, rural, single, and dual carriageways.
- 5.16 Paragraph 9.10.3 in MfS2 confirms that: “the research showed that there was no simple statistical relationship between the number of collisions and the number of vehicular connections in the form of minor junctions and direct accesses.”

Householder Extensions/Alterations Design Guide SPD (adopted October 2021)

- 5.17 The SPD makes clear that extensions and alterations to a home can be an economical way of ensuring it can meet a household's present and future needs. In seeking to meet such needs, it is important to ensure that any extension or

alteration to a home is well-designed, well-built, and sympathetic to its surroundings.

- 5.18 It goes on to say that by doing so, we can ensure that there are no adverse effects on the original house, immediate neighbours, the local view of the street, as well as the character and appearance of the local area.

Further Material Considerations

- SPG2 – Residential Layout Guidelines (2020).
- SPG4 – Kent County Council Parking Standards (2006).
- Kent Design Guide – Visibility (2008).
- Kent Design Guide – Making it Happen – Highways (2008).

6 Planning Assessment

Key Issues

6.1 Graham Simpkin Planning has assessed the proposed householder development against the following key matters:

1. Highway Safety.
2. Impact on Landscape.
3. Parking Provision.
4. Flood Risk

1. Highway Safety

6.2 The Site is situated along a C-classified road, which means any development at the Site must adhere to the Gravesham policies surrounding parking as well as householder alterations.

6.3 As set out above, paragraph 116 of the NPPF makes clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety.

6.4 As per the collision data for Lower Higham Road, there have been no recorded accidents in the past 5 years. The closest accident to occur in the same time period was on Darenth Drive on 22/06/20, which was considered to be 'slight' in severity and involved two cars.

6.5 The lack of accidents nearby suggests that the proposed development would not cause an impact on highway safety, as there is no evidence to suggest such accesses are dangerous within the locality.

6.6 Paragraph 9.10.3 in MfS2 supports the idea of frontages having "no simple statistical relationship between the number of collisions and the number of vehicular connections in the form of minor junctions and direct accesses."

6.7 Another important consideration for applications of this nature is the requirement of visibility splays. MfS1 highlights in the table below the required vehicular visibility distance when emerging onto a major road at 30mph.

Table 7.1 Derived SSDs for streets (figures rounded).

Speed	Kilometres per hour	16	20	24	25	30	32	40	45	48	50	60
	Miles per hour	10	12	15	16	19	20	25	28	30	31	37
SSD (metres)		9	12	15	16	20	22	31	36	40	43	56
SSD adjusted for bonnet length. See 7.6.4		11	14	17	18	23	25	33	39	43	45	59
Additional features will be needed to achieve low speeds												

- 6.8 The table is based on the perception-reaction time of the average driver. For a 30mph road, the recommended visibility splay is 43m in each direction. This figure, however, is aimed at inter-visibility between vehicles on major and minor arms of roads as opposed to access from private frontages.
- 6.9 Although the vehicular visibility at 282 Lower Higham Road meets the 43m requirement, it is considered that such vehicular visibility splays are not a necessary requirement for the proposed application. Overall, there will be sufficient vehicular visibility for the new frontage.
- 6.10 Regarding pedestrian visibility, the drawings demonstrate sufficient 2 m x 2 m splays in accordance with KCC Guidance and MfS1 & MfS2.
- 6.11 Various applications and appeal decisions in Gravesham confirm that the Applicant's approach in this case is correct and that the aforementioned visibility splays are not applicable to private accesses, but that pedestrian visibility should be demonstrated. It makes sense to have a more relaxed approach for direct accesses by comparison to road junctions because of the lower speeds that vehicles will reach the highway and the far lower number of vehicles using direct accesses. The relevant appeal decisions have been divided into different sections for easier understanding.

a) 37 Old Road West – 3351002 (Appendix 1)

- 6.12 At number 37 Old Road West, in which GSP acted as agent on behalf of the homeowner, the main reason for refusal was "inadequate visibility splays when exiting the driveway" as well as "it not being possible to turn a vehicle on site", both of which raise highway safety issues.

6.13 However, it is worth noting that this viewpoint was not shared by the KCC Highways Officer. During the consultation period, KCC Highways and Transportation highlighted the main issues as follows:

- Pedestrian visibility splays are required at the proposed access; they should measure 2m x 2m behind the footway on both sides, with no obstructions over 0.6m above footway level and should be demonstrated on a revised plan.
- The new access will require a bound surface for the first 5m from the edge of the highway and the provision of measures to prevent the discharge of surface water onto the highway.
- All street lamp columns and utility plants need to be situated at least 1.5m from the location of the top of the ramped kerb of the proposed crossover. Any street furniture, lamp columns and utility plants within 1.5m must be relocated at the expense of the Applicant.

6.14 In the appeal decision issued in November 2024, the Inspector starts by noting that there is a 'myriad of hardscape frontages evident in the street scene, creating off-street parking spaces for the houses along both sides of Old Road West.

6.15 The Inspector then states that despite the LPA making clear there is a lack of visibility for vehicles, "the prospect would be little different to the existing accesses to numerous properties elsewhere along Old Road West".

6.16 The Inspector then goes on to highlight "due to the infrequency and short duration of such manoeuvres and the low speeds involved, I find that highway safety would not be unduly compromised in this particular instance".

6.17 This recent appeal decision suggests that proposed site accesses do not require the vehicle visibility set out in the table above, contrary to what GBC have highlighted in the past.

b) 16 Old Road West – 3375413 (Appendix 2 (appeal decision) and 3 (costs decision))

6.18 Similar to the above, GSP acted on behalf of the appellant in this case for a refused application for vehicular access. Like 37 Old Road West, the application was refused on the basis that it would result in harm to highway safety.

6.19 However, in paragraph 17 of the appeal decision, which also resulted in a full award of costs against the LPA, the Inspector concludes that "such manoeuvres are typically carried out at low speeds, allowing drivers time to see and respond to pedestrians or other vehicles" and that proposals of this nature "would

therefore not pose a danger to pedestrians". The same would evidently apply here.

c) 278 Lower Higham Road – 20250412 (Appendix 4)

- 6.20 Arguably, the most relevant appendix to the subject application is the recent decision at 278 Lower Higham Road. As part of the report, the LPA conclude that, notwithstanding the dismissed appeal at 274 Lower Higham Road (which was dismissed by virtue of the driveway being situated at an elevated level compared to the highway), the application should be permitted, and the proposal would not materially harm highway safety. Moreover, the LPA reference the application at 280 Lower Higham Road, which was considered to be acceptable in terms of design and highway safety.
- 6.21 Given the similarities between the subject application and the past applications at 278 & 280 Lower Higham Road, it is considered that Appendix 4 is directly applicable and should be given significant weight in determining the subject application.
- 6.22 Moreover, page 9 of Appendix 4 clearly states that the LPA were satisfied with 2 m x 2 m pedestrian visibility splays, so this should be directly applicable in this case.

Summary of Highway Safety Issue

- 6.23 The pedestrian visibility splays on the proposed drawings show these as being 2m each way at a height of 0.6m to ensure maximum safety for pedestrians. The vehicle visibility is also shown on the plans, despite it not being required.
- 6.24 The proposed soft landscaping is considered not to impact the visibility of either pedestrians or vehicles, given its height. Additionally, it will not adversely impact the space standards for the proposed parking space.
- 6.25 Furthermore, the proposal is in line with the MfS, and the four criteria set out in paragraph 7.9.2 for emerging from property frontages, which are as follows:
- a) The speed and volume of traffic on the street – Lower Higham Road is a 30mph road, showing the traffic is not fast-moving, so with the correct vision splays for pedestrians, the harm to highway safety will remain low.
 - b) The possibility of vehicles turning around within the property where this is possible – *There will be no turning circle proposed as a result of the capacity of*

*the parking area. Moreover, the provision of turning spaces is not a requirement for domestic accesses, as per **Appendix 5 (6001994)** and MfS1 & MfS2.*

- c) The presence of gathered accesses if individual accesses are not considered acceptable – This is not relevant to the Site
- d) The distance between the property boundary and the carriageway – to provide adequate visibility for the emerging driver. – The boundary is of a sufficient distance away from Lower Higham Road, allowing suitable pedestrian visibility for the emerging drivers and pedestrians alike

- 6.26 It is worth noting that GBC recently refused an aforementioned application that was subsequently dismissed at appeal (**Appendix 5**), so it would be worth pre-emptively addressing the Inspector's concerns should this be cause for concern for the subject application.
- 6.27 The Inspector suggested that, despite the existence of the 2 m x 2 m pedestrian visibility splays, concerns remained by virtue of the proximity to the junction. In this case, the Site is in excess of 47 m from the junction with Castle Lane, which not only exceeds the distance for pedestrian visibility, but also vehicular visibility too.
- 6.28 Concerns were also raised in relation to the oncoming traffic on the side of the proposed access. For the subject Site, the oncoming traffic is slowed from 50 mph to 30 mph over 100 m from the access, suggesting that any manoeuvring of vehicles would take place as part of a slow speed of traffic.
- 6.29 Lastly, in relation to on-site turning, the Inspector made clear in paragraph 12 that MfS1 & 2 only require on-site turning where possible, whilst GBC's Householder Extension Alteration Design SPD (2021) does not require on-site turning. Therefore, it is considered that on-site turning is not a requirement for the subject application.
- 6.30 Overall, it is clear that a proposed driveway at the application Site would not result in detrimental harm to highway safety.

2. Impact on landscape

- 6.31 As shown in the proposed elevations, there will be additional soft landscaping proposed at the subject site to make up for what will be lost as a result of the access.
- 6.32 There will be proposed hedging on both the south and east elevations to compensate for the removal of the hedge adjacent to the highway.

- 6.33 This will further enhance the appearance as well as contribute to the drainage on the Site, ensuring that there is no excessive water runoff onto Lower Higham Road.
- 6.34 As set out above, paragraph 10.21 of the Householder Extensions/Alterations Design Guide SPD sets out the criteria for the laying of hard surface to the front garden of houses, which are as follows:
- Hardstanding should be proportionate to the size of the dwelling and the relevant car parking standards, and avoid paving over a significant amount of the forecourt. Soft landscaped planted border along all boundaries should be provided in all spaces not specifically defined as parking or turning spaces. – The hardstanding is considered to be an appropriate scale and comprises sufficient soft landscaping to mitigate the appearance of the permeable block paving.
 - Allow sufficient space between the car and the dwelling to allow access to the front door and side of the property. 1 m. should be the minimum space between or around car parking spaces. *The proposed parking spaces will not impact the access to the front door or side gate, so this is not relevant.*
 - Front garden parking must be designed to avoid cars overhanging the pavement. Car parking spaces, a minimum of 2.5 m wide (2.7 m where spaces adjoin an enclosed boundary) and 5 m deep, should be provided. – Both spaces meet the aforementioned requirements and thereby comply with the criteria.
 - Should not include gates. Where gates already exist, they must not open outwards and should allow enough space for them to be opened inwardly (if relevant) whilst a car is parked. – *There are no proposed gates for the development.*
 - Avoid removing any existing trees or established hedges and introduce new planting wherever possible. – The proposal removes a small boundary hedge adjacent to the highway, but this has been replaced by additional planting to the south and east.
 - Introduce permeable paving to new areas of hardstanding to minimise rainwater run-off issues, as per the requirements of Permitted Development. – The proposal includes permeable block paving and therefore accords with the criteria.
 - There should be no water run-off from the forecourt onto the public highway. – *This again will be resolved by the permeable surface being used for the parking aspect of the driveway. Also, the soft landscaping will aid in the reduction of surface runoff.*

- Where loose surfacing is proposed, a minimum of 1m depth of non-loose hardstanding should be provided at the front edge of the driveway with the public highway – *There is no loose surfacing proposed, so this is not relevant.*
- Repair or restore any original decorative tiled paths that are a characteristic or historic feature of the existing dwelling. – *There are no existing historical features to the property, so this is not relevant.*
- Pedestrian and vehicle visibility splays should be provided. – *Visibility splays (pedestrian) are shown on the proposed block plan.*

3. Parking provision

- 6.35 The Gravesham SPG4 states that the maximum number of parking spaces for a 3-bedroom dwelling is 2.
- 6.36 Currently, 282 Lower Higham Road has no off-street parking spaces. Therefore, the addition of the proposed spaces is considered to be adequate for a dwelling of this size.

4. Flood Risk.

- 6.37 The Site lies within Flood Zone 3, however, by the nature of the minor alterations, it is unlikely to cause an adverse impact in relation to surface water. This is the approach that was adopted as part of the decision at 278 Lower Higham Road (**Appendix 4**), whereby the LPA concluded that there are no concerns with regard to this constraint, and it is noted that the hardstanding area is permeable, with areas of grass and soft landscaping to assist with drainage.
- 6.38 Accordingly, the Applicant would consider the same approach to be adopted at the subject Site by virtue of the similarities between the two applications.

7 Conclusions

- 7.1 As shown above, the proposed development shows evidence of abiding by all the relevant policies and documents.
- 7.2 The driveway will have a sufficient supply of landscaping shown by the greenery, as well as the block paving being used for the driveway. As well as this, the path that provides access to the front door will be retained in order not to affect the wider character.
- 7.3 Furthermore, as shown above, and in accordance with Manual for Streets, the driveway will supply sufficient visibility for both cars and pedestrians.
- 7.4 Finally, by virtue of the minor amendments the application entails, it is considered that it will have no material impact on the flood zone or surface water run off. Notwithstanding this, the proposal includes permeable materials and planting to reduce surface water runoff.
- 7.5 In consideration of all relevant development plan policies and material considerations, this application should be viewed positively by the authority, and it is respectfully requested that this submission be approved.