

Delegated Report

Householder Planning Application

Planning Application No: 20260468

Location: 282 Lower Higham Road Gravesend Kent DA12 2NR

Description: Formation of vehicular access on to 'C' classified road & provision of one or two off-street parking spaces in front garden plus hard standing.

Applicant: Mr Dennis Roberts

Site Visit Date: 26th June 2026

Submitted Documents/Plans

Application Form;
Site Location Plan and Existing Block Plan – 01;
Existing Plan and Elevations – 02;
Proposed Block Plan – 03; and
Proposed Plan and Elevations – 04.

Relevant Planning History

No relevant planning history.

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development

- Section 12 – Achieving Well-Designed Places

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – Nationally Described Space Standard (2015)
- SPG 4 – KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)

Other Relevant Guidance

- Kent County Council Dropped Kerb Guidance and Self-Assessment (2023)
- Gravesham Driveway Dropped Kerb Guidance (Informal Guidance) (2023)
- Gravesham Front Driveway Design Guidance (Informal Guidance) (2023)

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

There have been no consultees consulted on this application

Local Ward Councillors

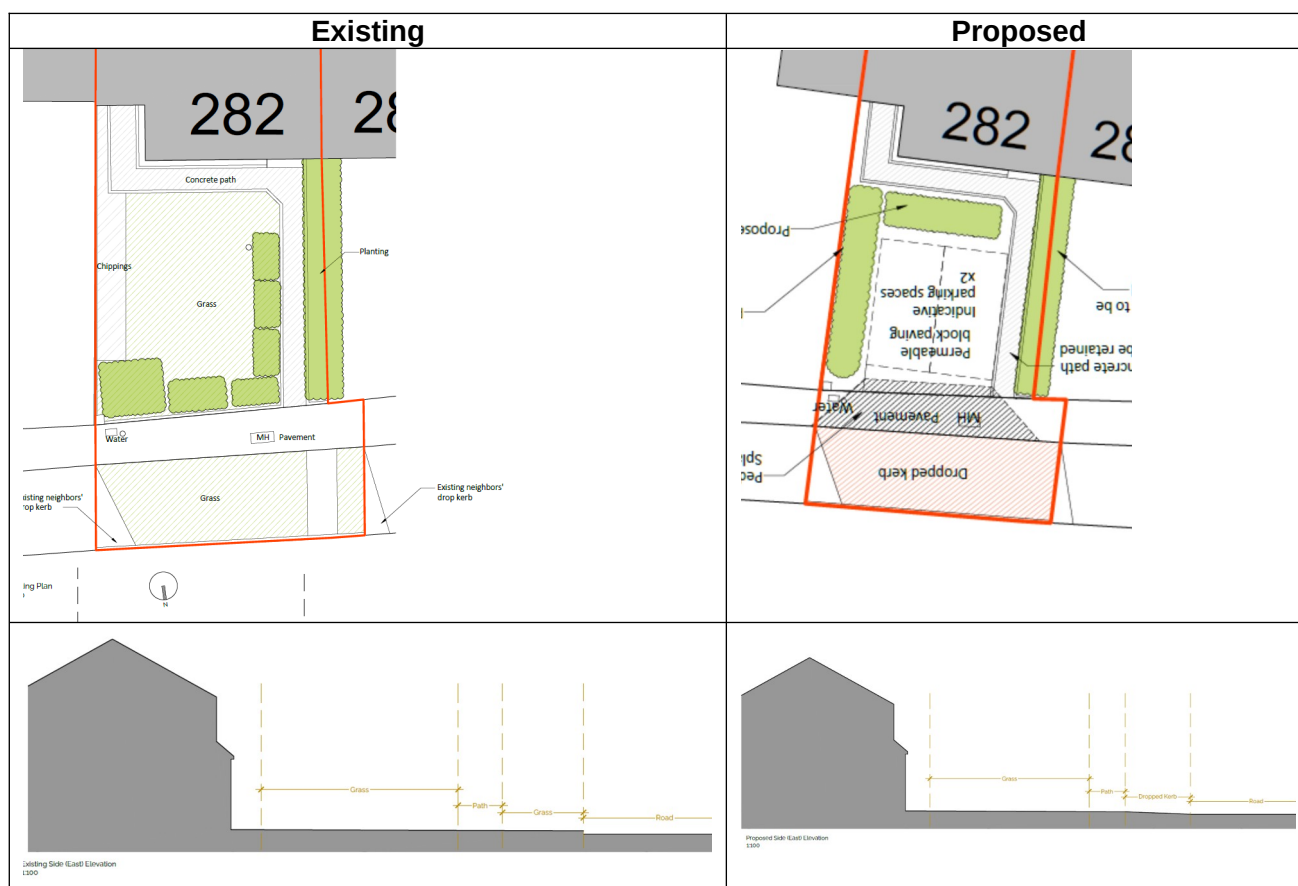
No comments received.

Neighbouring properties

Three surrounding properties were consulted with a response date of 03.07.2026, no representations have been received in response.

Proposed Development

The development would create two off-street parking spaces for the property, with a crossover following the removal of an existing grass verge.



Officer's Analysis

Design, Character and Appearance

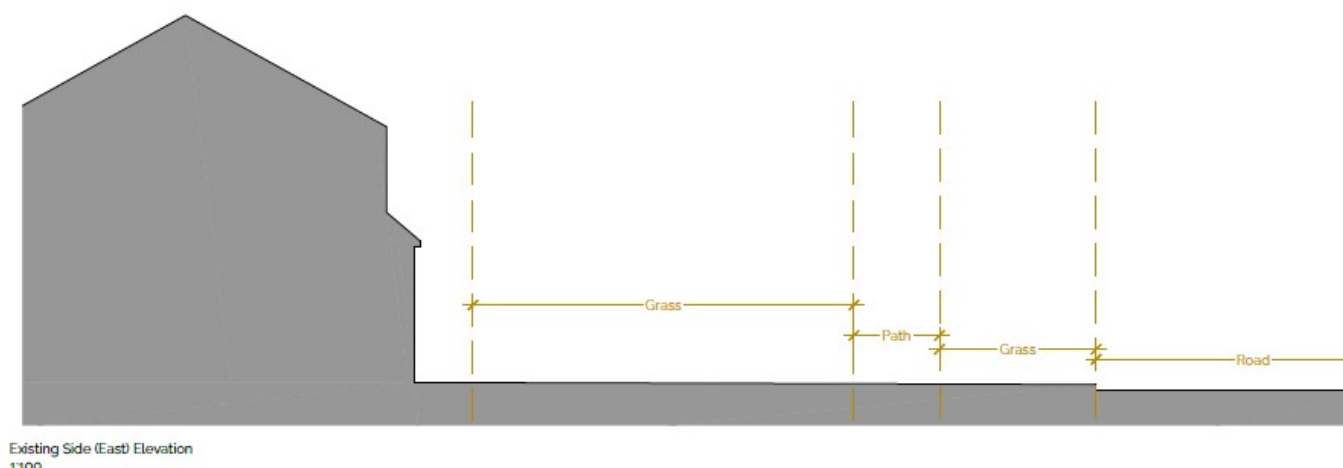
Policy CS19 (Development and Design Principles) (LPCS) (2014) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well- designed places) of the NPPF (2024) sets out that the creation of high quality beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It states developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

The Design for Gravesham Design Code (2024) is a strategic document that sets out Gravesham's vision

and expectation for quality place-making. Gravesham's Householder Extensions/Alterations Design Guidance SPD (2021) set out key principles for new developments. Generally, the SPD (2021) highlights the importance of new development complimenting and corresponding to existing character and the wider context.

In relation to front gardens and parking, the Householder Extensions/Alterations Design Guide (2021) sets out (amongst other things) that hard standings should be proportionate to the size of the dwelling and the car parking standards and should avoid paving over a significant amount of the forecourt. Planted borders should be provided along all boundaries and landscaping should be provided in all spaces not required for parking or turning. Gravesham's Front Driveway Design Guidance Highlights the importance of vegetation and greenery in the softening of the appearance of crossovers and front driveway design.

It is noted that along Lower Higham Road, there are numerous examples of vehicular crossovers being installed where properties are on a similar land level to the grass verges. The existing sectional plan below shows that the application property, no.282 Lower Higham Road is on a similar land level to the existing grass verge.



The application property adjoins No. 280 to the east. It is considered that, heading west along Lower Higham Road there is a more noticeable incline in the gradient in the grass verge, which then becomes steeper and is a highly prominent feature within the street scene, which contributes positively to the character of the area. It is therefore considered that in isolation a crossover may be acceptable in this location. However, Officers note that there has recently been a crossover installed at no.278, and there is a historic crossover at no.280 if this current application is permitted, once installed this would result in their being four crossovers in a row at nos.284, 282, 280 and 278 Lower Higham Road.

The aerial image, image 1 below shows the grass verge as recently as 2015, at this time there was one modest crossover serving no.284, the grass verge was present in front of nos. 282, 280 and 278 and as is visible in the image. It is considered that the grass verge made a positive contribution to the semi-rural character of the area. The mock-up shows the resultant appearance of the recently permitted crossovers, and the proposed crossover.

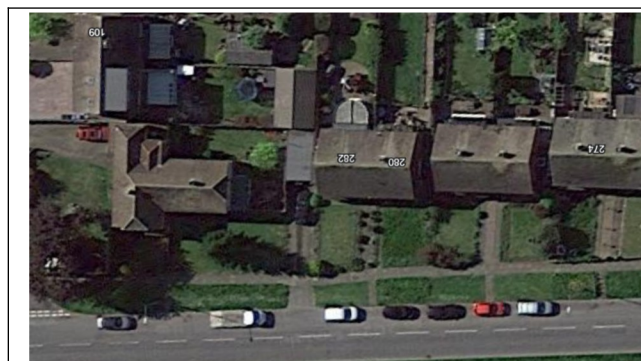


Image 1 - 2015 Aerial Imagery



Image 2 - Mock-up of resultant arrangement



Image 3 - Nos.280 - 278



Image 4 - Existing verge to No.282

As shown in image 4 above, the application property is the only property of the four that retains its grass verge, the verge is an original part of the development of Lower Higham Road, which provides a softening visual break up between the crossovers to nos.284 and 280, 278. The proposal would result in the complete removal of the verge, resulting in a single crossover of approximately 30m in width. Image 2 shows a mock-up of the resultant 30m wide crossover, as the image shows the removal of the verge would result in one excessive crossover which significantly hardens the appearance of this area of Lower Higham Road. Policy CS19 requires development to conserve and enhance the character of the local built, historic and natural environment. The development would fail to conserve or enhance the character of this area of Lower Higham Road, and would therefore be contrary to Policy CS19.

It is noted that under application reference 20250412, planning permission was granted for a crossover to the neighbouring 278 Lower Higham Road. The Officers report for this application states the following:

the plans clearly indicate a section of grass verge would be retained, which will separate the development from the existing crossover at No.280. This all contributes to soften the development, in terms of its appearance.

It is clear from the Officers assessment of this application that the proposal was only acceptable as part of the verge was to be retained. From the officers site visit, it is noted that the verge has not been retained as was conditioned, which further hardens the appearance of the site. This application does not seek to retain any part of the grass verge, it is considered that the cumulative impact of the existing hardstanding's have completely undermined the verdant character of this part of Lower Higham Road, and the proposed application would only contribute further to this loss of greenery. Therefore, whilst each application is assessed on its own merit, it is reasonable that the assessment of this current application and the application 20250412 draw different conclusions.

Amenity of Future Occupiers

The works would provide off-street parking provision for future occupiers. Therefore, the proposed development would safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024).

Neighbouring Amenity

Given the nature of the proposed development, there would be no increase in the size of the property or intensification of the existing use. As such, it is considered that there would be no impact on neighbouring amenity as a result of the proposal. Therefore, the proposal is considered to safeguard neighbouring amenity in accordance with Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024).

Parking and Highways

The plans show that the proposed hard standing would provide sufficient space for the parking of two vehicles.

Should the application be supported, a condition would be placed on the decision requiring visibility splays behind the footway on both sides of the access to be provided with no obstructions over 0.6m above footway level. The applicant would also be advised they require a separate consent from KCC for the construction of the vehicle crossing. This can be added as an informative, as appropriate.

Overall, subject to the inclusion of the aforementioned condition, and informative, it is considered that the proposal would be acceptable in regard to its impact on parking and highway safety.

Therefore, the proposal is considered to accord with Policy CS11 (LPCS) (2014).

Biodiversity

As the application is a house holder application it is exempt from mandatory Biodiversity Net Gain. Although the proposal would result in the loss of the grass verge, there would be new planting introduced to the front garden area, it is considered that this is sufficient to off set the loss of the grassy areas.

Flood Risk

The application site lies within Flood Zones 2 and 3. The proposal would incorporate permeable paving, there would also be soft landscaping within the site to aid drainage. As such, it is considered that the development is unlikely to result in increased flood risk.

Conclusion

The proposed vehicular access would detract from the character and amenity of the street scene by virtue of the loss of the existing grassed verge between the pavement and the road and its replacement with hardstanding. The loss of this section of grass verge would erode the soft landscaped quality of the streetscape and be harmful to the visual amenity and character and appearance of the area. As such, the proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and section 12 of the National Planning Policy Framework (2024), Gravesham Front Driveway Guidance 2023 and to the Gravesham Driveway Dropped Kerb Guidance (2023).

Recommendation

(For detailed reasons for refusal and informatives, see draft Decision)

Case Officer:	Adeoye Lawal	Team Leader:	Richard Hart
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Signed:	<i>Ade Lawal</i>	Signed:	R Hart
Dated:	3 rd July 2026	Dated:	3 rd July 2026