

Delegated Report

Householder Planning Application

Planning Application No: 20260693

Location: 104 Chalk Road Gravesend Kent DA12 4UZ

Description: Construction of dropped kerb & demolition of front wall.

Applicant: Tracey Stafford

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Application Form Dated 06/07/2026;
OS Plan;
Block Plan – Proposed;
Drawing Number E01 (Elevations – Existing and Proposed); and
Drawing Number DKP01 (Front Layout Plan – Existing and Proposed).

Relevant Planning History

Reference	Description	Decision	Decision Date
20260377	Application for a Proposed Lawful Development Certificate; Widening of existing dropped kerb.	Certificate Refused	03.06.2026

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

As set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012 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

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 4 -Achieving Sustainable Development
- Section 5 – Meeting the challenge of climate change
- Section 12 – Making Effective use of land
- Section 14 – 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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (Planning and Compulsory Purchase Act 2004) and section 70(2) of the Town and Country Planning Act 1990 (Town and Country Planning Act 1990) make it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise.

Decision Making Policy DM4 of the Framework sets out that when considering development proposals, relevant policies may be given weight, however, this is subject 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 compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

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 of the Framework, which from 17 August 2026 Decision Making Policy DM4 of the Framework.

The Council's emerging Local Plan has reached the Regulation 19 Consultation stage, with the consultation having ended on 18 August 2026. The emerging Local Plan does not form part of the Development Plan. The Council is aware that third parties have raised objections to the wider emerging Local Plan and specific policies within it. Therefore, at present the Council cannot categorically state that the emerging Local Plan can be considered sound and consistent with the National Planning Policy Framework (2024) [as an emerging Local Plan being brought forward under the legacy system, it would be examined under the 2024 Framework]. 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

Ward Councillors – No comments received

KCC Highways and Transportation

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters:

Please provide details of the provision and maintenance of 2 metres x 2 metres pedestrian visibility splays behind the footway on both sides of the access with no obstructions over 0.6 metres above footway level, prior to the use of the site commencing.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway



boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

Neighbouring properties

4 surrounding properties were consulted and a site notice was displayed on 20th July 2026. No responses were received and the consultation period ended on 14th August 2026.

Officer's Analysis

Design, Character and Appearance

104 Chalk Road is a two storey semi detached dwellinghouse located on the south side of the highway. The property is hardstanding to the frontage to provide off road parking.



Section 14 of the NPPF (2026) seeks to promote high-quality places and sets out the Government's requirements in relation to design issues. Policy DP3(1) states that development proposals should respond positively to their context, including the history, character and features of the site and its surroundings, ensuring they integrate with and enhance the local area. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and

appearance of the surrounding area.

The application proposes the extension of the existing dropped kerb and demolition of the front wall.

The proposed crossover would measure 7.68m wide and 2.62m in depth.

The existing frontage is block paved to provide parking for at least 2no vehicles, which is sufficient space to comply with the requirements of SPG4.

An application for the proposed dropped kerb will need to be submitted to Kent County Council via the following link:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb>

Overall, the development is in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Policy DP3(1) of the National Planning Policy Framework (NPPF) (2026).

Amenity of Future Occupiers

Policy P3 of the NPPF (2026) requires development proposals to provide healthy living conditions for occupiers and users.

The proposal does not impact the private amenity space or propose an increase in bedrooms.

As such the proposal is not considered to detrimentally effect the amenity of future occupiers and is in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Policy P3 of the National Planning Policy Framework (NPPF) 2026.

Neighbouring Amenity

The proposal does not impact neighbouring amenity.

Therefore, the proposal is in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Policy P3 of the National Planning Policy Framework (NPPF) 2026.

Parking and Highways

Chalk Road is a Classified A road and as such Policy T5 Local Plan First Review (1994) is of relevance.

Policy T5 states that 'The formation of new accesses or the intensification of use of existing accesses to the roads forming the highway network shown on the Proposals Map, will not normally be permitted, except where no danger would arise and where a properly formed access can be created in a location and to a standard acceptable to the Local Planning and Highway Authorities.'

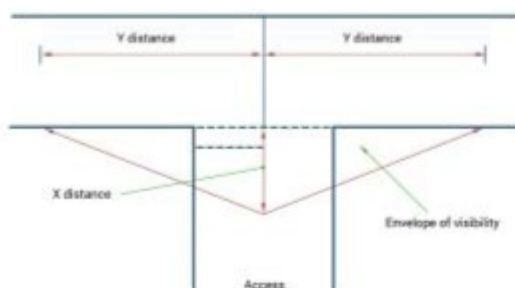
SPG4- Kent Vehicle Parking Standards July (2006) is supplementary planning guidance which has been adopted by the Local Planning Authority. This guidance provides set requirements for Kent County Council as Highway Authority. Section B.18 of the guidance states:

'Access to car parks from the public highway will require the provision of adequate sight lines to ensure that highway safety is not compromised.'

Visibility splays are generally 2m x 2m and are measured down the side of the driveway and not from the centre of the drive or a vehicle parked on the drive, as shown below:



Visibility Splay



KCC Highways and transportation raised comments with regards to the visibility splays by way of the existing boundary wall. However, it is considered that further visibility is not able to be achieved as the existing wall is that of neighbouring property known as 106 Chalk Road. Furthermore, the existing boundary is not considered to have more of a detrimental impact on highway safety than that of the boundary wall to the existing driveway.

Therefore, the proposed crossover is not considered to be detrimental to highway safety and as such is in accordance with CS11 and CS19 of the Gravesham Local Plan Core Strategy 2014, Policy T5 Local Plan First Review (1994) and - KCC Parking Standards (2006)

Conclusion

The application has been fully considered and it is in accordance with local and national planning policy. The proposal is not excessive in size or bulk, will be constructed using appropriate materials and will have no impact on the street scene. The development will safeguard the amenity of future occupiers and will have not harm the amenity of any adjoining property. As such, it is recommended that planning permission is granted, subject to conditions.

Recommendation

Permission

(For detailed **conditions** and informatives, see draft Decision)

Case Officer:	Mrs Nina Goodbody	Team Leader:	Richard Hart
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Signed:	<i>N Goodbody</i>	Signed:	<i>R Hart</i>
Dated:	24 th August 2026	Dated:	25th September 2026