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26.06.25
Our ref 1447

Portal Ref PP- Sent by Email

Ms W Lane MRTPI
Assistant Director (Planning)
Planning Service
Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Dear Madam,

**Proposed Vehicle X-Over Fronting onto a Classified Road. 5 Forge Lane,
Higham. ME3 7AS. Pursuant to Refusal Ref 20250570.**

Further to our letter dated the 3rd of June 2025, we are now submitting an amendment to drawing 209 following a response from KCC plus clarifying certain aspects of the current submission.

Planning Submission

We submitted the application by email as the Portal did not upload our files even after naming and numbering them as required.

The details submitted are in an email that accompanies this email plus the drawing issue sheet is amended to clarify the following documents that were not included.

Letter from KCC 2nd April 2025	Not issued on >	1
Appendix 5 planning appeals - Gravesham	Not issued on >	1
Previous refusal	Not issued on >	1
Previous application Case Officer review	Not issued on >	1

We have queried why a number of these documents were not uploaded to the Gravesham Portal as any response from neighbours and the Parish Council would be based on limited information. We are now sure that the amended drawing issue sheet plus initial email will enable any missing documents to be uploaded. Confirmation that this will be undertaken and confirmed upon its completion would be appreciated in due course.

We have taken the view that this application, treated on its own merits, may also be refused therefore we have added and repeated issued raised previously so that objectors and KCC are made aware of the issues that we have addressed and have resolved. KCC have many DC officers and the current officer may not have dealt with

the previous application. KCC no longer add an officer's name to the bottom of their response letters so we presume the Planning Authority are also none the wiser.

Amended Crossover Drawing 209A

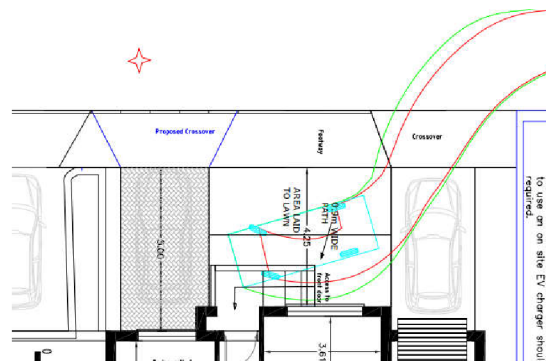
KCC have queried the distance between crossovers. There is a simple answer. Drawing TAB/06/85A shows the current crossovers. It does not show the proposed crossover.

There appears to be a discrepancy between drawing TAB/06/85A and TAB06/209 with the former showing approximately 10m between the two crossovers and the latter showing approximately 4m. Clarification is required. Please note, planning permission does not convey

Drawing No TAB/06/209 (amended to 209A) shows the proposed crossover plus access. KCC have also stated:-

crossover team. It is unlikely that the vehicle crossover team would approve this application if the required 4.5m minimum width of raised kerbs between the two crossovers cannot be achieved. This is because you would be unable to park a vehicle between the two crossovers, further reducing on street provision, in a street that is heavily parked.

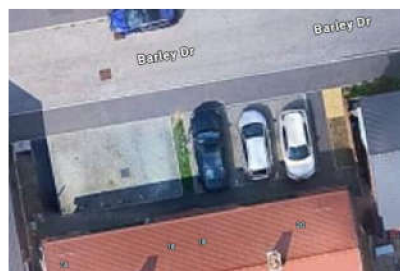
We provided a vehicle tracking drawing TAB/06/208A to prove the reason behind having a new access as the front garden area is too small to manoeuvre into and park. The path and steps to the front door also cut into the area. An extract from the tracking is shown below.



Pedestrian Sight Lines

We have shown on Drawing TAB/06/209A two sight lines. One is 2mx2m, on the northern side. The southern sight line is 1m x 1m, however the client is agreeable to reduce a 2m length to 0.6m.

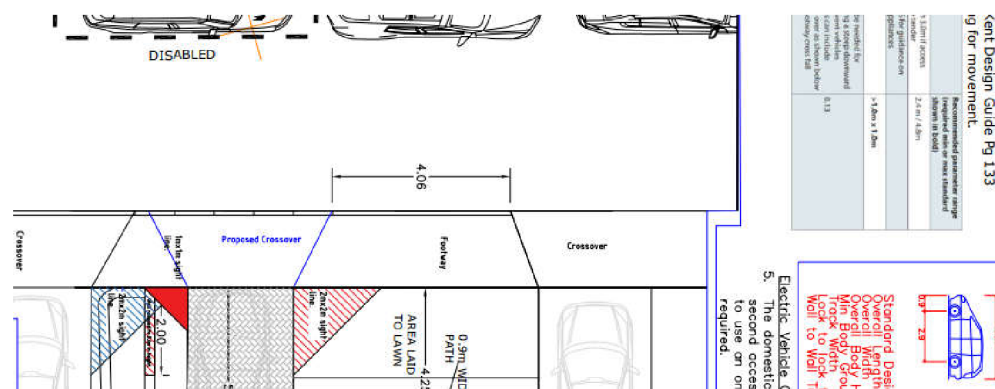
An extract from the Kent Design Guide is also included on the drawing. The parameter range is between 1m and 2m. When visiting site and reviewing crossovers along Forge Lane most if not all have no 2m x 2m in place. This is especially true where accesses are on the common boundary. New developments such as in Barley Drive that have parking provision as shown below do not have 2m x 2m sight lines.



This is due to the adjoining neighbour's parking area and space is not under their control nor can they stop vehicles parking there. It is no difference to a large retail park's car parking area such as Sainsbury's off Wingfield Bank. Council car parks are also of the same design. They do not have 2m x 2m sight lines.

Locally No's 24, 20 and 22 have no 2m x 2m sight lines as the accesses come straight out between buildings onto the footway. Plus, car parking is permitted on street along the road.

An extract from 209A is shown below. It shows the neighbours sight line is not fully in control.



Based on the above review of KCC's comments, which are considered a positive response, the amendments to drawing 209A fully encapsulates their recommendations.

Gradient to the Driveway – Green Area

Previously the aspects in relation to the front garden that was laid to lawn and why it was removed is due to a number of issues. The purchasing surveyor's report highlighted the front wall had many cracks and that it required to be reviewed in order to ensure pedestrians were not affected. Secondly providing a new access required a parking area plus path to the steps on a level or near level gradient. The Kent Design Guide also gives guidance on this aspect. Elderly passengers, drivers can have difficulty alighting from a vehicle on a steep gradient. The UK population and percentage that are elderly is increasing at a significant rate.

Removal of the Lawn – Verdant Area

We now address the aspect raised in respect of the lawn. The access, condition of the dwarf wall, plus footpath to the house from the parking area, to the steps required the removal. Plus, next door at No 5 is also hard paved which does not reflect a garden laid to lawn, shrubs and flower beds.



The current site can however have shrubs on the southern side of the parking area plus grassed/artificial lawn area to the front. The Gravesham Dropped Kerb Guidance does not refer to refusing an application due to removing a lawn. Hence the reason we have appealed the precious decision and have quoted a High Court Decision in that LPA's should be consistent in their decision-making processes.

106. In R (Irving) v Mid Sussex DC [2019] EWHC 3406 (Admin), Lang J confirmed (§75) that it "is now well-established that a local planning authority ought to have regard to its previous similar decisions as material considerations, in the interests of consistency. It may depart from them, if there are rational reasons for doing so, and those reasons should be briefly explained."

Summary and Conclusions

We are applying for permission so that when we apply to KCC for a light duty crossover.

The proposal will reduce on street parking, which is at a premium in the area. It will also provide a more visible crossover so that drivers will not park in front of the driveway or on the footway. It will improve highway safety for pedestrians including pushchairs and wheelchair access to the shops. Previous photographs we have submitted show parking on the footway.

We have submitted photos in our submission showing parking stress. The reasons being there is a local shop nearby and community centre, library which this results in drivers obstructing the current driveway.

The proposal will replicate recent x- overs nearby, including the neighbour's at No 7. This will also provide better access for disabled elderly relatives and friends.

The future opportunity to have on site EV charging will also accord with Government policy. Planning permission is no longer required for EV chargers fronting the highway to be installed.

The proposal accords with the old Local Plan policies plus the NPPF.

116. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

Upon the issue of the decision letter we will then apply to KCC under Section 184 of the Highways Act 1980.

Yours faithfully



Mr L Brown
CC Client