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Highways and Transportation

Kroner House
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Tel: 03000 418181

Date: 30 September 2025

Our Ref:

Application -	GB/20250864
Location -	Walnut Hill Nursery , Walnut Hill Road, Gravesend, Kent DA13 9HL
Proposal -	Retrospective change of use of the land and building(s) to offices with hard surfacing to create additional parking/delivery area.

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

This application is supported by a Transport Statement dated 1st September 2025 which covers all of the essential highway issues, and raises a number of concerns.

The primary concern is the unsustainable location of the site and the proposal does not comply with Paragraphs 110 to 115 of the NPPF, with almost all travel using the private car. The local lanes are narrow, single track and unlit and are not suitable for walking or cycling and access to public transport is infrequent and is 800m distant along the same narrow lanes. However, it is accepted that this proposal for a small rural development and the opportunities of introducing mitigating measures to improve sustainable transport are very limited. It is recommended that a Condition is applied to any consent granted for the submission of a Travel Plan, complete with targets, in writing and approved by the LPA within 3 months of that consent. The primary mitigating measure is expected to be an element of car sharing that can be monitored by the applicant.

My second concern is the data obtained from TRICS regarding the previous and proposed uses. The data from TRICS for the previous use – a garden nursery / plant centre – is reliant on a single “Garden Centre” in a “Suburban” location with a GFA of 3700 sqm. This can be considerably different to a rural plant nursery and is likely to generate far greater traffic movements. This is compared with, again from TRICS, predicted traffic generation for an office use in “Edge of Town” location, not rural locations, and therefore not considered comparable. Since this is a retrospective application, it is expected that data from the site itself should be obtained and compared with likely generation from a nursery / plant sales use.

It must be accepted, however, that the proposed office use is likely to generate much lower, if any commercial vehicles other than light vans. Again, a survey of the existing operation could quantify this.

My third concern is the evidence contained in the Transport Statement regarding passing places available along the local lanes – Walnut Hill Road and Nash Bank. These are far from being formal parking places but areas of potential mud where the roadside verge has been eroded. Also it includes private accesses which cannot be relied upon to be used in the future and could

be closed off. It is recommended that mitigating measures in the form of hard surfaced passing places are provided at intervals that are intervisible. Proposals should be submitted prior to any decision is made by the LPA in order to ensure that such a proposal is feasible.

In conclusion, it is requested that a holding objection is placed on this application whilst awaiting the submission of a revised Transport Statement which fully addresses the issues detailed above.

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.

Yours faithfully

Director of Highways & Transportation

*This is a statutory technical response on behalf of KCC as Highway Authority. If you wish to make representations in relation to highways matters associated with the planning application under consideration, please make these directly to the Planning Authority.