

Delegated Report

Householder Planning Application

Planning Application No: 20260474

Location: 34 Valley Drive Gravesend Kent DA12 5RS

Description: Installation of a dropped kerb.

Applicant: Mr George Abeis

Site Visit Date: **Desktop Assessment**

Submitted Documents/Plans

- Application Form
- Site Location Map
- Existing Block Plan
- Proposed Block Plan
- Drawing No: RA1733/02 (Proposed Visibility Splays)
- Drawing No: RA1733/03 (Existing and Proposed Plans and Elevations)
- Drawing No: RA1733/01 (Existing/Proposed Block Plans)

Relevant Planning History

No relevant Planning History.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 – Vehicle Parking Standards

Paragraph 34 of the NPPF (2024) sets out those 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 The review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform with the National Planning Policy Framework (2024), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving Well-Designed Places

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- SPD4 - 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

Local Ward Councillors



No comments received.

Neighbouring properties

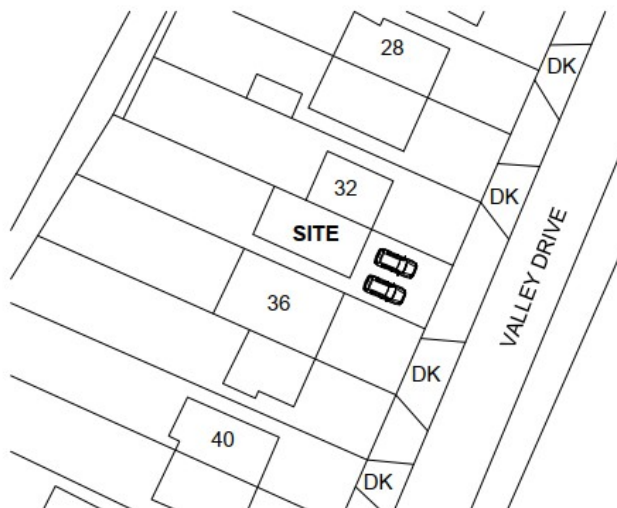
The application was advertised by way of letters to 5 surrounding properties. The consultation period expired on 06.07.2026 and no comments were received.

Analysis

Proposal

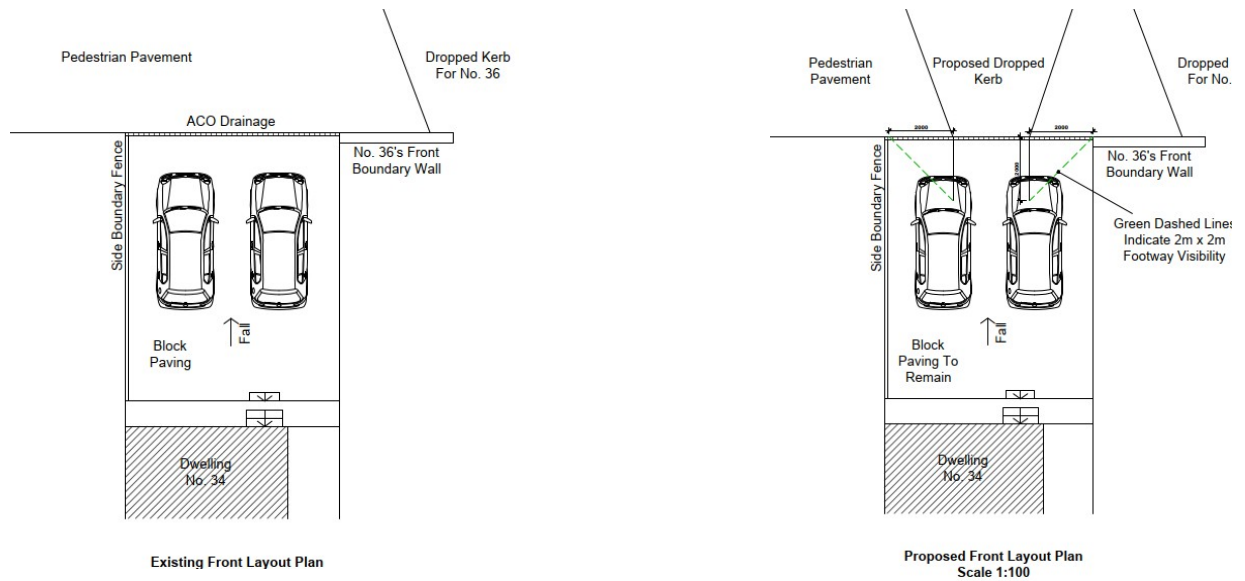
The proposal is for the installation of a dropped kerb onto an existing hardstanding.

Existing



Proposed





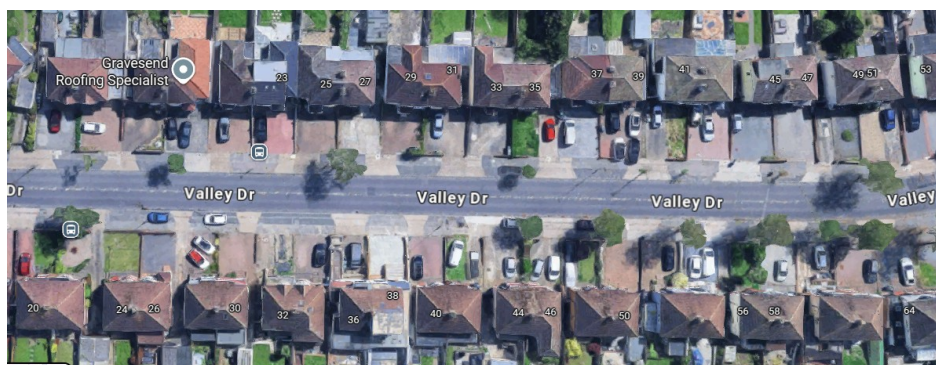
Character and Appearance

The application site comprises a two storey semi detached house situated on the northern side of Valley Drive. The southern part of Valley Drive is a Classified C Road, however this is only applicable to properties south of the greenspace on the turn off before Whitehill Road.



The frontage of the application site has been fully paved since at least 2017 and vehicles have crossed the footpath to gain access to the driveway. This is not only damaging to vehicles but also to the footpath.

It is evident from the below aerial images that large areas of hardstanding are a common addition in this section of Valley Drive. Whilst this has unfortunately hardened the streetscape it is a regularly occurring theme.



It is also noted that on the western side of the road the properties sit higher than the highway, this means

that an engineering operation is required to install a driveway as the land levels need to be altered. The installation of a driveway in these cases does require planning permission due to the engineering works, however in this instance the driveway has been in situ for over four years and has become lawful through the passage of time.

The proposal states that the drive will be served by an aco channel drain which will direct surface water run off to the front of the hardstanding, the drive is also adequate in size to accommodate two vehicles with adequate visibility splays.

Whilst the absence of softlandscaping is unfortunate given the surrounding examples it wouldn't be balanced to refuse the application on the basis of a lack of softlandscaping. The driveway is otherwise adequate in terms of size, visibility and surfacewater runoff provision.

The proposal is therefore compliant with CS19 Local Plan Core Strategy 2014.

Amenity of Neighbouring and Future Occupiers

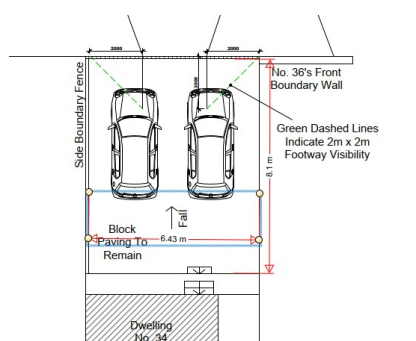
The proposed development will not impact amenity of future and neighbouring occupiers and therefore accords with SPG2 Residential Layout Guidance 2020.

Parking and Highways

KCC Parking Standards 2006 states:

Where car parking spaces are provided parallel to, and abutting, a carriageway, aisle or drive the preferred bay size should be 6.0m x 2.5m to allow vehicles to manoeuvre into the bay when adjoining bays are occupied. The width of end spaces abutting an enclosed boundary should be increased to 2.7m.

The parking area has the below dimensions.



Policy states that a proposed parking area should be constructed with permeable materials or has adequate provision for surface water run off. The driveway is adequate in terms of size and has provision for surface water run off, and therefore accords with SPG4 KCC Parking Standards 2006.

Conclusion & Recommendation

The proposal complies with policy and is recommended for permission.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
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Signed:		Signed:	<i>R Hart</i>
Dated:	10/08/2006	Dated:	10 th August 2026