

Delegated Report

Planning Application

Planning Application No: 20251121

Location: 12 Old Road West, Gravesend DA11 0LJ

Description: Retrospective planning permission for the creation of hard standing and proposed creation of vehicular access.

Applicant: Landpex Ltd.

Site Visit Date: Various

Submitted Documents/Plans

Application form

Location plan

Design and Access Statement

Drawing no. LO02 rev RV00 (existing site location and block plan)

Drawing no. PL02 rev RV00 (pre-existing and existing front elevation)

Drawing no. PL01 rev RV00 (pre-existing and existing garden area floor plan)

Drawing no. LO01 rev RV00 (pre-existing site location plan and block plan)

Drawing no. PL02 rev RV00 (pre-existing and existing side elevation)

Relevant Planning History

20100774	Formation of vehicular access on to a classified road and installation of a vehicle turntable in front garden.	Application Refused, appeal dismissed	19.10.2010
20090499	Formation of joint vehicular access on to a classified road and laying out of a hardstanding in the front gardens.	Application Refused, appeal dismissed	18.08.2009
20070755	Formation of a vehicular access on to a classified road and excavation of a parking bay at the front.	Application Refused	10.10.2007
19840698	Formation of joint vehicular access and use of the front gardens for car parking	Application Refused	28.09.1984

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network
- T5 – Access to the Identified Highway Network

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 4 – Decision-making
- Section 9 – Promoting Sustainable Transport
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- Design for Gravesham: Design Code (2024);
- SPG 4 - KCC Parking Standards (2006); and
- Householder Extensions/Alterations Design Guide (2021).

Other Relevant Guidance

- Kent County Council Dropped Kerb Guidance and Self-Assessment (2025)
- Kent County Council's Parking Standards (January 2025)
- Gravesham Driveway Dropped Kerb Guidance (Informal Guidance) (2023)
- Gravesham Front Driveway Design Guidance (Informal Guidance) (2023)

Consultations, Publicity and Representations

Consultees

KCC Highways

The application proposes the creation of a vehicle access from Old West Road which is a classified 'B' road.

The depth of the driveway appears to be below the minimum requirement of 5m, which could lead to parked vehicles overhanging the footway, creating an obstruction and hazard for pedestrians. The applicant should confirm whether the driveway depth meets the necessary requirements.

Pedestrian visibility splays of 2m x 2m are required on either side of the access. Pedestrian splays should be drawn behind the footway on both sides of the access, with no obstructions over 0.6m above footway level, within the splays. To ensure that the required pedestrian visibility can be achieved, any

walls/vegetation either side of the access must be under 0.6m high.

The applicant should be advised that should a full planning application be approved, they will still need to apply to the Vehicle Crossing Team at KCC, to gain the relevant permissions to install the approved crossover.

I look forward to the additional information being provided, to assist me in determining this application from a highway perspective.

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.

KCC Vehicle Crossing Team

Provided the KCC crossing guidance above but made no comment.

Neighbouring properties

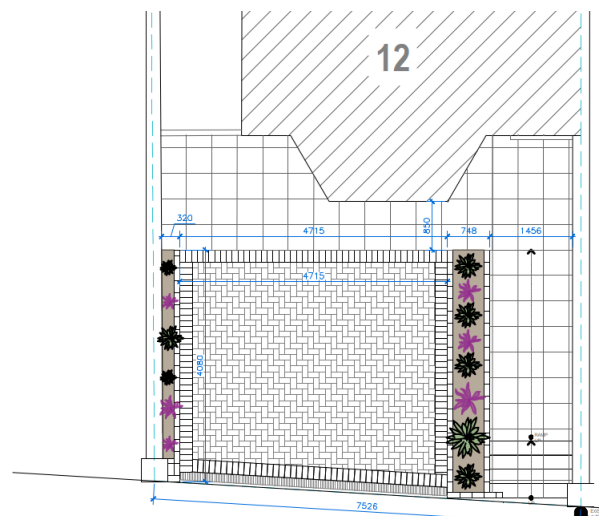
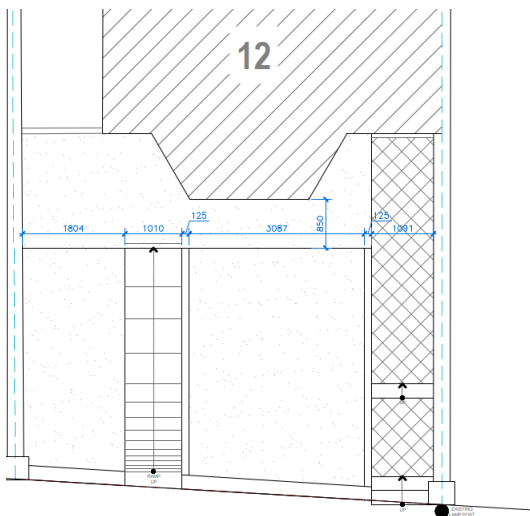
The application has been advertised by individual letters to four neighbouring properties. No letters of representation have been received.

Officer's Analysis

Proposal

This application seeks retrospective planning permission for the creation of hard standing and proposed creation of vehicular access. The development involves the excavation of the front garden, retaining walls and block paving. The driveway measures between 4m and 4.3m deep and is approx. 4.7m wide. The walls to the sides are approx. 1.3m high. Planting is shown to either side in planters.

The pre-existing and existing plans are shown below:



Design, Character and Appearance

The street scene is mixed in terms of front gardens, driveways and boundary walls along this section of Old Road West. The loss of the front garden and retaining wall is regrettable however there have now been a number of appeal decisions that place little weight on the contribution of these to the character of the street scene of this part of Old Road West and therefore, on balance, this loss is acceptable.

The proposed development therefore accords with policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135 of the National Planning Policy Framework 2024.

Amenity

The proposed driveway and dropped kerb will result in no detrimental impact to any neighbouring property in terms of loss of outlook, privacy, sunlight or daylight.

The proposal therefore accords with policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135f of the National Planning Policy Framework 2024.

Ecology and Biodiversity

Policy CS12 of the Gravesham Core Strategy 2014 states that there will be no net loss of biodiversity in the Borough, and opportunities to enhance, restore, re-create and maintain habitats will be sought. The application results in the loss of the front garden however this was mainly laid to weeds. The proposal includes planting to each side of the driveway which contributes to biodiversity. Subject to a relevant condition to ensure this happens the development is considered to accord with policy CS12.

Parking and Highways

The depth of the driveway appears to be between 4 and 4.3m in depth. The minimum requirement for a dropped kerb application to be successful is 4.8m. It is noted that a recent appeal in Higham allowed a driveway of 4.3m because it could accommodate a range of car types however, to date, KCC have not approved the dropped kerb to be built. The driveway accommodates smaller vehicles which, if that Inspectors view is correct, then no concerns can be raised. The picture below shows two small vehicles on the drive:



The depth of the driveway will result in larger vehicles overhanging the pavement creating an obstruction and hazard for pedestrians. This is particularly dangerous given the proximity of the doctors' surgery which is frequented by elderly people and those with babies and the classified 'b' road. Even more dangerous is that any vehicle parked on the driveway cannot turn and therefore will have to reverse on or off the drive.

Pedestrian visibility splays of 2m x 2m are required on either side of the access with no obstructions over 0.6m above footway level, within the splays. To ensure that the required pedestrian visibility can be achieved, any walls/vegetation either side of the access must be under 0.6m high.

Recent appeals for similar development at numbers 14 and 16 Old Road West have been allowed. These have driveways with depths of approx. 5.5m and 5m respectively. The Inspector stated that the site boundary walls and pillars would limit visibility to some degree when reversing from the driveway but was not concerned enough in highway safety terms to dismiss the appeal. The Inspector felt that the low speeds involved in reversing onto a class B road, close to traffic lights and along a well-used path to a doctor's surgery, was a safe manoeuvre without adequate visibility splays. On this basis, it is impossible to conclude anything but the same for this site given it is next door to no. 14.

Whilst it would be advisable to provide visibility splays it is not possible on this site and, given that two other

comparable driveways have been allowed at appeal, it would be unreasonable to ask for them. The driveway regularly accommodates two cars despite not having planning permission or a dropped kerb and, given the appeal decisions in the vicinity, it is not considered that a condition limiting the number of vehicles would be supported at appeal.

On the basis of the above, given the appeals allowed in close proximity, the only conclusion that can be made is that the proposed development accords with Policy CS11 of the Gravesham Core Strategy 2014 and Policy T5 of the Gravesham Local Plan 1994.

Conclusion

The development has no significant impact on the character and appearance of the area, neighbouring amenities, parking or highway safety and therefore accords with the abovementioned policies and is recommended for approval.

Recommendation:

Permit

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

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	29 January 2026	Dated:	30 th January 2026