



Delegated Report

Householder Planning Application

Planning Application No: 20240990

Location: 214 Springhead Road Northfleet Gravesend Kent

Description: Retrospective application for erection of front boundary wall with railings and gates.

Applicant: Mr Singh

Site Visit Date: 30 January 2025

Submitted Documents/Plans

Householder Application for Planning Permission form;
Drawing S01 Rev. P2 Pre-existing block plan and site location plan;
Drawing S02 Rev. P2 Existing block plan;
Drawing S03 Rev. P2 Proposed block plan; and
Drawing S04 Rev. P2 Existing and proposed elevations.

Superseded Documents/Plans

Drawing S01 Rev. P1 Pre-existing block plan and site location plan;
Drawing S02 Rev. P1 Existing block plan;
Drawing S03 Rev. P1 Proposed block plan; and
Drawing S04 Rev. P1 Existing and proposed elevations.

Procedural Issues

Following a request from the case officer, the applicant submitted amended plans to correct inaccuracies and to alter the design of the proposed railings.

Relevant Planning History

Reference	Description	Decision	Decision Date
20240053	Erection of a first floor side extension over existing single side extension.	Refused	24.04.2024
20230094	Demolition of existing garage and construction of single storey part rear and side extension with first floor extension enlarging existing bathroom.	Permitted	13.04.2023
20220730	Erection of part single and two storey side extension replacing existing garages.	Refused	23.08.2022
20220491	Application for approval of condition 3 attached to planning permission reference number 20210593 relating to a scheme detailing the proposed hard & soft landscaping associated with the development.	Approved	06.01.2023

20220166	Erection of part single and two storey side extension replacing existing garages.	Refused	08.04.2022
20210593	Change of use of land to side of 214 Springhead Road to part of residential curtilage as garden land.	Permitted	31.01.2022
20210592	Retention detached outbuilding for home gym.	Permitted	31.01.2022
20160890	Demolition of existing garages and construction of a new three bedroomed chalet bungalow with associated car parking area. New vehicular access for adjacent dwelling.	Permitted	02.02.2017
19950308	Erection of two storey & part 1st.floor side extension to form games room at ground floor with two bedrooms & en-suite bathroom at 1st. floor level.	Permitted	18.09.1995
19860898	Erection of single storey side and rear extension to form garage lobby utility room enlarged kitchen and enlarged dining room	Permitted	21.01.1987

Development Plan

Gravesham Local Plan Core Strategy (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 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 9 – Promoting sustainable transport
- Section 12 – Achieving Well-Designed Places

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- 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)

Consultations, Publicity and Representations

KCC - Highways & Transportation

This application is retrospective for the erection of a front boundary wall with railings and gates. I am pleased to note the gates open away from the highway and are set back 5.6 metres from the edge of the carriageway to ensure a vehicle can pull off the road in its entirety, and not cause an obstruction whilst the gate is opened.

I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

- Gates to open away from the highway and to be set back a minimum of 5.5 metres from the back of the highway.

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 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

The application was publicised by a site notice and to two neighbouring properties by letter. No representations have been received.

Officer's Analysis

Background

The application site is currently under investigation by the Planning Enforcement Team for the erection of a front boundary wall, railings and gates without planning permission. This application is an attempt to regularise the unauthorised development.

Design, Character and Appearance

Paragraph 135 of the National Planning Policy Framework 2024 (NPPF 2024) sets out various design requirements and includes the need for the development to add to the overall quality of an area; be visually attractive; and be sympathetic to local character, including the surrounding built environment. Paragraph 139 of the NPPF 2024 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

In relation to front garden boundary treatments, the Householder Extensions/Alterations Design Guide (2021) and the GBC Front Driveway Design Guidance 2023 set out that they should;

- Respond to the design of the dwelling;
- Be consistent with the height of other enclosures on the road;
- Avoid the introduction of different styles along the street. Treatments should reinforce the dominant boundary type along the street, ensuring consistency with the style and age of the property;
- Consider well-maintained planting as an alternative solution and retain any hedgerow;
- Encourage natural surveillance of the street and help design out crime;
- Incorporate visibility splays and sight lines for pedestrian and vehicular safety;
- Hedges are also encouraged given their air quality benefits

The proposed development would result in the retention of an existing front boundary wall and the provision of metal railings and metal pedestrian and vehicle access gates. The wall/railings would have a height of between 1.9 and 2.1 metres. The existing wall is brick built with five piers (constructed from predominantly red bricks with grey brick detailing) and the proposed gates and railings would be black powder coated metal.

The area surrounding the application site is mainly characterised by properties having low, brick built

boundary treatments and the frontages appear open. As a contrast, the proposed development would enclose the site frontage. However, due to the relatively open nature of the proposed railings/gates and the fact that there are examples of existing metal railings in vicinity of the application site (for example, the properties opposite have low, red coloured metal railings, there is also green coloured, metal palisade fencing opposite and at no. 206 Springhead Road, there are black, metal railings), then it is considered that the proposed development would not be detrimental to the character of the application site or the street scene.

Overall, the proposal would be acceptable in terms of design and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Amenity of Future Occupiers

The proposed development would not adversely impact upon the private amenity space or internal layout of the application property or the privacy, daylight or sunlight of its occupants. As such, the proposal would not be detrimental to the amenity of future occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Neighbouring Amenity

Due to the design of the proposed development and to the layout and orientation of the surrounding properties, there would be no adverse overshadowing or overbearing impacts to the occupiers of the surrounding dwellings. As such, the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Parking and Highways

Policy CS11 of the Gravesham Local Plan Core Strategy (2014) requires new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards.

Saved Policy T1 of the Gravesham Local Plan First Review (1994) sets out that the impact on the transport system and environment of traffic generated by new development will be considered and Saved Policy T5 requires new accesses to be in an acceptable location and to an acceptable standard and to not give rise to danger.

The KCC Dropped Kerb Guidance and Self-Assessment (2023) document states that gates should not open outwards onto the public highway and that there should be a minimum distance of 5.5m from the highway edge in order to ensure that vehicles do not obstruct the public highway when accessing a property. Furthermore, the document sets out that there should be a pedestrian visibility splay of at least 2 metres by 2 metres from the back edge of the footway, with a maximum height of 0.6 metres above footway level.

The GBC Front Driveway Design Guidance 2023 states that front driveways should not include gates but where they already exist, they must not open outwards and allow enough space for them to be opened inwardly whilst a car is parked. It specifically states that gates will not receive planning permission unless they are set well back from the edge of the carriageway/footway as they can result in vehicles obstructing the highway to the detriment of road safety and the free flow of traffic including pedestrians and cyclists. It specifies a minimum set back of 6 metres. It also states that gates should enable a pedestrian on the footway to have clear visibility of any vehicle exiting (i.e. be railings or have transparency), should not be of a height that blocks visibility of passing pedestrians and should enable visibility from the roadway. Lastly it states that pedestrian and vehicle visibility splays should be provided.

The proposed boundary treatment would allow the retention of vehicle parking on the site frontage (for at least three vehicles). KCC Highways & Transportation have not raised a highway objection to the proposal, due to the proposed set back of the gates. However, they do seek a condition to ensure that this set back is achieved and that the gates open inwards and an informative regarding other highway matters, which can be attached to any planning permission granted.

Whilst KCC Highways & Transportation do not mention pedestrian visibility, it is considered that due to the layout of the adjacent footpath, the width and set back of the gate opening and the fact that the gates would allow visibility of any vehicle exiting the site, sufficient pedestrian visibility would be provided.

Overall, it is acknowledged that the proposed development would not be entirely consistent with the GBC Front Driveway Design Guidance 2023, but it would not be detrimental to highway safety and as such, it would be acceptable and in line with Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and Saved Policies T1 and T5 of the Gravesham Local Plan First Review (1994).

Suggested Conditions

Time Limit

Development in accordance with the approved plans

Gates to open inwards

Conclusion

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Recommendation

Planning permission subject to conditions.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Richard Hart
Signed:	<i>K Joyce</i>	Signed:	<i>R Hart</i>
Dated:	25 February 2025	Dated:	25th September 2025