



Growth, Environment and Transport

Public Rights of Way and Access Service

Ms Lisa Fisher
Planning Service
Gravesham Borough Council

West Kent PROW Team
Worrall House
30 Kings Hill Avenue
Kings Hill
West Malling
Kent ME19 4AE

Direct Dial: 03000 412328
Our Ref: NS153-a36139
Ask For: Deborah Scott
Date: 9th September 2026

Dear Lisa

20260223

Application for Outline application with all/some matters reserved for the development of up to 50 residential dwellings (including affordable housing), vehicular access road from School Lane, internal roads, car parking, landscaping, public open space, and other associated works and infrastructure. All matters to be reserved with the exception of the main site access

Land North Of High View, School Lane, Higham, Rochester Kent

Thank you for your letter dated 18th August regarding the above planning application.

Whilst the Design and Access Statement states that Restricted Byway NS153 will be retained and enhanced, it is not considered that the concerns raised in our previous consultation response have been fully addressed. In particular, reference to "2m wide sealed paving footways" does not meet our requirement for a minimum surfaced width of 3.0 metres for Restricted Byway NS153 and does not clarify how the route will accommodate all lawful users.

Clarification will also be required regarding the proposed surfacing, the relationship between the Restricted Byway and the proposed estate roads, and the design of any crossing points. Where the Restricted Byway crosses non-adopted estate roads, the byway should retain priority and the crossings should be designed accordingly.

These can be addressed at the reserved matters stage, but the applicant should be aware that the requirement will be for 3.0m width and a compacted, unbound aggregate surface that is suitable for all users.

If the roads are to be adopted, the design of the crossing points will fall to our Highways colleagues but, if they are not, then the applicant should be aware that we will require raised crossings that prioritise users of the restricted byway and a surface that is suitable for equestrians.

We request a condition that the applicant produces and agrees a Public Rights of Way Management Plan for the route prior to the commencement of construction, including measures to minimise disruption and maintain public connectivity wherever reasonably practicable.

The Design and Access Statement indicates that pockets of new planting are proposed to create a central green corridor through the site. Any new planting should be positioned so as not to encroach upon Restricted Byway NS153 or reduce the minimum surfaced width of 3.0 metres required for the route, allowing for future growth. Sufficient clearance should also be maintained to ensure that vegetation does not obstruct or otherwise interfere with the use of the Restricted Byway by any lawful users. The full width of the route should remain available and unobstructed at all times.

Furthermore, the submitted Design and Access Statement appears to treat Restricted Byway NS153 as a pedestrian route, referring to pedestrian links and 2m wide sealed paving footways. The applicant should demonstrate how the proposals will accommodate the full range of users entitled to use the Restricted Byway (pedestrians, cyclists, horse riders and horse drawn vehicles) and ensure that its status and function are preserved as part of the development.

I enclose a copy of the Public Rights of Way network map showing the alignment of the route for your information.

The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then this office will deal on the basis that:

- The applicant pays for the administration costs.
- The duration of the closure is kept to a minimum.
- Alternative routes will be provided for the duration of the closure.
- A minimum of six weeks' notice is required to process any applications for temporary closures.

This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

Yours sincerely

A solid black rectangular box used to redact the signature of Deborah Scott.

Deborah Scott
Technical Support Officer
Public Rights of Way & Access Service