

Delegated Report

Householder Planning Application

Planning Application No: 20260767

Location: 59 Ridgeway Avenue Gravesend Kent DA12 5BE

Description: Creation of driveway and the installation of a dropped kerb.

Applicant: Ms Bronte Davis

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

- Application Form
- Site Location Map
- Drawing No: WD04 (Proposed Front and Side Elevations)
- Drawing No: WD03 (Existing Front and Side Elevations)
- Drawing No: P02 (Proposed Site Plan)
- Drawing No: P01 (Existing Site Plan)
- Drawing No: WD01 (Existing Plan)
- Drawing No: WD02 (Proposed Plan)

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

As set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012 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

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 (2026), the Council will also seek to replace these.

National Planning Policy Framework (2026)

- Section 4 -Achieving Sustainable Development
- Section 5 – Meeting the challenge of climate change
- Section 12 – Making Effective use of land
- Section 14 – Achieving well-designed places

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006)
- SPD4 - Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)
- Technical Housing Standards – Nationally Described Space Standard (2015)

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (Planning and Compulsory Purchase Act 2004) and section 70(2) of the Town and Country Planning Act 1990 (Town and Country Planning Act 1990) make it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise.

Decision Making Policy DM4 of the Framework sets out that when considering development proposals, relevant policies may be given weight, however, this is subject 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 compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

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 of the Framework, which from 17 August 2026 Decision Making Policy DM4 of the Framework.

The Council's emerging Local Plan has reached the Regulation 19 Consultation stage, with the consultation having ended on 18 August 2026. The emerging Local Plan does not form part of the Development Plan.

The Council is aware that third parties have raised objections to the wider emerging Local Plan and specific policies within it. Therefore, at present the Council cannot categorically state that the emerging Local Plan can be considered sound and consistent with the National Planning Policy Framework (2024) [as an emerging Local Plan being brought forward under the legacy system, it would be examined under the 2024 Framework]. 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.

Local Ward Councillors

No comments received.

Neighbouring properties

The application was advertised by way of letters to 6 surrounding properties. The consultation period expired on 27.08.2026 and no comments were received.

Analysis

Proposal

The proposal seeks the creation of a front driveway and installation of a dropped kerb.

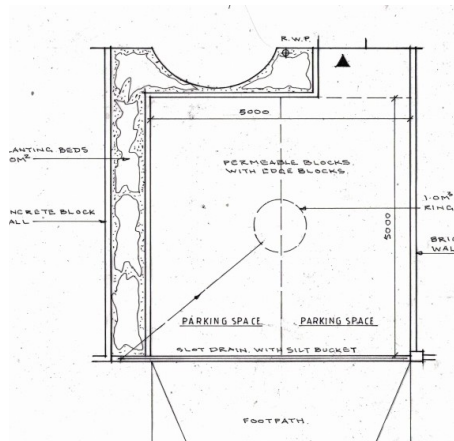
Character and Appearance

The application site comprises a two storey mid terrace house in use as a single family dwelling. The property is set back from the highway with a front wall which separates the curtilage from the pavement.

At present the frontage is mainly soft landscaped with a pathway which leads to the front door.



The proposal seeks to remove the front wall and remove the soft landscaping and replace it with permeable blocks to allow for the creation of two parking spaces. The proposal shows the retention of some soft landscaping.



The proposed width of the driveway will be some 5m with a width of 5m. Para 10.21 of SPD4 Householder Alterations and Extensions Guidance states:

Front garden parking must be designed to avoid cars overhanging the pavement. Car parking spaces a minimum of 2.5m wide (2.7m where spaces adjoin an enclosed boundary) and 5m deep should be provided

The proposal shows two parking spaces which will be adjoining enclosed boundaries, therefore the driveway width should be 5.4m. This could be achieved by reducing the soft planting on the eastern boundary, however a balanced approach should be taken.

The proposal could potentially constitute permitted development under which compliance with the GPDO takes precedence and compliance with adopted policy is overridden. The development could therefore be constructed as submitted without the benefit of planning permission.

On balance the retention of a larger percentage of soft landscaping is beneficial, especially in an area where hard landscaped frontages have caused considerable damage to the character of the area.



On balance the proposal is acceptable and compliant with CS19 Local Plan Core Strategy 2014.

Amenity of Future Occupiers

Due to the nature of the proposal there will be no impact on the amenity of future occupiers, the proposal therefore safeguards future occupier amenity inline with the requirements of SPG2 Residential Layout Guidance 2020.

Neighbouring Amenity

Due to the nature of the proposal there will be no impact on the amenity of neighbouring occupiers, the



proposal therefore safeguards future occupier amenity inline with the requirements of SPG2 Residential Layout Guidance 2020.

Parking and Highways

KCC parking guidance identifies a preferred parking bay size of **5.0m x 2.5m**. However, KCC guidance also recognises circumstances where a greater depth is required. In particular, where parking is positioned directly outside a principal entrance, an increased depth of **6.0m** is commonly sought to ensure the space remains fully usable and maintains pedestrian access.

The proposal provides two off-street parking spaces within the site frontage. Whilst the parking arrangement is constrained by the retention of soft landscaping and boundary treatments has a width of 5m x 5m and does not maximise the width available for parking, the spaces remain capable of accommodating two vehicles and providing off-street parking for the dwelling.

The removal of the flanking landscaping to achieve a wider parking area would result in the unnecessary loss of soft landscaping which makes a positive contribution to the visual appearance of the site and street scene.

The proposal demonstrates adequate depth as there is a parking space Infront of the front door by way of a 1m pathway.

On balance, it is considered that the benefits of retaining the landscaping outweigh the limited deficiency in parking width and the parking provision is therefore considered acceptable an compliant with CS19 Local Plan Core Strategy 2014.

Conclusion & Recommendation

The proposal is recommended for permission subject to conditions.

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

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:		Dated:	23rd September 2026