



Appeal Decision

Site visit made on 22 December 2025

by **B. Johnson BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12th January 2026

Appeal Ref: 6001400

5 Forge Lane, Higham, Rochester, ME3 7AS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Hamada Aqlan against the decision of Gravesham Borough Council.
 - The application reference 20250570, dated 4 June 2025, was refused by notice dated 15 August 2025.
 - The development proposed is the formation of a frontage parking space and vehicle crossover.
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Decision

1. The appeal is allowed and planning permission is granted for the formation of a frontage parking space and vehicle crossover at 5 Forge Lane, Higham, Rochester, ME3 7AS in accordance with the terms of the application reference 20250570, subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of development was revised by the local planning authority (LPA) during the application determination period. This revised description was used on the appeal form, although no explicit proof of the appellant's agreement to the revision has been provided. Nevertheless, the revised description is a more accurate description of the development sought, and I have determined the appeal on this basis.

Main Issues

3. The main issues are the effect of the proposal on:
 - highway and pedestrian safety on Forge Lane; and
 - the character and appearance of the area.

Reasons

Highway and pedestrian safety

4. Forge Lane is a predominantly residential road, with some commercial uses including a library, shop and public house. The appeal site at 5 Forge Lane comprises a detached bungalow and adjoining garage, with gravel hardstanding fronting the property. The site has an existing crossover allowing access to a parking space in front of the garage, which would be unchanged by the proposal.
5. The proposal involves the creation of an additional parking space with a permeable surface within the property frontage. This would include the lowering of

an existing wall that runs parallel to the new parking space, a new footpath across the frontage to enable access the property, and the landscaping of the remainder of the frontage between the new and existing parking spaces. A vehicle crossover would be created to allow access to the new frontage parking.

6. There is disagreement between the parties relating to the dimensions of the proposed parking space. Even based on the LPA's smaller dimensions, I consider that the proposed parking space would be acceptable. During my site visit and notwithstanding the encroachment of existing walls, I observed a vehicle parked within the proposed space without any overhang and with sufficient space to enter and exit the vehicle. While there may be larger vehicles that could potentially overhang, I am content that the proposed space is large enough to accommodate a range of vehicles, and overall, I consider the likelihood of overhanging the footway to be limited.
7. While the existing wall and lattice structure would impede views to a degree, there is sufficient visibility in both directions for vehicles exiting the site, which mitigates any potential harm to pedestrian and vehicle safety.
8. Vehicles would not be able to enter and exit the site in forward gear, with the implication that this may lead to increased instances of vehicles reversing onto or out of the site which would cause highway safety impacts. However, additional vehicle movements as a result of the proposal are likely to be infrequent and performed quickly. Therefore, they are unlikely to adversely impact traffic flows or cause additional dangers for passing pedestrians and vehicles, even when considered cumulatively alongside other likely instances that would occur along Forge Lane.
9. The Householder Extensions/Alterations Design Guide Supplementary Planning Document (SPD) (2021) provides further guidance relating to front gardens and parking including standards for depth and width of spaces. The SPD was formally adopted in accordance with statutory requirements. I have therefore taken it into account as a material consideration.
10. The LPA refer to several informal guidance documents, including a document produced by Kent County Council (the local highway authority). These provide specific standards on the design of dropped kerbs and front driveways. However, they have not been formally adopted or subject to public scrutiny. Accordingly, I have only given them limited weight.
11. In conclusion, the proposal would not have a detrimental impact on highway and pedestrian safety on Forge Lane and would therefore be consistent with Policy CS11 of the Gravesham Local Plan Core Strategy (2014) (the Core Strategy) and Policies P3, T1 and T5 of the Gravesham Local Plan First Review (1994) (the saved policies), and paragraph 115 of the National Planning Policy Framework (the Framework).
12. Policies CS11 and P3 require new development to mitigate impacts on the highway and provide sufficient parking in accordance with adopted standards. Policies T1 and T5 require consideration of highway impacts and state that intensification of use of accesses is acceptable where no danger would arise and properly formed access can be created to appropriate standards. Paragraph 115 of the Framework states that development should ensure safe and suitable access can be achieved for all users.

13. The proposal would not precisely conform to standards set out in the Householder Extensions/Alterations Design Guide SPD and informal guidance documents, which have limited weight in my determination. As I have found no conflict with the policies of the Development Plan, I am content that the proposal achieves the underlying aim of mitigating impacts on the local highway.

Character and appearance

14. The LPA's reason for refusal relates to the effect that overhanging vehicles will have on the character and appearance of the area, although there is a lack of detail in the appeal documentation to elaborate on what actual impact such vehicles would have in character and appearance terms.
15. As noted above, the proposed parking space would be sufficient to accommodate a range of vehicles without overhanging the footway. Notwithstanding this, even if vehicles were to overhang the footway, this would be a discreet, transient feature in the wider streetscene and I am not convinced that this would cause adverse impacts to the character and appearance of the area.
16. A grassed area to the front of the property has been removed because of works already undertaken. However, the proposal would include landscaping which would reintroduce verdant elements to the site and result in a less stark appearance, which would contribute positively to the character and appearance of the area.
17. In conclusion, the proposal would not have a detrimental impact on the character and appearance of the area and would therefore be consistent with Policy CS19 of the Core Strategy and paragraph 135 of the Framework.
18. Policy CS19 requires new development to make a positive contribution to the street scene, the quality of the public realm and the character of the area, while paragraph 135 of the Framework seeks development that, amongst other things, functions well and is sympathetic to local character.
19. Similar to the highway and pedestrian safety issue discussed above, the Householder Extensions/Alterations Design Guide SPD and informal guidance have limited weight. While the proposal does not strictly accord with some of the requirements of these documents, it accords with their underlying aims in terms of ensuring there are no adverse impacts on the character and appearance of the area.

Conditions

20. I have had regard to the conditions suggested by the LPA. I have amended the suggested wording for several conditions (including merging some similar conditions) in the interests of precision, consistency and enforceability.
21. The LPA have suggested a condition requiring the vehicle crossover to be constructed to the requirements and specifications of the local highway authority before the parking area is first brought into use. The appellant will need to seek approval for the crossover from the local highway authority, separate to the planning permission. Therefore, this condition would duplicate the requirements of another statutory regime and is not necessary.

22. The LPA have suggested a condition requiring visibility splays to be provided and thereafter retained. As noted above, the proposal does not adhere to guidance on visibility splays but is nevertheless acceptable from a highway and pedestrian safety perspective. The suggested condition is therefore not necessary.
23. The LPA have suggested conditions that would remove Permitted Development (PD) rights relating to the installation of gates and prevent development of a use other than vehicle parking. Paragraph 55 of the Framework states that planning conditions should not be used to restrict national PD rights unless there is clear justification to do so. Clear justification has not been provided for the proposed conditions and therefore they are not necessary or reasonable. Moreover, the suggested wording of the conditions is imprecise.
24. The LPA have suggested a separate condition requiring the forming and appropriate surfacing of the approved frontage parking area, but this is already addressed by other conditions, hence it is not necessary.
25. A plans condition is necessary in the interests of certainty, although I have not included a plan cited on the decision notice as it merely duplicates another plan listed. Conditions relating to hard surface treatments and landscaping are necessary to ensure an acceptable standard of development with particular regard to surface water drainage, and character and appearance.

Conclusion

26. I have found that the proposal would be consistent with the Development Plan read as a whole. Material considerations do not indicate a decision should be taken other than in accordance with the Development Plan. I therefore conclude the appeal should be allowed.

B. Johnson

INSPECTOR

Schedule of 4 conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Drawing no. TAB/06/46F - Existing and Proposed Block Plans.
 - Drawing no. TAB/06/80 - Existing Location.
 - Drawing no. TAB/06/85A - Existing Plan Views.
 - Drawing no. TAB/06/86A - Existing Location with proposed parking area shown.
 - Drawing no. TAB/06/102 - Existing Views – Elevations.
 - Drawing no. TAB/06/104 - Proposed Views – Elevations.
 - Drawing no. TAB/06/209B - Proposed layout – Parking Provision – New Crossover.
- 3) Before the parking area hereby permitted is first brought into use, a scheme detailing the proposed hard surface treatments and screening by walls, fences or other means shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details, prior to first use of the development.
- 4) Before the parking area hereby permitted is first brought into use, a scheme detailing the proposed soft landscaping associated with the development shall be submitted to and approved in writing by the local planning authority. The details shall include:
 - (i) the type and species of planting to be carried out including their quantity and size;
 - (ii) measures to promote biodiversity enhancement including the planting of native and wildlife attracting species;
 - (iii) a timetable for implementation; and
 - (iv) details of initial aftercare, long term maintenance and details for monitoring and remedial measures.

The scheme shall be implemented in accordance with the approved details, prior to first use of the development, and maintained thereafter. Any trees or plants that die, are damaged, removed or become diseased within 5 years from the date of planting shall be replaced with a species of a similar size and species during the next available planting season.