



Dartford Borough Council

Civic Centre
Home Gardens
Dartford
Kent
DA1 1DR

Highways and Transportation

Kroner House
Eurogate Business Park
Ashford
TN24 8XU

Tel: 03000 418181

Date: 20 November 2023

Our Ref: SS

Application - DA/23/01325/FUL

Location - 108 Havelock Road

Dartford

Kent

DA1 3JB

Proposal - Demolition of existing dwelling and erection of detached 5 bedroom house with landscaping and dropped kerb

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters :-

It is noted that this would usually be a non-protocol application, however the proposals include gates to the parking area which are immediately adjacent to the public footway (as shown on drawing BL/DRG/20231031/O-2.12). Any gates to dwellings must be setback a minimum of 5.5 metres from the carriageway to prevent vehicles stopping on the carriageway and consequently the inclusion of gates to the parking area for this application is not acceptable.

The applicant should also be aware that cycle parking/storage for a minimum of 2 bicycles is required for this property, as per the Dartford Borough Council Parking Standards.

Provided the parking areas for this property are not gated, and the appropriate level of cycle storage is included within the proposals, then on behalf of the local highway authority I confirm that I raise no objection to this application. Should either of these requirements not be met it is expected that the highway authority be re-consulted.

Informative: It is important to note that planning 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 planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, 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 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 formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. 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.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that 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.

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

Yours Faithfully

Director of Highways & Transportation

*This is a statutory technical response on behalf of KCC as Highway Authority. If you wish to make representations in relation to highways matters associated with the planning application under consideration, please make these directly to the Planning Authority.