

Supporting Statement

Castle Shaw, Wrotham Road, Istead Rise, Kent, DA13 9EG

For Mr Avttar Channa

Prepared by Gracechurch Town Planning Ltd

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EXECUTIVE SUMMARY

1. This Supporting Statement has been prepared by Gracechurch Town Planning, on behalf of Mr Avttar Channa, to support an application for a Lawful Development Certificate to confirm that the proposed outbuildings and hardstanding at Castle Shaw, Wrotham Road, Istead Rise, Kent, DA13 9EG are permitted development within the scope of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and are therefore lawful development.
2. An application for prior approval for the demolition for the existing outbuildings (referred to Building A and Building B) under Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) was made on 17 February 2026. On 12 March 2026 the Council confirmed that prior approval was not required for this demolition.
3. The proposal comprises two new outbuildings:
 - new Building A is proposed as a simple rectangular building, constructed of a traditional cavity wall (an inner leaf of concrete blocks with an outer-facing brick wall) and a pitched roof with clay tiles. There are five roller shutter access doors. The building is proposed as a replacement barn / storage and garage building, to provide the necessary storage that the applicant requires in managing his property, including:
 - space for machinery including the tractor, trailer and ride-on lawnmower that the applicant uses to manage his property, including the woodland;
 - space for storage of hay bales and logs (resulting from the maintenance of the property); and
 - space for storage of building materials e.g. replacement fence posts and fence wire.
 - new Building B is also a simple rectangular building, constructed of a traditional cavity wall (an inner leaf of concrete blocks with an outer-facing brick wall) and a pitched roof with clay tiles. This building is proposed as a home gym for the applicant and his family.
4. The existing outbuilding, referred to as Building C (which is used for household storage), will remain. New hardstanding is also proposed in between the new outbuildings.
5. The proposed new outbuildings and the hardstanding are assessed in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)). This assessment demonstrates that the proposals are permitted development and therefore lawful development, and we welcome the Council's confirmation of the same.

INTRODUCTION

6. This Supporting Statement has been prepared by Gracechurch Town Planning, on behalf of Mr Avttar Channa, to support an application for a Lawful Development Certificate to confirm that the proposed outbuildings and hardstanding at Castle Shaw, Wrotham Road, Istead Rise, Kent, DA13 9EG are permitted development within the scope of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and are therefore lawful development.
7. Castle Shaw is a two-storey, five bedroom detached dwellinghouse set-back from Wrotham Road (to the west) and accessed via a driveway. The applicant lives there with his wife, his son and daughter-in-law and two grandchildren. The property is set behind a tree-line that obscures views from Wrotham Road. The garden slopes upwards to the south, in the location of the current outbuilding and to the woodland behind. The garden also extends to the east.
8. An application for prior approval for the demolition for the existing outbuildings (referred to Building A and Building B) under Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) was made on 17 February 2026. On 12 March 2026 the Council confirmed that prior approval was not required for this demolition.
9. The proposed two new outbuildings comprise:
 - new Building A, proposed as a replacement barn / storage and garage building, to provide the necessary storage that the applicant requires in managing his property, including:
 - space for machinery including the tractor, trailer and ride-on lawnmower that the applicant uses to manage his property, including the woodland;
 - space for storage of hay bales and logs (resulting from the maintenance of the property); and
 - space for storage of building materials e.g. replacement fence posts and fence wire.
 - new Building B, proposed as a home gym for the applicant and his family.
10. Further detail is provided in the following section.
11. Along with this Supporting Statement, the application comprises:
 - the required application form and fee;
 - 696 1250 PD 01 Site Location Plan;
 - 696 500 PD 01 Existing Site Plan;

- 696 500 PD 02 Proposed Site Plan;
- 696 100 PD 01 Existing Floor Plans;
- 696 100 PD 02 Building A Existing Elevations;
- 696 100 PD 03 Building B Existing Elevations;
- 696 100 PD 04 Proposed Floor Plans;
- 696 100 PD 05 New Building A Proposed Elevations; and
- 696 100 PD 06 New Building B Proposed Elevations.

ASSESSMENT

Demolition of Existing Outbuildings

12. An application for prior approval for the demolition for the existing outbuildings (referred to Building A and Building B) under Schedule 2, Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) was made on 17 February 2026. On 12 March 2026 the Council confirmed that prior approval was not required for this demolition.
13. The demolition of the existing outbuildings is therefore lawful.

Proposed Outbuildings

14. The proposed single-storey outbuildings contain:
 - in new Building A, a replacement barn / storage and garage building, to provide the necessary storage that the applicant requires in managing his property, including:
 - space for machinery including the tractor, trailer and ride-on lawnmower that the applicant uses to manage his property, including the woodland;
 - space for storage of hay bales and logs (resulting from the maintenance of the property); and
 - space for storage of building materials e.g. replacement fence posts and fence wire.
 - in new Building B, a home gym for the applicant and his family.
15. Class E(a) Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) provides for the provision of:

any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure;
16. The above is subject to the limitations of Class E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), where development would not be permitted if:
 - *Class E.1(a) - permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use) – the dwellinghouse has been in use as a dwellinghouse since its construction.*

- *Class E.1(b) - the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse) - the proposed outbuildings, either individually or collectively with the other existing outbuildings at the property, would not exceed 50% of the total area of the curtilage.*
- *Class E.1(c) - any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse – the proposed single-storey outbuildings are not forward of the principal elevation of the original dwellinghouse.*
- *Class E.1(d) - the building would have more than a single storey - the proposed outbuildings each have a single storey. The proposed mezzanine in new Building A is not an additional storey as it has no external expression (no rooflights or windows); does not extend across the full floor plate of the building; and is only to be used for storage of building materials.*
- *Class E.1(e) - the height of the building, enclosure or container would exceed (i) 4 metres in the case of a building with a dual-pitched roof, (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or (iii) 3 metres in any other case - the proposed single-storey outbuildings have dual-pitched roofs and are not within 2 metres of the boundary of the curtilage of the dwellinghouse. Consequently, the proposed single storey outbuildings are 4 metres high. Height, as per section 2(2) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), is measured from ground level (ground level defined as the level of the surface of the ground immediately adjacent to the building or plant or machinery in question or, where the level of the surface of the ground on which it is situated or is to be situated is not uniform, the level of the highest part of the surface of the ground adjacent to it). New Building A is therefore measured on the southern elevation, where the ground level is raised (and so the height is measured at 4 metres from that higher level), and new Building B is measured on the western elevation (and so the height is measured at 4 metres from that higher level). This can be seen on 696 100 PD 05 New Building A Proposed Elevations and 696 100 PD 06 New Building B Proposed Elevations respectively.*
- *Class E.1(f) - the height of the eaves of the building would exceed 2.5 metres - the height of the eaves of the proposed single-storey outbuildings does not exceed 2.5 metres.*
- *Class E.1(g) - the building, enclosure, pool or container would be situated within the curtilage of a listed building – Castle Shaw is not a listed building.*
- *Class E.1(h) - it would include the construction or provision of a verandah, balcony or raised platform - no veranda, balcony or raised platform is proposed.*

- *Class E.1(i) - it relates to a dwelling or a microwave antenna - no dwelling or microwave antenna are included within the proposal.*
 - *Class E.1(j) – the capacity of the container would exceed 3,500 litres - no container is included in the proposal.*
 - *Class E.1(k) – the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses) – Castle Shaw was not constructed under Part 20.*
17. In the appeal decision at **Appendix 1** the Inspector considered a lawful development certificate appeal for a proposed outbuilding 30 metres long by 10.5 metres wide. In that case, Brentwood Borough Council considered that the large size of the proposed outbuilding was such that it could not be justified as being reasonably required to serve purposes incidental to the enjoyment of the existing dwellinghouse (paragraph 6). In allowing the appeal, the Inspector considered instead that it was necessary to consider the incidental quality of the uses in relation to the enjoyment of the dwellinghouse and whether the building is genuinely and reasonably required for its intended purposes (paragraph 7).
18. In the appeal decision at **Appendix 2** the Inspector considered a lawful development certificate appeal for a proposed outbuilding 13.3 metres long by 6 metres wide. The Inspector noted (paragraph 11) that the concept of Class E (a) is broad and a wide range of incidental purposes and that the size of the outbuilding in comparison to the size of the house is a relevant, but not a decisive, factor.
19. These same approaches are undertaken for the proposed single storey outbuildings at Castle Shaw:
- Barn / storage and garage - page 41 of the “Permitted Development for Householders: Technical Guidance’ confirms that these types of storage buildings are examples of such outbuildings allowed by Class E. The types of store required will of course vary from property to property and here the proposal reflects the size of the applicant’s property as well as the elements that require maintenance (e.g. woodland, extensive grass to be mown (with hay to then be stored) and extensive fencing with adjacent properties). The Council confirmed, in reference 20220712, that a similar store would be for incidental to the enjoyment of the dwellinghouse.
 - Home gym - these facilities are for a purpose incidental to the enjoyment of the dwellinghouse as such. This was confirmed by the Inspector in **Appendix 1** (paragraph 9). The size and number of items of equipment are wholly reasonable given the size of the house and the number of family members living there.
20. Each of the elements proposed within the single storey outbuildings at Castle Shaw are capable of being reasonably required for an incidental purpose. Additionally, a family occupying the house could reasonably require each of the

elements. Consequently, the uses would be incidental to the residential occupation of the house in functional terms.

21. The proposed single storey outbuildings are therefore permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and are therefore lawful.

Proposed Hardstanding

22. In addition to the outbuildings, new hardstanding is proposed.
23. Class F, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) provides for:
- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or*
- (b) the replacement in whole or in part of such a surface.*
24. The above is subject to the limitations of Class F, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), where development would not be permitted if:
- *Class F.1(a) - permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use) – the dwellinghouse has been in use as a dwellinghouse since its construction.*
 - *Class F.1(b) – the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses) – Castle Shaw was not constructed under Part 20.*
25. Class F, Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) does not apply as the hard surface would not be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway.
26. The proposed hardstanding is therefore permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and are therefore lawful.