
GSP PROJECT REF: [4023.PN](#)

PLANNING STATEMENT

Owlswood Cottage, Priestwood Road, Harvel, Meopham, DA13 0DA

**Lawful Development Certificate (Proposed) for
Single Storey Side Extension**



JANUARY 2024

1.0 INTRODUCTION

- 1.1 This Statement is prepared in support of a resubmission made under Section 192 of the Town and Country Planning Act 1990 for a Certificate of Lawful proposed development in respect of the erection of a single storey side extension.
- 1.2 The basis of this application is that it is permitted development under Part 1, Class A of Schedule 2 of the Town and Country Planning General Permitted Development Order 2015 (As Amended) (hereafter referred to as 'the GPDO').
- 1.3 For the development under consideration, the following land title is relevant, an extract of the Land Registry map is also included below:

1. K756900 (described as 'Owlswood Cottage, Priestwood Road').



- 1.4 The following plans accompany this submission:

- 4023-01 Site Location Plan;
- 4023-02 Existing Block Plan;
- 4023-03 Existing Floor Plans;
- 4023-04 Existing Elevations;
- 4023-05 Proposed Block Plan;
- 4023-06 Proposed Floor Plan;
- 4023-07 Proposed Elevations.

2.0 SITE CONTEXT

- 2.1 The subject 0.33 hectare site is located to the eastern side of Priestwood Road, close to its junction with Chandler's Road to the south. On site is an existing detached chalet bungalow with front facing gable end and a flat roofed side extension attached to the north of the dwelling that in total occupies a footprint of about 87 sqm with a depth of about 8.5m and original maximum width of 10.9m. It is set back 12.5m from the highway with loose hardcore dominating the space between the front elevation and electronic gates.
- 2.2 Alongside, to the south of the dwelling, is a triple width timber garage with two double access doors to the front. There is a long back garden containing several dilapidated outbuildings, with many having been damaged in the strong winds from winter 2022. A large wooded area makes up the remainder of the land title to the rear. The Site is within a rural area but is one of a cluster of residential sites on the subject side of Priestwood Road.
- 2.3 The Site is beyond the southern boundary of an Area of Outstanding Natural Beauty, but it is within the Metropolitan Green Belt. The Site forms part of the Parish of Meopham. There are no known designated or non-designated heritage assets nearby. The Site is also within Flood Zone 1 which means it has a low probability of flooding from rivers and the sea. The nearest public right of way appears to be NS264 located some 100m away to the north.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The following records are understood to be relevant to the Site:

- [Erection of bungalow and garage](#)

Ref. No: 19580009 | Status: Application Refused

- [Construction of pitched roof over existing side extension with dormer window in proposed front roof slope; conversion of proposed roof space into a bedroom; erection of a conservatory at the rear and erection of a detached triple garage at the side.](#)

Ref. No: 20060049 | Status: Application Permitted. This proposed to erect a first floor above the existing single storey ground floor extension to the side. The consent also included a rear conservatory and the detached triple garage. The only element that appears to have been constructed is the triple garage (historic Google aerial photography also confirms the presence of the garage only after 2006).

- [Demolition of existing bungalow and erection of a 3-bed bungalow.](#)

Ref. No: 20220646 | Status: Application Refused on grounds relating to cumulative impact on the openness of the Green Belt, with disproportionate scale and perceived bulk, and poorly designed, imbalanced and lacking coherence resulting in an incongruous appearance highly visible from the street scene.

- [Demolition of existing bungalow and erection of a 3-bed bungalow.](#)

Ref. No: 2022/00055/REF | Status: Appeal Dismissed on grounds of being inappropriate development in the Green Belt, adverse impact on the character and appearance of the area, plus no very special circumstances to override the identified harm in respect of the Green Belt.

- [Application for a Lawful Development Certificate in respect of the proposed erection of a single storey side extension and 2no. detached outbuildings for use as a summer house and workshop/gym.](#)

Ref. No: 20230988 | Status: Certificate Refused on grounds that the side extension was said to have failed to comply with the parameters set out in Schedule 2, Part 1, Classes A.1(e) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), whilst the outbuildings were considered not to benefit from evidence confirming that they would be reasonably required for purposes incidental to the enjoyment of the main dwellinghouse

- [Application for a Lawful Development Certificate in respect of the proposed two storey rear extension with installation of a window on the south elevation.](#)

Ref. No: 20230989 | Status: Certificate Refused on grounds that the rear extension was considered not to have complied with Schedule 2, Part 1, Classes A.1(h) and A.1(i) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

4.0 PROPOSED DEVELOPMENT

- 4.1 This resubmission proposes an alternative single storey side extension following the decision of GBC to refuse application 20230988 (detailed above). The applicant accepts that it is quite possible that the single storey element attached to the north side of the dwelling is original. This is despite the following previously describing it as an extension: (1) the description of 20060049 (as detailed above); (2) the delegated report relating to 20220646 for a replacement dwelling, and; (3) the subsequent Inspector's decision. This is also notwithstanding its design merits.

- 4.2 Regardless, heritage maps from between 1929 and 1952 suggest otherwise and that the previously proposed side extension to the north of the dwelling could reasonably be considered to extend beyond part of the original principal elevation on that side, failing to comply with paragraph A.1(e)(i) of Class A, Part 1, Schedule 2 of the GPDO.
- 4.3 The delegated report that accompanied the previously refused submission (20230988) also suggested that the single storey side extension would not only form part of the principal elevation (paragraph A.1(e)(i)) but also result in a highway adjacent to the side elevation of the dwelling (paragraph A.1(e)(ii)). Subsequent to the decision, GBC has accepted that the side elevation would not have fronted a highway and it is expected that as there is no highway on the opposite side of the dwelling that this would not be an issue in regards to this resubmission.
- 4.4 Given the likely original status of the single storey element to the north, this means that the width of the original dwelling is now greater than first thought. The plans show that the original width is 10.9m as opposed to 7.7m. This provides the ability to propose a side extension to the south, which is what is shown on the plans that form the subject of this resubmission.

5.0 COMPLIANCE WITH PERMITTED DEVELOPMENT LEGISLATION

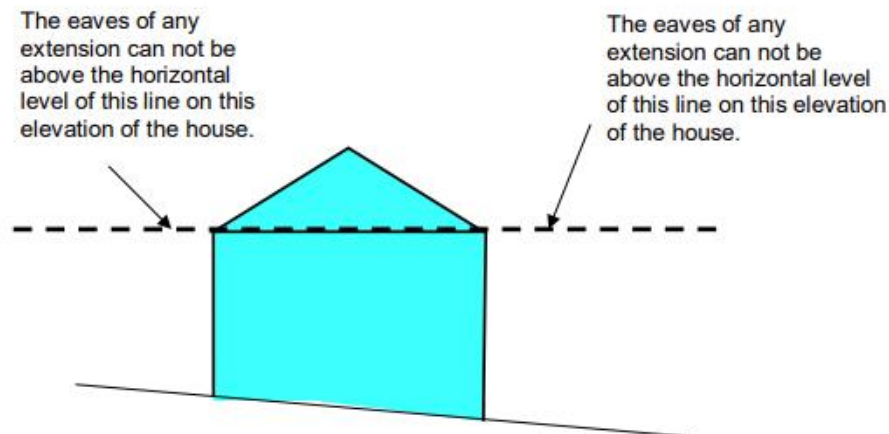
Permitted Development

- 5.1 Class A of Part 1 of Schedule 2 of The Town and Country (General Permitted Development) (England) Order 2015 (as amended) permits development consisting of the enlargement, improvement or other alteration of a dwellinghouse.

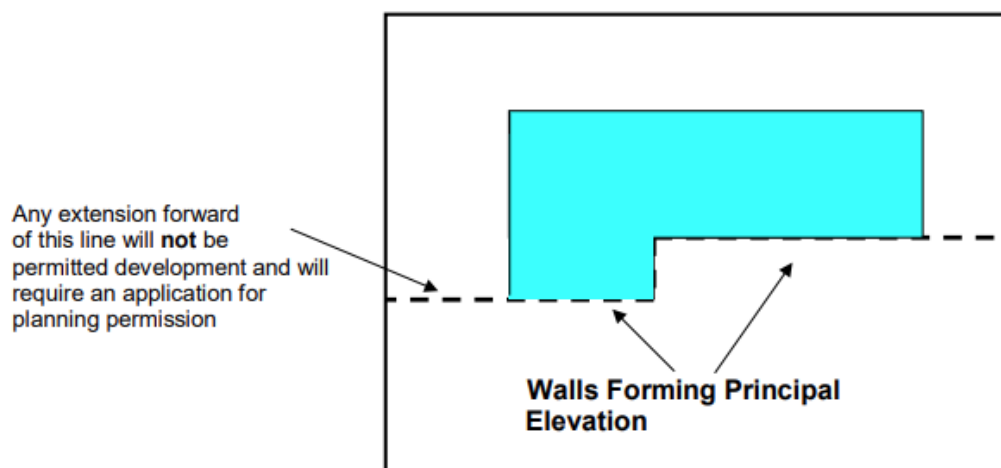
Development Not Permitted

- 5.2 Paragraph A.1 sets out exceptions to when this permitted development right would not apply:
- (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) - **this is not the case;**
 - (b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse) - **this will not be the case;**

- (c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse – **this will not be the case;**
- (d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse – **this will not be the case. Note: this restriction is measured against the highest level of eaves on the existing house as confirmed in the diagram in the technical guidance for householders:**

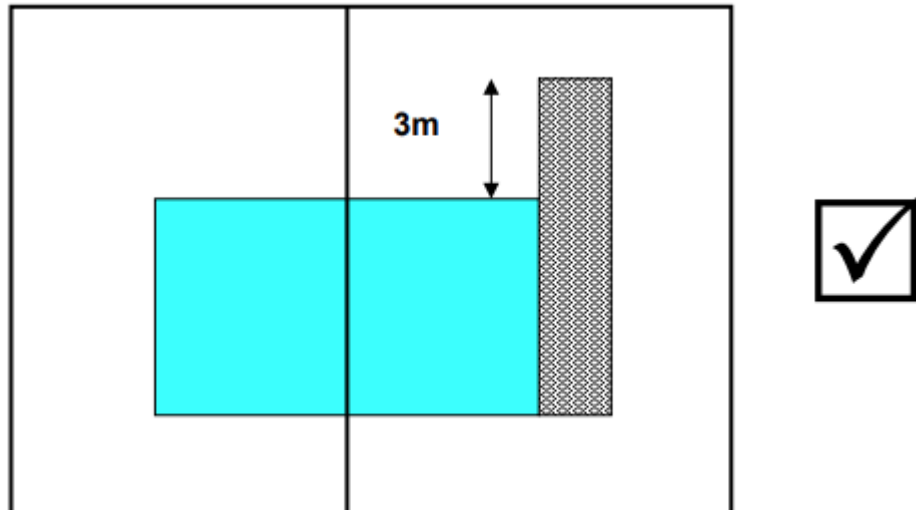


- (e) the enlarged part of the dwellinghouse would extend beyond a wall which: (i) forms the principal elevation of the original dwellinghouse, or; (ii) fronts a highway and forms a side elevation of the original dwellinghouse – **this will not be the case. The dwelling has a staggered principal elevation and the side extension will not protrude forward of the southern most line reflective (but to the opposite side) of the diagram in the technical guidance for householders:**

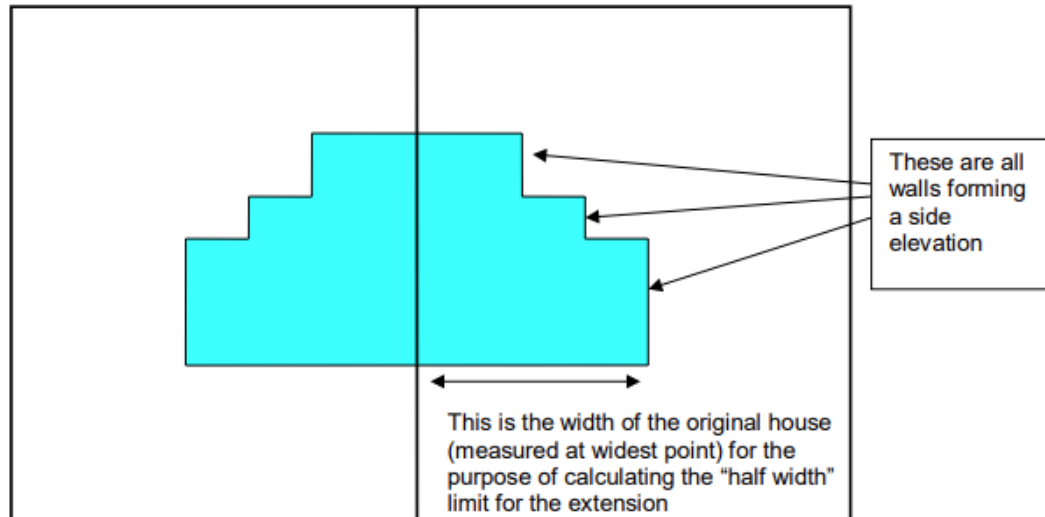


- (f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and: (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or; (ii) exceed 4 metres in height – **this will not be the case: it is 4m as the**

property is detached. The diagram below is from the technical guidance for householders and refers to the smaller 3 metre limitation for semi-detached and terraced dwellings, however, it demonstrates the full depth nature of a side extension that also protrudes out to the rear, as proposed:



- (g) for a dwellinghouse not on article 2(3) land nor on a site of specific scientific interest, the enlarged part of the dwellinghouse would have a single storey and: (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or; (ii) exceed 4 metres in height – **this will not be the case;**
- (h) the enlarged part of the dwellinghouse would have more than a single storey and: (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or; (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse – **it is only single storey so this is not relevant;**
- (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres – **it is not within 2 metres of the boundary so this is not the case;**
- (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would: (i) exceed 4 metres in height; (ii) have more than a single storey, or; (iii) have a width greater than half the width of the original dwellinghouse – **it is less than 4 metres in height at any point adjacent to the proposed extension, whilst it is single storey and will have a width that, even at its widest point (5 metres), is less than 50% of the width of the original dwellinghouse measured from its widest point as per the Householder Technical Guidance;**



- (ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j) – **this will not be the case;**
- (k) it would consist of or include: (i) the construction or provision of a verandah, balcony or raised platform; (ii) the installation, alteration or replacement of a microwave antenna; (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or; (iv) an alteration to any part of the roof of the dwellinghouse – **this will not be the case;**
- (l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses) – **this is not the case.**

4.3 Paragraph A.2 relates to article 2(3) land only, and is not relevant to this particular submission.

4.4 Under paragraph A.3, development permitted by Class A is subject to the following conditions:

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse – **this will be the case as is confirmed in the labels referring to materials as included on the plans;**
- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be: (i) obscure-glazed; (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed – **there are no upper floor windows, so this will be the case;**
- (c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original

dwellinghouse – ***the enlarged part does not have more than a single storey, so this is not relevant.***

- 4.5 The requirements under paragraph A.4 are not relevant to this submission because the development does not involve a 'larger' rear extension.

5.0 CONCLUSIONS

- 5.1 For the above reasons, the Council is respectfully requested to issue a Certificate confirming that the single storey side extension can be constructed under permitted development rights.