
GSP PROJECT REF: [3704.PN](#)

PLANNING STATEMENT

Distarti, 48 Rhododendron Avenue, Meopham, Kent, DA13 0TT

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



DECEMBER 2022

1.0 INTRODUCTION

- 1.1 This Statement is prepared in support of an application 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 and a detached outbuilding.
- 1.2 The basis of this application is that it is permitted development under Part 1, Class A and E of Schedule II of the Town and Country Planning General Permitted Development Order 2015 (As Amended).
- 1.3 The development affects the following four Land Registry titles as well as unregistered land that make up the subject planning unit:
2. K219795 (described as ‘land on the east side of Rhododendron Avenue’). This is the rectangular portion of land to the far north;
 3. K219796 (described as ‘land on the east side of Rhododendron Avenue’). This is the rectangular portion of land to the south of the above title;
 4. K922240 (described as ‘land adjoining Distarti, 48 Rhododendron Avenue’). This is the driveway and part of the side garden that appears to serve Distarti;
 5. K417028 (described as ‘Distarti, Rhododendron Avenue’). This is the rectangular portion of land to the far south that includes the main dwelling, but excludes part of the previously approved garden and all of the access.
- 1.4 The following plans accompany this submission:
- BDS-RA-P01 (existing house);
 - BDS-RA-P03 (location plan);
 - BDS-RA-P10 (proposed side extension);
 - BDS-RA-P100 (proposed outbuilding).

2.0 SITE CONTEXT

- 2.1 The subject 0.05 hectare site is located to the eastern side of Rhododendron Avenue, at the eastern end of the Culverstone Valley Area. It is understood that the existing timber-clad property is a chalet bungalow with a tiled roof located on a steep bank with three bedrooms in a poor standard of condition. The site benefits from a lawful vehicular access on to Rhododendron Avenue.
- 2.2 It is noted that the planning officer’s report relating to the previously approved planning application considered that the original dwelling as existing has a footprint of 92.1m² and an internal ground floor area of 80.3m².
- 2.3 The site benefits from a number of ancillary buildings including a car port to the north and rear, a ‘garden structure’ to the rear of the dwelling and a garden shed to the front. The layout of the bungalow comprises four bedrooms, a living area in the centre and kitchen/dining area to the rear.

- 2.4 Ancient woodland appears to be located beyond the rear of the site and the site is within the Harvel Wooded Downs Landscape Character Area as well as being 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.

3.0 RELEVANT PLANNING HISTORY

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

- [Erection of chalet](#) - Ref. No: 19520150 | Status: Application Permitted
- [Erection of dwellinghouse](#) - Ref. No: 19550280 | Status: Application Refused
- [Retention of single storey extension to form kitchen at rear](#) - Ref. No: 19790429 | Status: Application Refused
- [Demolition of existing chalet bungalow and erection of a replacement 3 bed bungalow.](#) - Ref. No: 20210319 | Status: Application Permitted

- 3.2 The permission from 2021 was subject to amendments after initial concerns were expressed by the Council in regards to the height and massing of the replacement dwelling, which was considered to be materially larger than the dwelling it was due to replace. Revisions included a reduced height, introduced barn-hips, changed the roof design of the garage and, as such, were considered to address these issues.

4.0 COMPLIANCE WITH PERMITTED DEVELOPMENT LEGISLATION – SINGLE STOREY SIDE EXTENSION

Permitted Development

- 4.1 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

- 4.2 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;**
- (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;**
- (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;**
- (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) exceed 4 metres in height – **this will not be the case;**
- (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 – **this will not be 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 – **this will not be the case;**
- (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 materials schedule 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 rear extension.

5.0 COMPLIANCE WITH PERMITTED DEVELOPMENT LEGISLATION – DETACHED OUTBUILDING

Permitted Development

5.1 The basis of this part of the application is that it is permitted development under Part 1, Class E of Schedule 2 of the Town and Country Planning General Permitted Development Order 2015 (As Amended).

Development Not Permitted

5.2 Paragraph E.1 sets out exceptions to when this permitted development right would not apply. The response to each part is set out below:

- 5.3
- (a) Permission to use the dwellinghouse was not granted by virtue of Class M, N, P or Q of Part 3 of this Schedule;
 - (b) The total area of ground covered by extensions to the dwelling and this outbuilding will not exceed 50% of the total ground area of the curtilage (excluding the ground area of the original dwellinghouse);
 - (c) The outbuilding will not be located forward of the principal elevation of the original dwellinghouse;
 - (d) The building is to be single storey only;
 - (e) The height of the building, which will not be within 2m of the boundary of the curtilage, will not exceed 4m to the top of the dual pitched roof;
 - (f) The height of the eaves will not exceed 2.5m;

- (g) The site is not within the curtilage of a Listed Building;
- (h) The proposals do not involve the construction of a veranda, balcony or raised platform;
- (i) It does not involve the creation of a new dwelling or involve microwave antenna;
- (j) It does not involve the provision of a container.

Criteria in Class E2

- 5.4 The dwelling is not located within any of the areas where an exclusion applies.

Criteria in Class E3

- 5.5 The dwelling is not on Article 2 (3) land.

Criteria in Class E4

- 5.6 The building is to be used as a summerhouse to enjoy views across the rest of the plot. It will be used for purposes incidental to the enjoyment of the dwelling house. It is not proposed to be used as separate self-contained accommodation nor for any form of primary living accommodation.

6.0 CONCLUSIONS

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