

The Orchards, School Lane, Higham, Rochester, Kent, ME3 7HP.

**Statement to accompany the Lawful Development Certificate (Existing)
Application.**

Introduction

The Orchards is the family home for three generations of the Mattu family residing in the house as one family. The house was extended and altered during the period 2009 to 2012 with some of the works relating to alterations to provide accommodation for the elderly parents moving into the family home.

Extent of the alterations

Alterations to the house, outbuildings and to the grounds are as shown in red on Synergy Planning & Property Consultants Ltd drawings 22/380/04B, 05B, 06B and 07.

This application seeks approval to the alterations which include:

1. Paving of the drive to the front of the house and altering the alignment of the drive, garden walls either side of the drive and along the front of the house. Numbered 5 on drawing 06B.
2. Store room, party enclosed BBQ area, side kitchen and dining area numbered 7 on drawing 04B.
3. Cloakroom to south side of entrance hall numbered 2 on 04B.
4. Front entrance porch numbered 1 on drawing 04B.
5. Enlarged utility area to north side of front entrance area numbered 3 on 04B.
6. Garage conversion of a garage to form part of the kitchen, removal of the former conservatory roof and enlargement of the kitchen, conversion of part of the garage to form an annex comprising a bedroom and bathroom, numbered 8 on 04B and 01A.
7. Car port to north side of the house, numbered 4 on 04B.
8. Pool room comprising a lounge, indoor pool, gym, shower room, wc, steam room, guest bedroom, bathroom and pump room numbered 6 on 04B.
9. Garage/store located to the east of the pool room numbered 9 on 04B
10. Garage with small annex to the north-east of the garden numbered 10 on 04B.
11. First floor balcony on east side of house numbered 12 on drawing 04B.
12. Rear garden alterations comprising raised platers forming vegetable gardens and raised patio shown numbered 11 on drawing 06B and located to the south of the garage/annex number 10.

Planning position

All the alterations for which this application is being made and listed above were made over 10 years ago. The relevant period of time for a Lawful Use Certificate (Existing) application is for 4 years or more and when there has been no enforcement action taken. Under the Town & Country Planning Act 1990, Section 191. The 4 year rule applies and in this case the information being submitted shows a period of construction and use of over 10 years and well in excess of the 4 year period required.

The house, buildings within the garden and garden changes are all used and associated with the residential amenity of the family home and form important assets to the enjoyment of the house. All the alterations listed are used by the family and as part of the residential amenity and have been so for a period in excess of 4 years as stated in the signed affidavits by the family members and by persons that have visited the family and have undertaken repairs to the buildings for over 4 years and by signed letters from parties who have visited the house and buildings over a number of years in excess of 4 years including the family accountant. Also as shown by other documents submitted with the application which include dated photographs of the family at the house, dated aerial photographs and quotes and receipts for the building works.

As has been stated, the number of receipts kept from over 10 years ago is limited simply because the family understood that an agent had dealt with planning consent for most of the alterations and time has passed by so the family would have no reason to think they needed to keep extensive records.

Mention is made of the annex that's part of the rear garage building being occupied by a family member assisting in the case of the elderly parents. Occupation is not permanent with the annex being vacant for months of each year. Various members of the immediate and extended family have visited and stayed in this annex over the last 4 years which includes



Specifically, this application does not seek to create a separate dwelling from the garage annex and indeed there is no case for this as the building has not been continuously in occupation and there are extensive periods when the parents do not require further support and the annex is vacant.

We trust that this application is found to be in order. Should any additional information or further clarification be required please do contact the applicant's agent.