
GSP PROJECT REF: PR3769.RO

HOUSEHOLDER PLANNING STATEMENT
THEOS, CHALK ROAD, HIGHAM, KENT, ME3 7LA

FEBRUARY 2023

1.0 INTRODUCTION

- 1.1 This Householder Planning Statement is prepared in support of the submission of a householder development for the following:

“Retrospective application for the use of an existing outbuilding as ancillary accommodation”

- 1.2 The land affected by this proposed development is the subject of the following Land Registry title(s). The land affected is owned by the applicant:

1. K829681 (Theos, Chalk Road, Higham, Rochester ME3 7LA)

2.0 SITE CONTEXT

- 2.1 The 0.09-hectare site comprises a detached residential property on the SW side of Chalk Road in the settlement of Higham. A driveway leading to onsite parking facilities exist to the NE of the dwelling. The dwelling itself comprises a painted render façade, with some exposed brickwork to the front at the ground floor. There is a single storey extension to the rear, and a modern conservatory to the side.

- 2.2 The rear garden extends out the to the rear and side of the dwelling. There are several outbuildings within the curtilage including the ancillary outbuilding (subject of this application) outside bar / storage area, outside w.c. building, two large gazebo / pavilion structures and three small sheds. Another substantial outbuilding has recently been removed from the SE corner of the site due to poor construction.

- 2.3 Photos of the site and surrounds are attached at **Appendix 1**.

3.0 PLANNING HISTORY

- 3.1 The following planning history relates to the subject site:

- [Erection of a conservatory at the side.](#)
Ref. No: 20070813 | Status: Application Permitted
- [Erection of bungalow](#)
Ref. No: 19520359 | Status: Application Permitted
- [Erection of a single storey front extension.](#)
Ref. No: 20160460 | Status: Application Refused
- [Retention of the two 1.47 metre high brick piers on the front boundary.](#)
Ref. No: 20020969 | Status: Application Permitted
- [Erection of a conservatory at the rear.](#)
Ref. No: 20030137 | Status: Application Permitted

- [Rebuilding of part of the ground floor rear extension and erection of first floor rear extension to form bedroom and enlarged bedroom and erection of two storey front extension incorporating an entrance canopy to form porch with bedroom over.](#)

Ref. No: 20030496 | Status: Application Permitted

4. PROPOSED DEVELOPMENT

- 4.1** The application seeks retrospective permission for the use of the existing outbuilding (sited along the NE boundary of the site) as additional ancillary accommodation for the occupiers of the main dwelling. The total existing GIA equates to a relatively small 32.4m². The outbuilding comprises a painted weatherboarding façade, with white UPVC windows and door. The roof has been constructed using a felt material, with a roof tile pattern. Photos of the outbuilding are attached at **Appendix 1**.
- 4.2** The proposal does not include any external alterations to the building, which was completed approximately 20 years ago, and solely relates to the use.
- 4.3** The applicant purchased the property in April 2021 and has not made any internal alterations to the layout of the outbuilding since purchase. A high-level window on the NE elevation was blocked at the request of the neighbour due to privacy concerns.
- 4.4** It is likely that the current use has continued for a period of 10 years, however as the applicant has only been in ownership for the last 3 years, it would not be possible to provide sufficient evidence to support the case.
- 4.5** Since purchasing the property, this building has been used as accommodation for the applicant's brother when he has been visiting the family. He has previously stayed in the building for periods lasting between 2-4 weeks at a time. While staying in the building the applicant's brother will spend time with the family often share meals and generally spending time with them in the dwelling house. Although the outbuilding does have a W.C and a shower, the shower has been out of order since the applicant moved into the property, and her brother therefore used the facilities in the main dwelling. The laundry facilities are also located in the main dwelling.
- 4.6** If approved, this proposal will allow for the applicant's brother, to continue to visit the family, and could also allow other family member / friends to stay comfortably. The applicant's children may also use the outbuilding as they get older, when they have friends come to stay.

5.0 PLANNING POLICIES

- 5.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Court of Appeal has clarified that for

a decision maker this means establishing whether a proposal is in accordance with the development plan.

- 5.2 The question of compliance with one policy should not dictate the outcome of a proposal in the absence of considering compliance with all other relevant policies. Decision makers are therefore tasked with identifying and understanding all relevant policies and material considerations to reach a properly informed planning judgment on a proposal, and to avoid an irrational or vulnerable decision that may be subject to criticism in a public law challenge.
- 5.3 Paragraph 2 of the National Planning Policy Framework ('the Framework') reiterates this, whilst paragraph 12 of the Framework is clear that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 5.4 Paragraph 38 of the Framework encourages local planning authorities to approach decisions on proposed development in a positive and creative way. It also encourages working proactively with applicants to secure developments that will improve the economic, social, and environmental conditions of the area, adding that decision-makers should seek to approve applications for sustainable development where possible.
- 5.5 Annex 1 of the Framework confirms that for the purposes of decision-taking, the policies in the plan should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. It adds that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, with greater weight being given to those policies that are closer to the policies in the Framework.

Development Plan

- 5.6 In terms of the Development Plan for Gravesham Borough Council (GBC), this comprises of the following documents that are relevant to this application:
- Gravesham Local Plan Core Strategy (September 2014) (CS);
 - Gravesham Local Plan: First Review (1994) (LP).
- 5.7 Within these documents, the following adopted policies are considered relevant:
- CS01 – Sustainable Development
 - CS02 – Scale & Distribution of Development
 - CS19 - Development & Design Principle
 - P3 – Vehicle Parking Standards

6.0 PLANNING ASSESSMENT

6.1 The proposed householder development has been assessed by Graham Simpkin Planning against the following matters:

Matter	Policy	Comment	Position
Sustainability	CS01	This proposal promotes sustainability in allowing the applicant and her family to make use of an existing outbuilding as additional ancillary accommodation to meet their needs. No adverse impacts of granting permission would significantly outweigh the benefits.	Compliant
Scale and distribution	CS02	While this proposal does not involve the addition of any new dwellings, it does help to “improve the existing stock of housing”.	Compliant
Safeguarding amenity	CS19	The existing structure is single storey and of a sufficient distance from the nearest neighbouring property meaning the development has not led to any material loss of privacy, daylight, or sunlight. It should be noted that the building itself is lawful, and this application relates solely to its use. The use of the building as ancillary accommodation will not have a negative impact on neighbour amenity.	Complaint
Parking	P3	This proposal will provide space for additional accommodation at the site; however, the property already benefits from a large off-road parking area to the front of the main dwelling.	Compliant
CONCLUSION			Compliant

7.0 CONCLUSIONS

7.1 In accordance with paragraphs 11 and 38 of the Framework, and in consideration of all relevant development plan policies and material considerations, this application should be viewed positively by the authority and it is respectfully requested that this submission is approved.

Appendix 1 – Photographs of the site



Photo 1 – View of the application building from the garden



Photo 2 – View of the application building (to the right) and two other outbuildings



Photo 3 – View of the main dwelling from the raised decking area



Photo 4 – View of the raised decking area and gazebos from the main dwelling



Photo 5 – View of the front of the main dwelling