
GSP PROJECT REF: [3833.PN](#)

PLANNING STATEMENT

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

Lawful Development Certificate (Proposed) for Detached Outbuilding



MARCH 2023

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 detached outbuilding.
- 1.2 The basis of this application is that it is permitted development under Part 1, Class 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-P100A (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 for the redevelopment of the Site (20210319) considered that the original dwelling as existing had a footprint of 92.1 sqm and an internal ground floor area of 80.3 sqm. However, that position was updated by the planning officer in connection with the previous application seeking a certificate of lawfulness for both a single storey side extension and detached outbuilding (20221357), where a view was taken that the original ground floor amounted to just 14.4 sqm (as approved in 1952 under reference TH/6/52/109).

- 2.3 The site benefits from a number of ancillary buildings whilst the layout of the existing 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
- [Application for a Lawful Development Certificate in respect of the proposed erection of a single storey side extension and a detached outbuilding](#)
Ref. No: 20221357 | Status: Certificate Refused
- [Single storey rear extension with a depth of 8.00 metres, maximum height of 4.00 metres and eaves height of 2.20 metres.](#)
Ref. No: 20221358 | Status: Prior Approval Is Required and Refused
- [Application for prior approval of a proposed: Enlargement of a dwellinghouse by construction of additional storeys under Schedule 2, Part 1, Class AA.](#)

Ref. No: 20221359 | Status: Prior Approval Is Required and Refused

- 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.
- 3.3 This application seeks to address the refusal of 20221357.

4.0 COMPLIANCE WITH PERMITTED DEVELOPMENT LEGISLATION

Permitted Development

- 4.1 The basis of this 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

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

- 4.3
- (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

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

Criteria in Class E3

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

Criteria in Class E4

- 4.6 The building is to be used as a garage and shed. 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.

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 and detached outbuilding can be constructed under permitted development rights.