



Section 191 Planning Statement

Destiny Willow Walk Culverstone Green Kent DA13 0QS

Certificate of Existing Lawful Development in respect to
the erection of a single storey rear extension and rooms in
the roof space

Mr. J & Mr. R Brennan
March 2022

BARRONEDWARDS
P L A N N I N G & A R C H I T E C T U R E

01474 247787

info@barronedwards.co.uk

www.barronedwards.co.uk

Gravesham Borough Council

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Registered Office:
39 Wrotham Road
Gravesend
Kent
DA11 0PN

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1.0 Introduction

1.1 This application is made under Section 191 of the Town & Country Planning Act 1990 (as amended) by Mr. J & Mr. R. Brennan for a Certificate of Existing Lawful Development works undertaken at Destiny Willow Walk Culverstone Green Kent DA13 0QS comprising the erection of a single storey rear extension and creation of rooms in the roof space

1.2 In addition to the application form and certificates the following documents are submitted;

Application plans:

- Floor Plan Drawing (2001)
- Location Plan
- Planning Statement

2.0 Site and its Surroundings

2.1 The application site is a detached bungalow standing on the western side of Willow Walk at its southern end, some 200m south of its junction with Wrotham Road (A227). The property stands in its own spacious plot with gardens to the front, rear and southern side. A large detached garage is located in the front of the dwelling with larger hardstanding for the parking and turning of vehicles, The property being the last dwelling in Willow Walk - See photograph below.

2.2. The site was formerly occupied by a timber holiday chalet in the 1950's that was replaced by a large static caravan during the 1970's and later by a chalet for weekend and holiday use in the late 1980's. In January 1991 permission was granted for the erection of a detached bungalow that now sits on the site (19900852). In August 1993 a double garage was added in the front garden with hardstanding and turning area (19930351).

2.3 In June 2001 a planning application for the erection of a single storey rear extension (20010448) was submitted but was refused on 31 July 2001 on the grounds that it was considered to be an excessive extension in the Green Belt the Council's then adopted Local Plan. No appeal was lodged but it is understood that the extension was erected without the benefit of permission.



3.0 Evidence

a) Photograph Images:

3.1 In order to substantiate our claims that the extension was erected we are relying on Google Earth images dated between 2003 and the present day. It is also obvious that a large conservatory had been added which appears not to benefit from having planning permission although appears on the 2001 deposited plans.



Circa December 2003

3.2 It is clear that as early as 2003 the extension had been constructed and that rooms had already been provided within the roof space of the original bungalow.



Circa May 2007.

3.3 There appears to have been no substantive change in the building since 2003, although the land had been cleared and laid to formal garden. The images of 2011 and 2012 are very unclear but it is possible to determine that addition space had been provided within the roof of the extension – two additional velux roof lights.



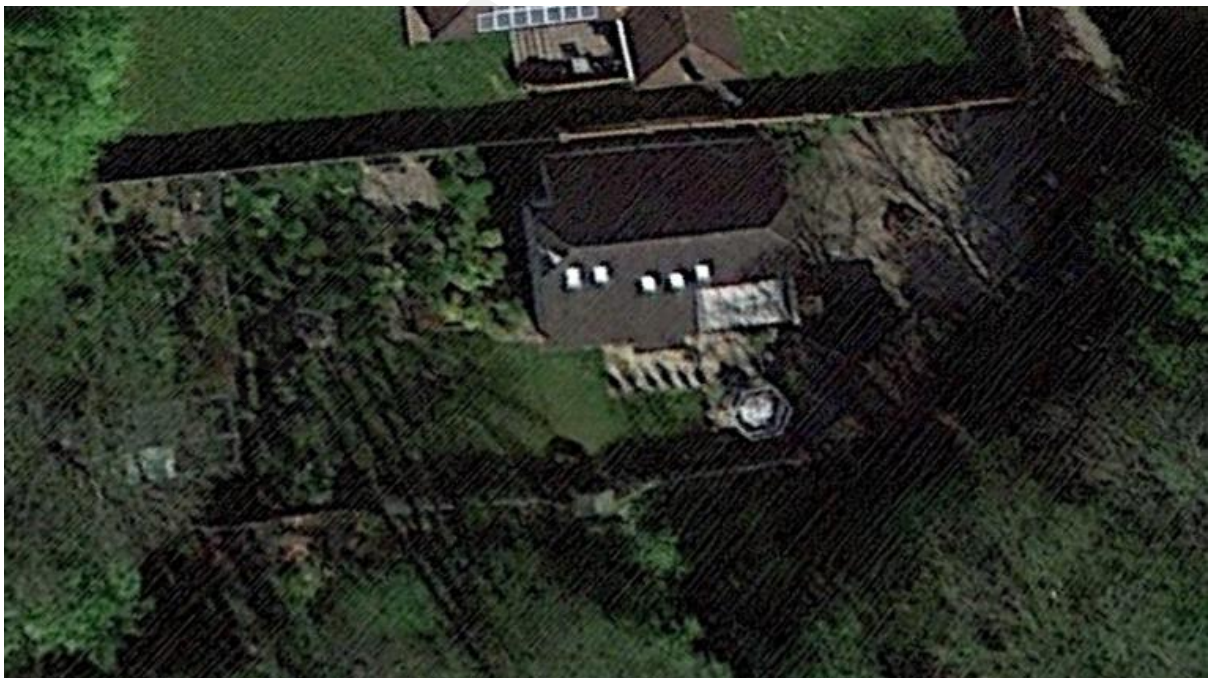
Circa July 2013

3.4 The 2013 image is much clearer and shows clearly that additional space had been provided in the space above the unauthorised extension.



Circa April 2015

3.5 The 2015 images clearly shows all the apparent unauthorised development was in place by this time and that the works were lawful by the passage of time.



Circa May 2018.

3.6 It can be seen that no further development has occurred. The unauthorised works remain in place.



Circa April 2020

3.7 The latest image clearly showing the development the subject of this LDC application has been in situ for a period of well in excess of the statutory 4 yr period and is lawful by virtue of the passage of time.

3.8 We are submitting plans of what was proposed in 2001 in respect to the rear extension and the decision notice that the works were refused by the Council. However notwithstanding our clients went ahead a constructed the extension without the benefit of planning. It is accepted that the submitted plans did not show any accommodation in the loft space in 2001 but evidence shows that it was in place by 2003.

4.0 Conclusion

4.1 We are satisfied that the submitted documentation, particularly the Google Earth images, clearly show that the building works outlined in our application have been in place since at least 2003, a period in excess of 4yrs, and are now exempt from planning control and are therefore lawful. As such we are satisfied

that the applicant is entitled to obtain a Certificate of Existing Lawful Development to confirm that planning permission is not required.

4.2 We are satisfied that the applicant was under no obligation to make an application but is doing so in order to regularise the current position.

James Barron BA(Hons) DipTP MRTPI
March 2022