Bucknall Design

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PLANNING STATEMENT
Downs Road, Istead Rise, Gravesend, DA13 9HD

Certificate of Lawful Existing Use or Development Application –
Existing Building Works and residential use of an outbuilding (incidental as part of the main dwellling)



The application seeks to prove that the existing building works and incidental residential use of an outbuilding, is lawful for planning - by virtue of the passage of time.

In this case, this outbuilding has been completed since 2004, well in excess of the 10 year rule.

The neighbours, Mr & Mrs Eadie, have written a supporting letter confirming the date of construction as occurring between 2003-2004 (this is corroborated by Historical Google Earth images see "*Existence of the Building Works for the Outbuilding*:" on page 4 onwards). They also confirm that the outbuilding has been in continuous use as part of the house since this date, and that it was not in use a separate dwelling.

An image of this letter is shown on the next page, and a copy uploaded separately onto the planning portal:

FAO Planning Officer, Gravesham Borough Council:

[redacted]

We confirm that the outbuilding behind No 125 Downs Road has been in continuous use as part of that house since at least 2004 and certainly for longer than 10 years. The outbuilding was constructed between 2003-2004. We believe that the upper room of the outbuilding has been in continuous use as a Study/ Spare Room during the whole of that period. We also believe that the lower room of the outbuilding has been in continuous use as a garage during the whole of that period.

We additionally believe that none of our neighbours past or present have used the outbuilding as an annex or as separate living accommodation.

Yours sincerely,

[redacted]

Use of the Outbuilding:

Evidence showing that the outbuilding was always in use as part of the same house:

The neighbour's letter outlines that the outbuilding has only been used for incidental purposes since construction : *"..the upper room of the outbuilding has been in continuous use as a Study/ Spare Room during the whole of that period. We also believe that the lower room of the outbuilding has been in continuous use as a garage during the whole of that period."*

Evidence showing that the outbuilding was never in use as an annexe or separate dwelling:

The letter also confirms that the outbuilding has never been used as a separate residence or annex "… none of the neighbours past of present have used the outbuilding as an annex or separated living accommodation."

The outbuilding does not have any separation from the main house in terms of its utilities, there are no separate meters for Gas, Electric or Water. We have uploaded the following relevant bills that illustrate that the outbuilding is not a separate entity, and that the utilities are shared.

- Council Tax Statement,
- Gas Bill,
- Electric Bill,
- Water Bill

In addition to the shared utilities, the outbuilding has no capacity to be considered a separate dwelling or annex for the following reasons:

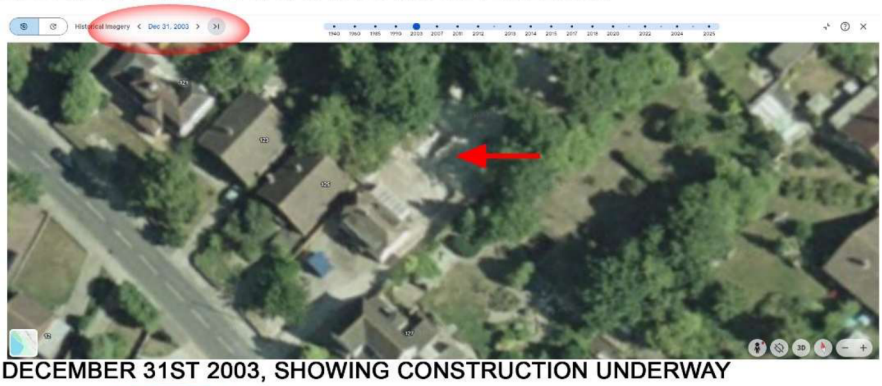
- The outbuilding has no separated access, and is set within the garden of No 125.
- There is no kitchen or other principal rooms within the outbuilding.
- Whilst there is a WC, there are no other facilities within the outbuilding.
- The outbuilding is within the same Title as the main house (30753258 – see below outlined in red, taken from Land Registry Map Search https://www.landregistry-uk.com/map-search)
- The outbuilding is not insulated, and could not be used sustainably in the winter months for use as a living room or bedroom, but serves functionally as a study at first floor, and garage at ground floor.



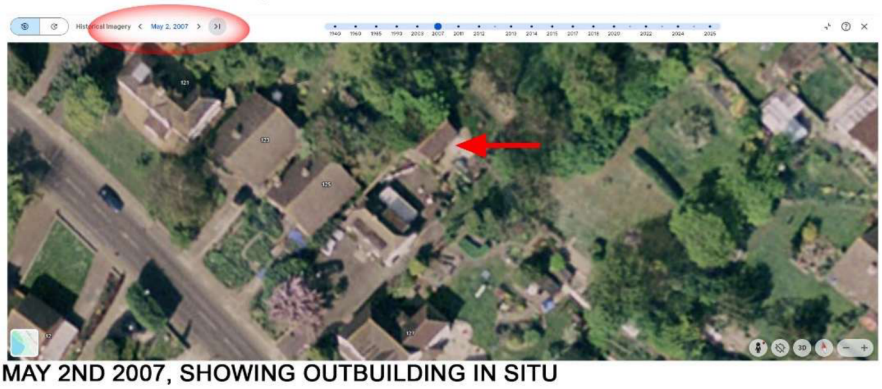
Existence of the Building Works for the Outbuilding:
In addition to the neighbours letter confirming the date of construction, Historical Google Maps shows the timeline of the outbuilding, from construction and its continuous existence until now.



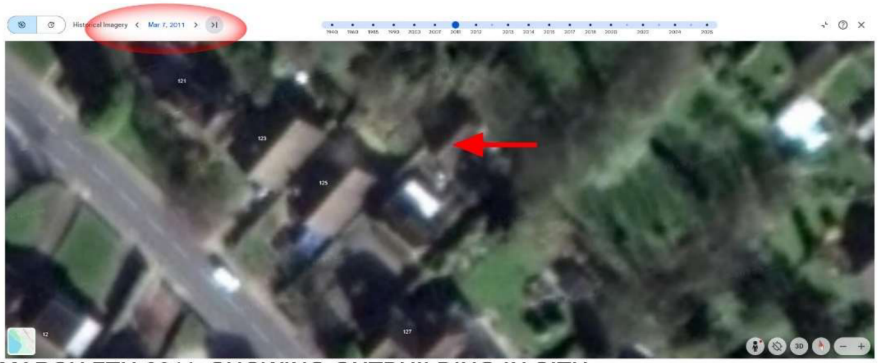
DECEMBER 31ST 1990, SHOWING NO OUTBUILDING.



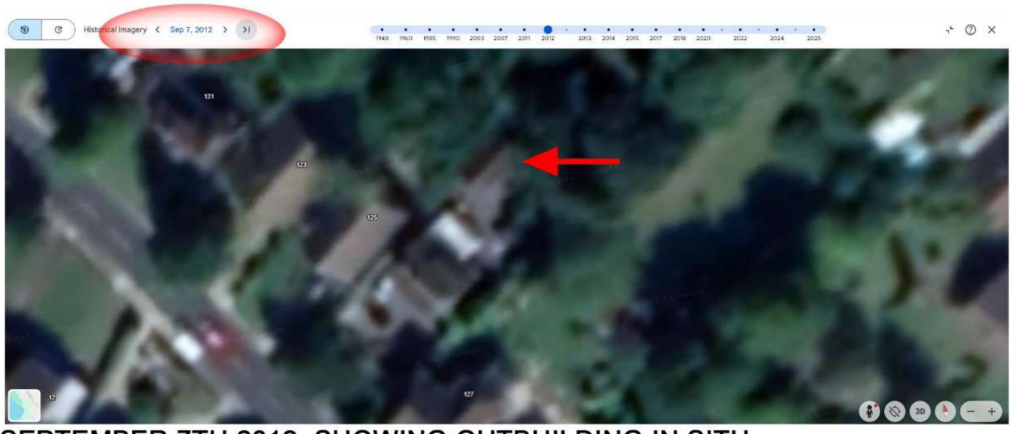
DECEMBER 31ST 2003, SHOWING CONSTRUCTION UNDERWAY



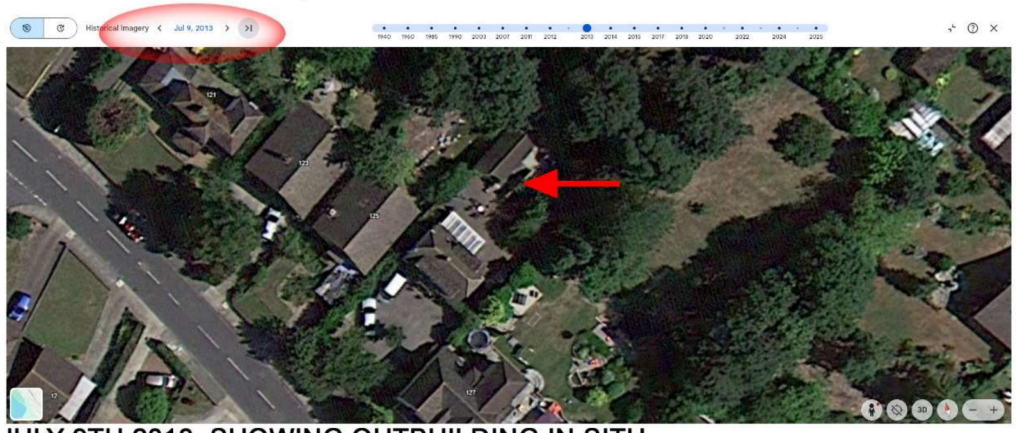
MAY 2ND 2007, SHOWING OUTBUILDING IN SITU



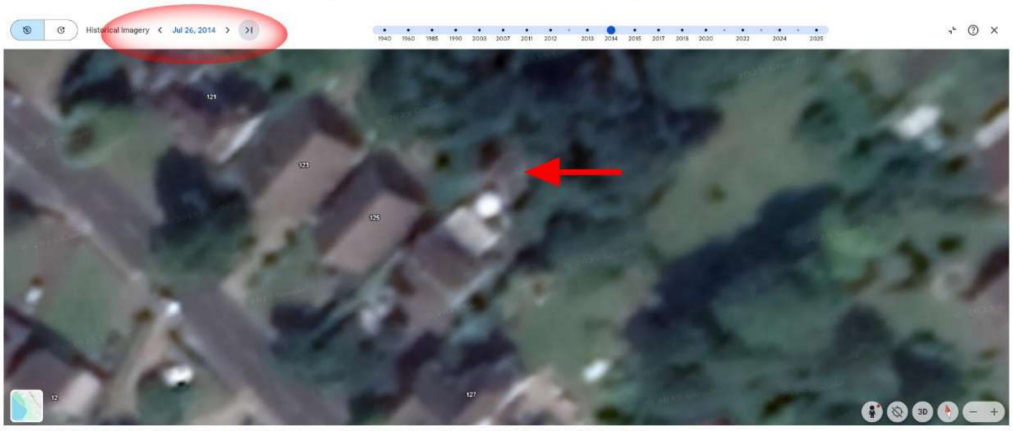
MARCH 7TH 2011, SHOWING OUTBUILDING IN SITU



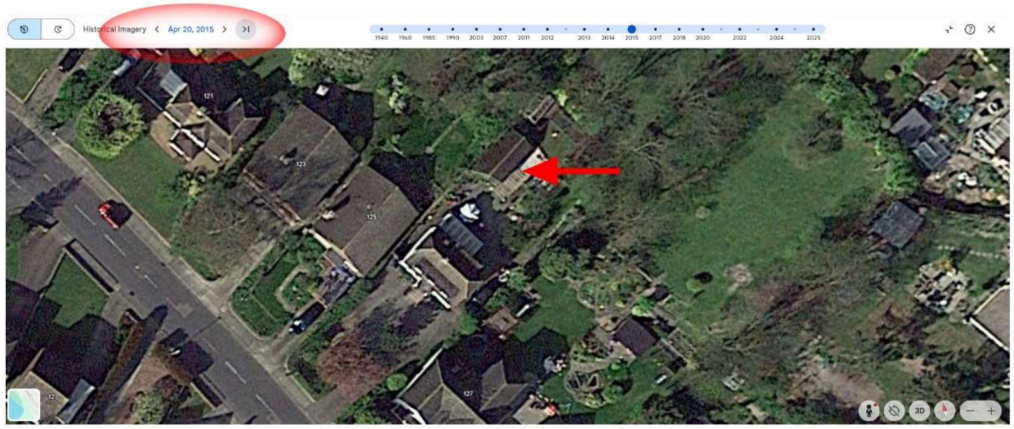
SEPTEMBER 7TH 2012, SHOWING OUTBUILDING IN SITU



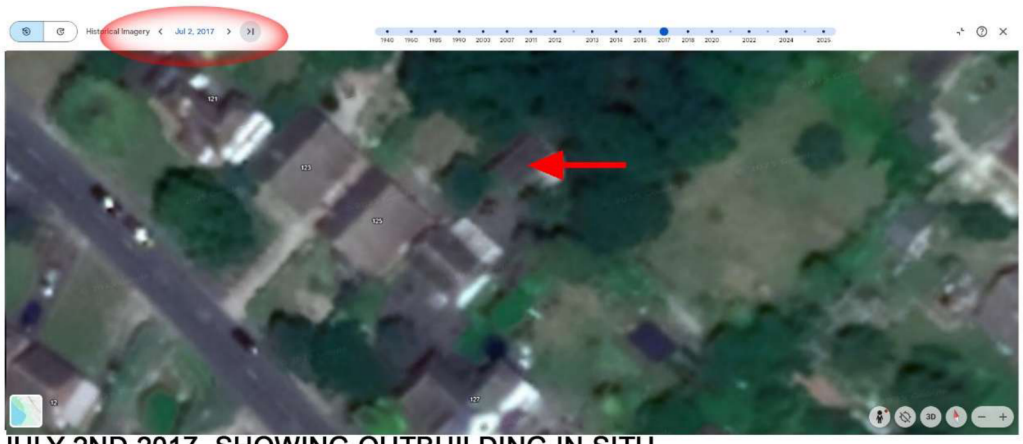
JULY 9TH 2013, SHOWING OUTBUILDING IN SITU



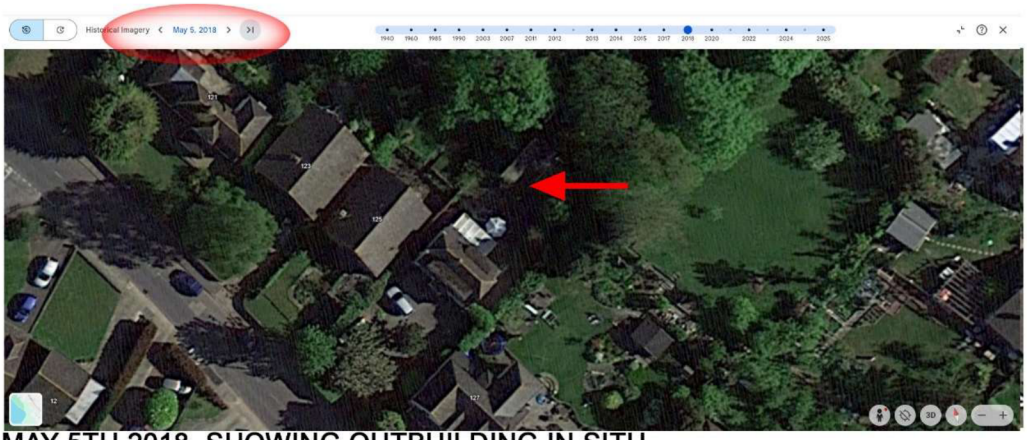
JULY 26TH 2014, SHOWING OUTBUILDING IN SITU



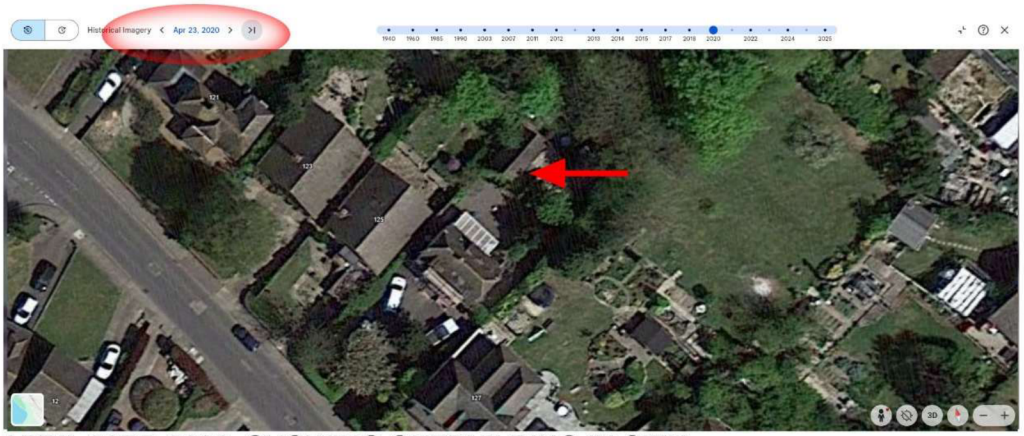
APRIL 20TH 2015, SHOWING OUTBUILDING IN SITU



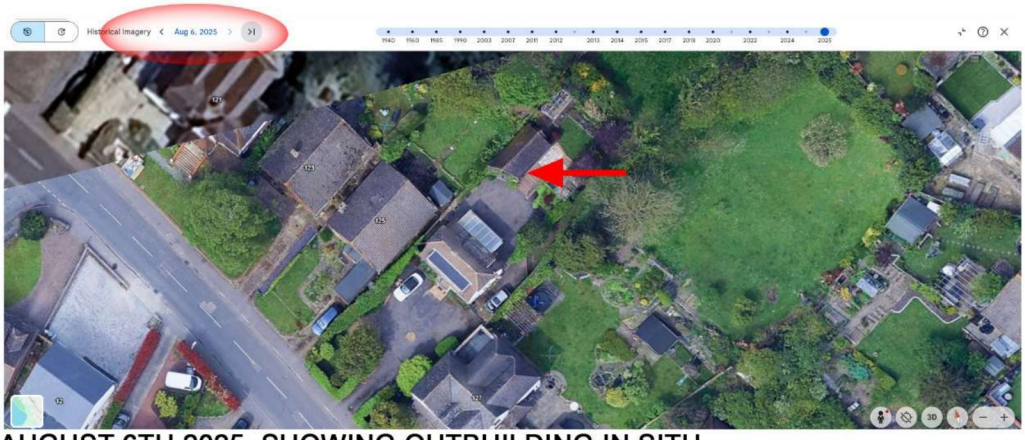
JULY 2ND 2017, SHOWING OUTBUILDING IN SITU



MAY 5TH 2018, SHOWING OUTBUILDING IN SITU

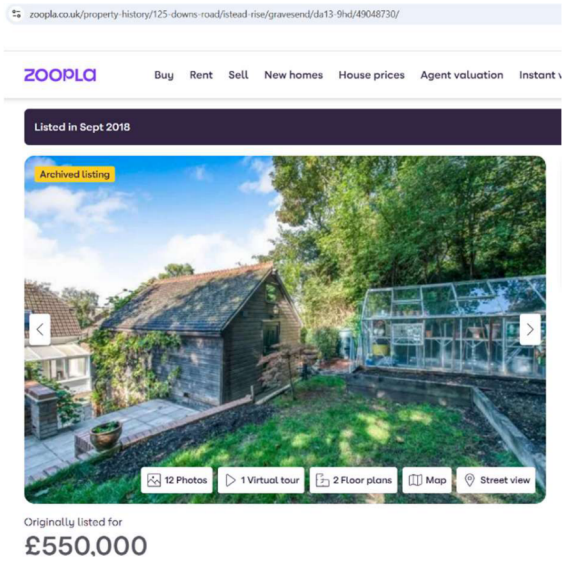


APRIL 23RD 2020, SHOWING OUTBUILDING IN SITU



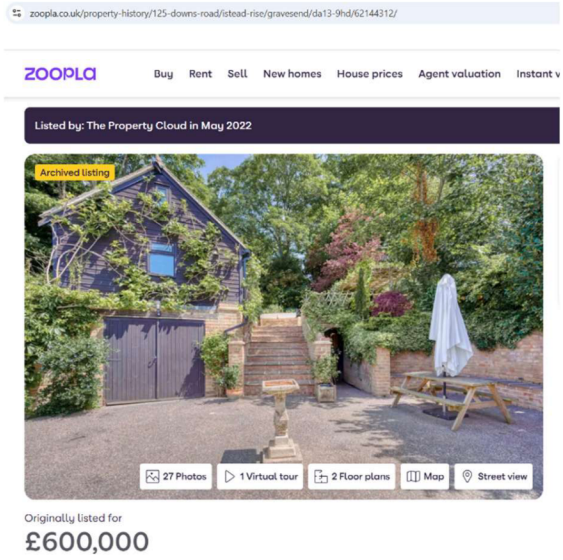
AUGUST 6TH 2025, SHOWING OUTBUILDING IN SITU

In addition to the presence of the outbuilding on Historical Google Earth since late 2003 (construction), and 2007 (completed), the outbuilding is clearly shown as present within Historical Zoopla Property sales listings. The listing below is from 2018.



https://www.zoopla.co.uk/property-history/125-downs-road/istead-rise/gravesend/da13-9hd/49048730/

Similarly, this listing below is from 2022.



https://www.zoopla.co.uk/property-history/125-downs-road/istead-rise/gravesend/da13-9hd/62144312/

Within this application, we have submitted sufficient evidence that proves that the outbuilding was constructed in time period 2003-2004 and continues to be in use as incidental to the main dwelling by the current occupier, and has been in continuous use as such since 2004. This is longer than the necessary prescribed period of 10 years.

On this basis we submit that a the Certificate of Lawful Existing Use or Development should be issued.

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