

Planning Statement






Certificate of Lawfulness for
proposed outbuildings and
hardstanding:

Argovia
Cudham Lane South
Cudham
Kent
TN14 7QA

By:

Miss Groombridge & Mr Brown

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1. INTRODUCTION

- 1.1. We have been instructed by Miss Groombridge & Mr Brown to prepare and submit an application for a Certificate of Lawful Development for proposed outbuildings and additional hardstanding within the rear garden of her existing detached dwelling, at Argovia, Cudham Lane South, Cudham, Kent TN14 7QA.
- 1.2. Prior to the preparation of this application, the planning history of the property has been reviewed in conjunction with the terms of the General Permitted Development Order (As amended).
- 1.3. This statement is accompanied by full floor plans and elevations of the proposed outbuildings in conjunction with a proposed site plan and site location plan, all of which are provided by Crofton Design Services Ltd.

2. THE APPLICATION SITE

- 2.1. The application property comprises a detached dwelling known as Argovia that is set within a substantial plot located on the western side of Cudham Lane South, Cudham Kent.
- 2.2. The property is owned and occupied by the applicants who have a large family and currently own 6 cars. Garaging for vehicles forms part of the Certificate of Lawfulness submission with secure space now required to keep the family's cars. There have been several thefts along the road from existing homes in recent years. The applicants have also had machinery stolen from their property in the last year and require for the garage and storage building to provide a secure area for equipment to be safely stored. It will also keep the extensive garden and grounds clear from equipment and vehicles being stored on the land.
- 2.3. An area for the storage of equipment associated with the maintenance of the land is required given both the extensive garden area along with land and woodland to the rear being owned by the applicants.
- 2.4. The property is located within the confines of the Green Belt but is not affected by any other restrictive policy designations. In terms of relevant planning history, permission was granted under reference 18/02177/FULL6 for the erection of extensions and alterations to the existing dwelling including the partial demolition of the existing integral garage under Council reference 18/02177/FULL6. Permission was granted on a case of very special circumstances having regard to permitted development extensions to the house which already benefited from a Certificate of Lawfulness under reference 18/00879/PLUD.
- 2.5. In granting planning permission for householder application DC/18/02177/FULL6, the Council imposed a condition on the consent (condition 4) that removed permitted development rights under Classes A, B, C and E of the GPDO. However, at the time, the case advanced solely relied on the certificate of lawfulness that had been granted for extensions to the house and did not

rely on an argument involving the demolition of any outbuildings or not building outbuildings that benefited from a Certificate of Lawfulness.

- 2.6. A subsequent Section 73 application was then submitted which sought consent to remove reference to class E rights (outbuildings) on the condition effectively restoring permitted development rights for outbuildings. This was refused by the London Borough of Bromley on the 2nd of October 2018 under reference DC/18/03540/RECON.
- 2.7. An appeal was lodged against the Council's decision, and by decision dated the 8th of August 2019 (APP/G5180/D/18/3218571 the appeal was allowed which restored permitted development rights under Class E - outbuildings. A copy of the appeal decision forms **APPENDIX 1** of this statement.

3. **THE PROPOSALS**

3.1. With permitted development rights restored under Schedule 2, Part 1, Class E of the GPDO and by the appeal decisions referenced above this application seeks a Certificate of Lawfulness to introduce 3 outbuildings within the residential curtilage of Argovia to be used for purposes incidental to the enjoyment of the house along with an area of hard standing that would lead towards the garage outbuilding that is proposed. The outbuildings proposed are as follows:

Garage/Home workshop

3.2. The proposed garage/home workshop would be located to the south of the existing house, within the garden of the property. The outbuilding would be of dual pitched roof design and would accommodate three cars along with a sit on mower, bicycle storage, a small shed and a home workshop with shower room.

Home Gym

3.3. The proposed home gym outbuilding would be located to the rear of the existing house and within close proximity to it and along the property's northern boundary. The floor plans provided by Crofton Design Services demonstrate that the gym would include weights, a treadmill and other gym equipment and this building also providing a small changing room and shower room.

The Pool House

3.4. The proposed pool house building would provide a swimming pool measuring 12m in length and 5m wide along with a jacuzzi area. The pool house would also provide a steam room, sauna and plant room. It would be linked to the home gym via a glazed link and both of these

outbuildings would be of pitched roof design and would be used for purposes incidental to the enjoyment of the dwelling.

4. COMPLIANCE WITH GENERAL PERMITTED DEVELOPMENT ORDER

4.1. The proposed outbuildings have been designed in order to comply with the terms of Schedule 2, Part 1, Class E of the General Permitted Development Order as follows:

- All proposed outbuildings would be used for purposes incidental to the enjoyment of the dwellinghouse with Class E rights permitting the erection of a gym outbuilding, a garage with home workshop and a pool house.
- The existing dwelling benefits from permitted development rights as confirmed in **APPENDIX 1**.
- The total ground covered by outbuildings would not exceed 50% of the total area of the curtilage, (excluding the total ground area of the original dwellings house).
- No part of any building proposed would be situated on land forward of a wall forming a principal elevation of the original dwelling house.
- All buildings would be of single storey design and sited within the residential curtilage of Argovia.
- All of the outbuildings proposed would be no higher than 4m in height when measured from any point and the eaves height of the buildings would not exceed 2.5m.
- All outbuildings would be located further than 2 metres away from any boundary.
- The existing dwelling is not a Listed Building.
- The plans would not incorporate the provision of any veranda, balcony or raised platform.
- The property is not located within an area of Outstanding Natural Beauty or a World Heritage Site.

4.2. The floor plans provided demonstrate the size of the outbuildings is appropriate for their intended use.

4.3. In terms of the additional area of hardstanding that would be introduced providing vehicular access to the proposed garage, this comprises permitted development in accordance with

Schedule 2, Part 1, Class F of the General Permitted Development Order with these rights continued to be afforded to the house.

- 4.4. As required by the GPDO the hard surface to be introduced will be made of porous materials or provision is to be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling.
- 4.5. Taking these material considerations into account, the application complies with the terms of the General Permitted Development Order, and it is therefore requested for a certificate of lawfulness to be granted.