

THE BUNGALOW
BATTLERS WELLS
JACKETS LANE
HAREFIELD

PLANNING STATEMENT

OUR REF: 0161/THEBUN/APPN

V1.2



THE BUNGALOW BATTLERS WELLS JACKETS LANE HAREFIELD

PLANNING STATEMENT

Introduction

Stewart Management & Planning Solutions Ltd has been instructed by the applicant to prepare this statement in support of an application for a Certificate of Lawful Use or Development for a caravan to be stationed in the residential curtilage of The Bungalow, Jackets Lane, Harefield.

The statement demonstrates that the proposal is fully compliant with the requirements of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). A Certificate of Lawful Use or Development should therefore be granted subject to suitably worded planning conditions.

Site and Location

The site measures about 1.25 ha and is located on the south side of Jackets Lane about 120 metres east of the junction of Jackets Lane, White Hill and Northwood Road.

The application site is the house and garden associated with the livery yard and manege further to the east, along Jackets Lane. It comprises a two-bedroom bungalow with an integral one-bedroom 'granny annexe' set in extensive, heavily wooded gardens.

The bungalow is occupied by the applicant and her family whilst the 'granny annexe' is occupied by a dependent relative diagnosed with cancer which has left her with various health issues, one of which is intestinal failure which is supported by home [Parenteral Nutrition](#) which is given daily via a central venous catheter. There are days when she finds this difficult and requires the help of the family.

The Proposal

Changing family circumstances have meant that the applicant's daughter, who used to provide much of the care to her aunt, no longer lives on-site in the bungalow but is still periodically required to assist with her aunt's care. As she now has her own family, this has become increasingly difficult to manage from within the bungalow in such a way as to ensure reasonable standards of privacy and dignity for all parties concerned.

To address this unsatisfactory situation, it is proposed to site a caravan within the garden with full sanitary and cooking facilities, to enable the applicant's daughter to stay on-site when required.

Considerations

This is a revised proposal and follows the recent refusal of a similar proposal for reasons related to the dimensions of the caravan and concerns regarding potential occupation of the caravan, independent of the main dwelling. For these reasons, the proposal was considered to be outside of the scope of the size limitations of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and its restrictions on use to a purposes incidental to the enjoyment of the dwellinghouse.

The revised proposals address the previous reasons for refusal as follows:

Dimensions

To qualify as permitted development, the proposed caravan would have to meet the following criteria:

- a) The total ground cover by buildings within the curtilage would exceed 50% of the total area.
- b) Any part would be forward of the principle elevation of the original dwelling.
- c) The building would have more than one storey.
- d) The height would exceed 4.0 metres with a pitched roof; or 2.5 metres if within 2.0 metres of the boundary; or 3.0 metres in any other case.
- e) The height of the eaves would exceed 2.50 metres.

The previous proposal satisfied all of the above criteria barring the last as the height to the eaves measured about 3.0 metres. Whilst it is proposed to use the same caravan as proposed in the first application, it is now proposed to take the caravan off its wheels so that it can rest on the ground on the skis that support its chassis. This would have the effect of reducing the height at eaves level to 2.48 metres thereby ensuring compliance with criteria

e) above and thereby fully satisfying the dimension requirements of Schedule 2, Part 1, Class E of the GPDO.

Separate occupation

The proposed caravan would be located in the side garden of The Bungalow and would be accessed using the same gate and driveway. Moreover, it would use the same metered services, sewerage and drains as The Bungalow and would not be fixed to the ground in any permanent manner. In all physical respects, the caravan would be dependent on the principal dwelling on the site, The Bungalow.

The proposed use of the caravan is similarly dependent on the principal dwelling as its purpose is to enable the provision of care and support to its permanent residents and their family. There is no intention for the caravan to be used as a separate dwelling. Whilst it is expected that it will be used for cooking and sleeping purposes, this will be only on an ad hoc basis as triggered by the occupiers' health and childcare needs. These needs are of undoubted importance to the family and are considered to be of casual or secondary importance to the use of the main dwelling on the site and are only triggered by the needs of the applicant and her family. It clearly would not exist or subsist without the residential use of the principal building on the site which is The Bungalow. We would therefore submit that the proposed use meets the essential characteristics of a use that is incidental to the enjoyment of the principal dwelling on the site.

We are mindful that the local planning authority is concerned that the caravan may be occupied as a separate dwelling. However, the applicant has no such intention. Moreover, the Local Planning Authority would retain the right to enforce against a separate use of the caravan, should such a use occur at any time in the future, subject to the 'Four Year Rule'.

Conclusion

The applicant recognises that her first application failed to properly address the requirements of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and that a certificate of lawful use or development could not have been granted. She has therefore revised the proposal to reduce the height of the caravan to match the permitted development tolerances and demonstrated how the proposal is required in support of the occupiers of the principal dwelling on the site and will not be occupied separately.

The Local Planning Authority is respectfully asked to grant a Lawful Development Certificate for the proposed use referred to in the application.

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