



Planning Department
Maidstone Borough Council
Maidstone House
King Street
Maidstone
Kent
ME15 6JQ

Our ref: JAC/PD/32176

02 October 2023

Dear Sir/Madam,

**THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(AMENDMENT) (ENGLAND) ORDER 2015**

**APPLICATION UNDER SCHEDULE 2, PART 11, CLASS B FOR THE DEMOLITION OF THE
EXISTING SUMMER LOUNGE, BOOT ROOM AND CONSERVATORY AT DALBURY, THE
PRIORY, EAST FARLEIGH, MAIDSTONE, ME15 0EX**

This covering letter has been prepared on behalf of our client, Mr and Mrs James Lyon, regarding a proposal to carry out permitted development provided by Part 11, Class B, of the above Order, namely the demolition of [part of] a building. This application is made in accordance with paragraph B.2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

It should be noted that the Applicants are submitting two further applications in relation to this Prior Approval for Demolition application, which are as follows:

- 1x Prior Approval for an 8m rear extension to Dalbury (planning portal ref. PP-12472805) (proposed option 1)
- 1x Lawful Development Certificate for Proposed Use or Development for a two-storey 3m rear extension and 6.3m single-storey side extension (planning portal ref. PP-12471915) (proposed option 3)

The Applicants are undecided on which option to implement but are aware that they can only implement one application under permitted development. To avoid confusion, both proposed permitted development and demolition plans have been submitted to support this Prior Approval for Demolition application; 'BDS-DB-P102A' and 'BDS-DB-P104A'.

Permitted Development Criteria

Development is not permitted by Class B if-

- a) The building has been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land on which the building stands and it is practicable to secure safety or health by works of repair or works for affording temporary support;



No, the summer lounge, boot room and conservatory have not been rendered unsafe or unliveable.

- b) The demolition is “relevant demolition” for the purposes of section 196D of the Act (demolition of an unlisted etc building in a conservation area)

No

- c) The building is used, or was last used, for a purpose falling within—
- i. article 3(6)(p) (drinking establishments etc.) of the Use Classes Order; or
 - ii. article 3(6)(q) (drinking establishments with expanded food provision) of that Order;

N/A

- d) The building is used, or was last used, for the purpose of-
- i. a concert hall;
 - ii. a venue for live music performance;
 - iii. a theatre;

No, the last use was as a summer lounge, boot room and conservatory that functioned to serve Dalbury.

- e) The demolition relates to a statue, memorial or monument (“a commemorative structure”) in place for a period of at least 10 years on the date of any proposed demolition, other than a commemorative structure—
- i. that is a listed building;
 - ii. that is a scheduled monument;
 - iii. within a cemetery, on consecrated land, or within the curtilage of a place of public worship;
 - iv. within the grounds of a museum or art gallery; or
 - v. within the curtilage of a dwellinghouse.

No, the demolition does not relate to a statue, memorial or monument.

The proposed demolition of the existing summer lounge, boot room and conservatory at Dalbury does not breach any of the above criteria where development is not permitted under Part 11, Class B and is therefore considered to amount to permitted development.

Prior Approval Requirements

In line with the requirements of Paragraph B.2(a) it is considered that the demolition is not urgently required in the interests of safety or health and the measures immediately necessary in such interests are the demolition of the building. Therefore, in line with paragraph B.2(b)(i) we are applying to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site.



In accordance with paragraph B.2(b)(ii) we can confirm that the description of the proposed development is:

“Proposed demolition of existing summer lounge, boot room and conservatory at Dalbury”

Furthermore, in accordance with the requirements of paragraph B.2(b)(iv) a site notice has been displayed on site, a copy of which accompanies this application. Furthermore, the relevant fee has been paid via the Planning Portal.

This application comprises this covering letter and the following documents for reference.

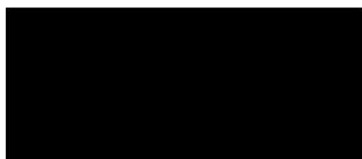
- Prior Approval Application Form
- Site Location Plan (BDS-DB-P03)
- Existing House Plan (BDS-DB-P100A)
- Proposed PD Option 1 (BDS-DB-P102A)
- Proposed PD Option 3 (BDS-DB-P104A)
- Site Notice
- Community Infrastructure Levy (completed form)

Conclusion

It is considered that the demolition amounts to permitted development and the Council’s prior approval to the works is sought.

I trust you have everything you need in order to determine the application, but please do not hesitate to contact me should you have any questions or queries or wish to discuss any matters further.

Yours sincerely,



John Collins
Planning Director
John.Collins@dhaplanning.co.uk