



## STATEMENT OF CASE

**Project Number:**

2023/1377

**Project:**

The Grange, Ashford Road, Lenham, Maidstone, ME17 2DA

**Proposal:**

Erection of single storey side extensions and front porch (Lawful Development Certificate)

**Date:**

January 2024

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**Contents**

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<b>Introduction</b> .....	<b>3</b>
<b>Site Description</b> .....	<b>4</b>
<b>Planning History and Proposal</b> .....	<b>5</b>
<b>Planning History</b> .....	<b>5</b>
<b>Planning Proposal</b> .....	<b>6</b>
<b>Lawful Development Certificate Proposal</b> .....	<b>7</b>
<b>Conclusion</b> .....	<b>10</b>

## **1. Introduction**

- 1.1 This statement has been prepared in support of my clients' Lawful Development Certificate Application. This is in relation to the erection of sides extensions and a front porch to an existing residential property.
- 1.2 Firstly, this statement will set out the details of the site description to provide a context in which the proposal has been designed. Secondly, we review the sites planning history and set out the details of the proposal subject of this application. Next, we provide a summary of the relevant national legislation which affects this proposal and confirm how we consider the proposal meets these requirements.
- 1.3 In addition to this statement the following documents have been provided:
  - Site Location Plan Existing and Proposed Site Plan
  - Existing Floor Plans and Elevations
  - Proposed floor plans
  - Proposed Elevations

## 2. Site Description

- 2.1 The site comprises a large two-storey detached dwelling on the southern side of Ashford Road (A20) and is set within a large rectangular plot. The site benefits from an access from the A20 with a parking area being provided to the front of the dwelling. Mature boundary planting is positioned to the front of the site and to the side and rear boundaries of the site. The existing access to the property is illustrated in the image below. As illustrated views of the existing dwelling are very limited due to the presence of mature boundary planting.

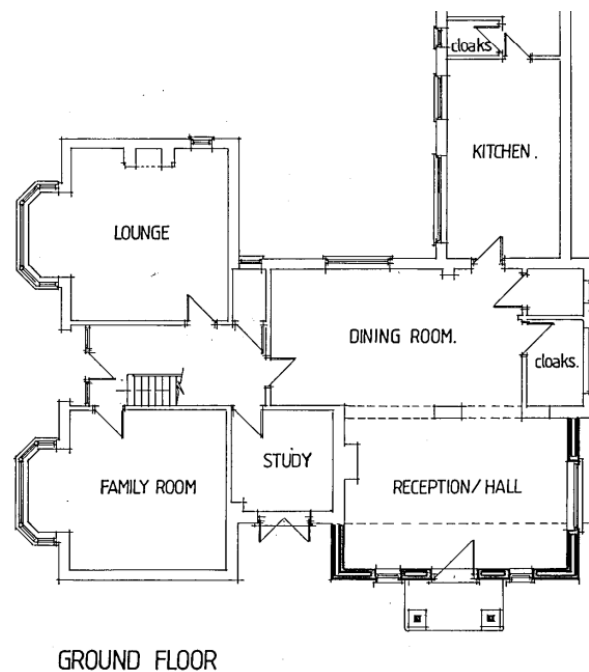


- 2.2 To the south and east of the site lies an agricultural field, beyond which lies the settlement of Lenham. In terms of planning constraints the site lies outside of the settlement boundary of Lenham and therefore within the countryside. The site is located within Flood Zone 1 and therefore is at a low risk of flooding. The site is not affected by any landscape or ecological designations.

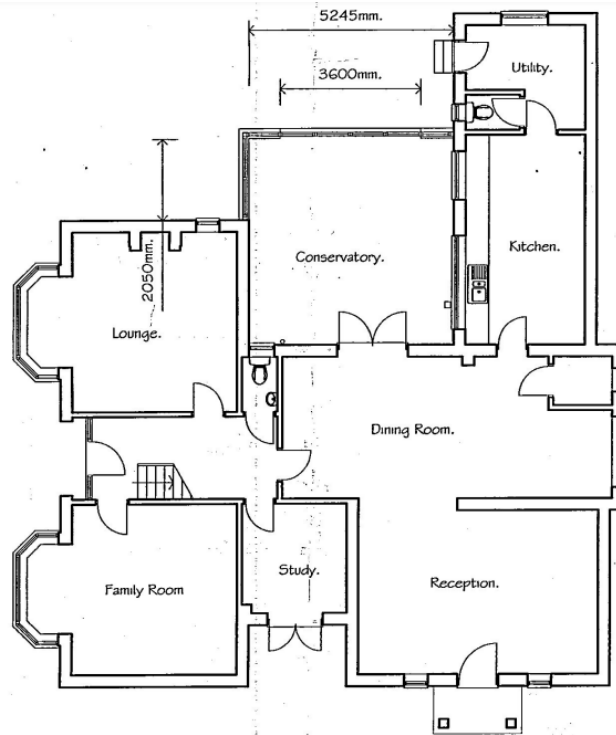
### 3. Planning History and Proposal

#### Planning History

- 3.1 Planning permission was granted in September 2005 for the erection of a two storey extension under reference 05/1551. When describing the site and proposal, the Case Officer's report stated that: *'The Grange is a detached large dwelling located off from the Ashford Road (A20). The property has a drive, which leads off from the A20. The property is outside the village envelope of Lenham and is considered to be located within open countryside. The dwelling is in a secluded position which is well screened from the road and the surrounding area. The proposal is for the erection of a two storey front extension.'*
- 3.2 The proposed floor plans confirm that the proposal provided a front extension to the property to extend the existing reception area and to provide a front porch to the northern elevation, which fronts the highway. The approved floor plans are shown below.



- 3.3 Planning permission was granted in August 2011 for the erection of a rear conservatory under reference 11/1036. The conservatory was located on the southern elevation of the property, confirming that the northern elevation is the front elevation of the property. When describing the proposal the Case Officer set out within their report that: *'planning permission is sought for a rear conservatory. This would be positioned within an existing hard-surfaced courtyard area at the rear of the building, such that it would be enclosed almost entirely on three sides by existing walls. It would have a footprint of approximately 5.2m x 5.4m, eaves of 2.8m and a ridge of 3.9m and have fully-glazed elevations on a brick plinth to match the dwelling.'*
- 3.4 The drawings submitted as part of this application show the positioning of a front door and entrance porch on the northern elevation which leads directly into the reception room. This confirms that the principal elevation in this case is the northern elevation of the property.

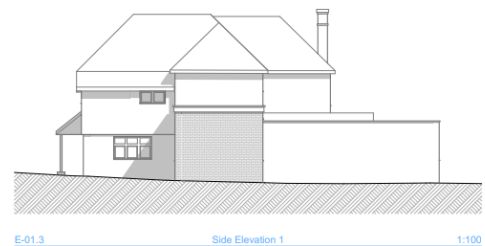


GROUND FLOOR PLAN  
AS PROPOSED. 1:100.

3.5 We consider that the drawings as shown above confirm that the principal elevation is the northern elevation of the property. This is important when assessing compliance with permitted development rights as detailed in the next section.

**Planning Proposal**

3.6 A Lawful Development Certificate is sought for the erection of two side extensions and a front porch.



#### **4. Lawful Development Certificate Proposal**

- 4.1 A lawful development certificate is sought for two side extensions and a front porch.
- 4.2 The side extensions fall under Class A of the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1 as follows;

##### **Class A (Single Storey Side and Rear Extensions)**

Development is not permitted by Class A if—

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

N/A

(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

**No. The dwelling is set within a substantial plot such that the proposal would not exceed 50% of the total curtilage.**

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

**No. The height of the proposal would not exceed the highest part of the roof.**

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

**No. The maximum eaves height would not exceed the maximum eaves height of the existing property.**

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

**No, the proposal extends beyond the side elevations of the property which do not front the highway.**

The principal elevation of this property is that which fronts the highway. Whilst when originally built the front elevation would have been the eastern elevation. Over time the way the property has been used has changed. The northern elevation has become the front elevation and where the front door is located. The change was largely as a result of the location of the driveway and the positioning of the parking area. A low level wall demarcates the side garden and guides visits into using the front door in the northern elevation.

(f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

**Proposal would not extend beyond the rear wall of the property.**

(g) ...for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

N/A

(h) the enlarged part of the dwellinghouse would have more than a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;]

(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

N/A

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—

(i) exceed 4 metres in height,

(ii) have more than a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse;

**The side extensions would be single storey, have a height not greater than 4m or a width greater than half the width of the dwellinghouse.**

(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in subparagraphs (e) to (j);]

N/A

(k) it would consist of or include—

(i) the construction or provision of a verandah, balcony or raised platform,

(ii) the installation, alteration or replacement of a microwave antenna,

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse

N/A

### **Conditions**

A.3 Development is permitted by Class A subject to the following conditions—

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

#### **Materials would match the main dwelling**

(b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

**No additional first floor windows.**



(c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse

**The proposal would be single storey only.**

### **Class D (Porches)**

In addition to the extensions we also request the Lawful Development Certificate includes the new front porch which is permissible under Class D. The porch will be erected in front of an external door newly installed to the property. It is important to note that the legislation does not require this to be an existing door. Prior to the construction of the porch there will be some internal reconfiguration that will result in the relocation of the front door to the position where the porch is to be constructed.

D1. Development is not permitted by Class D if –

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (change of use)

**N/A**

(b) the ground area (measured externally) of the structure would exceed 3 square metres

**The porch will be 3 square metres**

(c) any part of the structure would be more than 3 metres above ground level or

**The porch will be less than 3m in height**

(d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway

**The porch will be more than 2m from the boundary**

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**5. Conclusion**

- 5.1 As demonstrated above, we consider that we have confirmed that the proposal would comply with the General Permitted Development Order.