



STATEMENT OF CASE

Project Number:

2023/1377

Project:

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

Proposal:

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

Date:

March 2024

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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 single storey side and rear extensions to an existing 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 Recently a prior approval application ref 24/500382/PNEXT for an 8m rear extension was refused on the grounds that it was determined that the front elevation of the property was that which forms the eastern elevation of the property. It was concluded that:

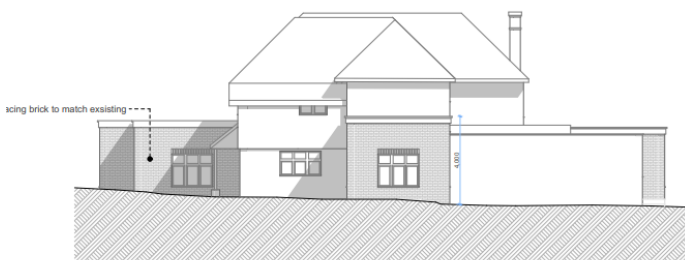
‘Ultimately, the GPDO grants Class A permitted development rights with reference to the ‘original dwellinghouse’ when considering the principal elevation. The current entrance on the northern elevation of The Grange is formed by an extension to the original dwellinghouse. Furthermore, whilst this elevation faces in the general direction of the highway, the property is quite a distance back from Ashford Road such that there is no close relationship and therefore this factor would not solely identify the principal elevation.’

3.2 Following the determination of the prior approval application, an application for a lawful development certificate for the proposed erection of two single storey side extensions and a front porch was withdrawn (ref 24/500394/LAWPRO),

3.3 This application seeks to provide an alternative permitted development solution to that previously submitted which takes into account the Councils conclusions in relation to the position of the principal elevation of the property.

Planning Proposal

3.4 A Lawful Development Certificate is sought for the erection of single storey side and rear extensions.



4. Lawful Development Certificate Proposal

- 4.1 A lawful development certificate is sought for the erection of single storey side and rear extensions.
- 4.2 The side and rear 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 and rear elevations of the property which do not front the highway.

(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 by more than 4m and would not exceed 4m in height.

(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.

5. Conclusion

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