

Supporting Statement

**Tawahi, Telegraph Hill, Higham,
Kent, ME3 7NW**

Proposed Lawful Development Certificate
for two storey rear extension and 4 no.
outbuildings within the curtilage of the
dwelling



RTPI

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1 Introduction

- 1.1 This Supporting Statement has been submitted in support of an application for the following development at Tawahi, Telegraph Hill, Higham, Kent, ME3 7NW (hereafter referred to as 'the Site'):

Proposed Lawful Development Certificate for two storey rear extension and 4 no. outbuildings within the curtilage of the dwelling

- 1.2 The proposed development affects the following Land Registry title(s):

Title Number	Description	Owner
K94814	TAWAHI TELEGRAPH HILL, HIGHAM, ROCHESTER ME3 7NW	The Applicant

- 1.3 The application is accompanied by the following plans and documents:

- 4369.ON – Supporting Statement
- 100 – Ex Block Plan
- 101 – Ex GF Plan
- 102 – Ex 1F Plan
- 103 – Ex Roof Plan
- 104 – Ex Elevations
- 105 – Ex Elevations (2)
- 200 – Prop Block Plan
- 201 – Prop Site Plan
- 202 – Prop GF Plan
- 203 – Prop 1F Plan
- 204 – Prop Roof Plan
- 205 – Prop Elevations
- 206 – Prop Elevations (2)
- 207 – Garage and Summerhouse
- 208 – Gym
- 209 – Prop Workshop
- L1 – Ex Location Plan

2 Site Context

- 2.1 The Site is a detached dwelling that is situated to the east of Telegraph Hill on an extensive parcel of land amongst other large, detached residential dwelling and occupies a total of approximately 0.14ha.
- 2.2 The dwelling comprises of a large family area, kitchen, utility room, dining room, living room, a shower and two garages on the ground floor which follows a linear pattern. The first floor possesses 4 bedrooms along with a singular bathroom.
- 2.3 The principal elevation of the dwelling is constructed from both a red brick and white render on the external walls whilst the roof is constructed from a plain brown tile. There is a single front door constructed from white UPVC to match the windows as well as two metal garage doors. Lastly, the guttering and downpipes are constructed from a black plastic material.
- 2.4 The dwelling itself is situated in towards the centre of the plot and is surrounded by a large garden that has a low fence acting as the boundary treatment. There is also a large driveway that leads directly from Telegraph Hill that allows vehicular access to the dwelling.
- 2.5 To the east of the rear garden is a large, wooded area which is protected as a local wildlife site, known as Telegraph Hill. Furthermore, within the local wildlife site is a Grade II listed building known as Monument On Telegraph (List entry number 10966328).
- 2.6 In a wider context, the Site forms part of a predominantly residential area of Higham comprising of mainly detached dwellings on large plots of land. There is also a range of amenities available to the dwelling such as multiple pubs and a local garage, as well as both primary and secondary schools.
- 2.7 The Site is also within 1.2 miles to Higham Station which offers transport links to London via the Thameslink train which subsequently offers further links to the wider area.
- 2.8 This Site is the subject of the following planning constraints and characteristics:
 - Flood Zone 1

3 Relevant History

3.1 The following records are understood to be relevant to the Site:

[Erection of house and garage](#)

Ref. No: 19590385 | Status: Application Permitted

4 Proposed Development

4.1 The application entails the following elements:

Two storey rear extension

- Includes the demolition of the existing utility room
- 3m in depth, 12.3m wide and two storeys high
- Flat roof
- Not connected to previous side extensions (0.3m gap)
- Facing brickwork to match existing
- White render to match existing
- White UPVC doors and windows to match existing
- Roof to be high performance membrane
- Additional 3 windows on the first floor
- Bi-folding doors on the ground floor in replacement of existing windows
- Increase in size of kitchen, living room on the GF and 2 additional bedrooms on the first floor, both with en suites.

Porch

- 1.5m in depth, 2m wide and single storey, totalling 3m².
- Flat roof to be high performance membrane
- Facing brickwork to match existing
- White UPVC doors and windows to match existing

Garage

- 7m wide and 6m deep
- Single storey with eaves height 2.5m and ridge height 4m
- Dual pitched roof
- Large metal garage door to allow for vehicle access on west elevation
- Single pedestrian door on east elevation
- Roof to be plain tile to match existing dwelling
- Facing brickwork to match existing dwelling
- White UPVC door to match the existing dwelling

Workshop

- 8m wide and 4m deep

- Single storey flat room which is 2.5m in height
- Single set of double doors on the north elevation
- Roof to be high performance membrane
- External façade to be T&G timber cladding
- White UPVC door and windows to match the existing dwelling

Gym

- 15m wide and 6m deep
- Single storey flat room which is 2.5m in height
- Two sets of bi-folding doors on west elevation
- Roof to be high performance membrane
- External façade to be T&G timber cladding
- White UPVC door and windows to match the existing dwelling

Summer House

- 7m wide and 4m deep
- 2.5m in height with flat roof
- 5 bi-folding doors on the south elevation
- Roof to be high performance membrane
- White UPVC door and windows to match the existing dwelling
- External façade to be T&G timber cladding

5 Two-storey rear extension

Development Not Permitted

5.1 Paragraph A.1 sets out exceptions to when this permitted development right would not apply:

- a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA, or Q of Part 3 of this Schedule (changes of use) - **this is not the case;**
- 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) - **this will not be the case even in combination with the proposed outbuildings**
- 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 – **this will not be the case;**
- 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 – **this will not be the case;**
- 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– **this will not be the case;**
- 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 – **this is not relevant as the enlarged part does not extend beyond 3 metres deep;**
- g) for a dwellinghouse not on article 2(3) land nor on a site of specific 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 – **this is not relevant as the enlarged part does not extend beyond 3 metres deep;**

- 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 opposite the rear wall of the dwellinghouse – **this will not be the case. The depth is 3m and the distance from the rear of the proposed extension to the opposite curtilage boundary exceeds 7m**
- 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 – **this is not relevant because no part of the two-storey rear extension would be within 2 metres of the boundary;**
- 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 – **this will not be the case;**
- (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 sub-paragraphs (e) to (j) – **this will not be the case due to a physical gap between this and the existing side extensions to the dwelling.**
- 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 – **this will not be the case;**
- l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses) – **this is not the case.**

5.2 Paragraph A.2 relates to article 2(3) land only and is not relevant to this particular submission.

5.3 Under paragraph A.3, development permitted by Class A is 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 – **this will be the case as is confirmed in the materials schedule included on the plans. The proposed windows and door openings will be matched to the existing.**

- b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be: (i) obscure-glazed; (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 – **there are no upper floor windows in the side elevations, so this is not relevant;**
- 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 – **this condition allows for circumstances where it is not practicable to achieve a roof pitch that matches the original dwellinghouse. On this occasion, a matching pitched roof now features on the two-storey rear extension.**

6 Outbuildings

Development Not Permitted

- 6.1 This section covers a total of four outbuildings situated within the curtilage of the dwelling which consists of the following:
- Summer House
 - Gym
 - Workshop
 - Garage
- 6.2 All of the proposed outbuildings adhere to Class E of the GPDO
- 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) – **This is not the case for any of the proposed outbuildings**
 - b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse) – **This is not the case**
 - c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse – **This is not the case for any of the proposed outbuildings**
 - d) the building would have more than a single storey – **This is not the case for any of the outbuildings.**
 - e) the height of the building, enclosure or container would exceed 4 metres in the case of a building with a dual-pitched roof, 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or 3 metres in any other case – **Both the proposed gym and summerhouse are within 1m of their respective boundaries so will be 2.5m in height whilst the garage and workshop are further 2.5m from any boundary so will be 4m in height with a pitched roof**
 - f) the height of the eaves of the building would exceed 2.5 metres – **This will not be the case for any of the outbuildings.**
 - g) the building, enclosure, pool or container would be situated within the curtilage of a listed building – **There is no listed building within the curtilage and therefore is not relevant**
 - h) it would include the construction or provision of a verandah, balcony or raised platform – **This is not the case for any of the outbuildings.**

- i) it relates to a dwelling or a microwave antenna – **This is not the case for any of the outbuildings.**
- j) the capacity of the container would exceed 3,500 litres. – **This is not the case for any of the outbuildings.**

- 6.3 Paragraph E.2 and E.3 relate to article 2(3) land only and is not relevant to this particular submission
- 6.4 Paragraph E.4 states that Class E also relates to the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse which is not relevant in this case.
- 6.5 The applicant has been mindful of relevant case-law in drawing up the proposals namely, *Emin v Secretary of State for the Environment and Mid Sussex District Council* [1989] JPL 909.
- 6.6 This case has established that in the consideration of the term “incidental to the enjoyment of the dwellinghouse” there should be some connotation of reasonableness in the circumstances of each case, it should not be based solely on the unrestrained whim of a householder.
- 6.7 The test is whether “the nature of the activities carried out in the proposed building ensure they are incidental or conducive to the very condition of living in the dwellinghouse.” It goes on to say that “the physical sizes of buildings could be a relevant consideration in that they might represent some indicia as to the nature and scale of the activities.” “When a matter is looked at as a whole, size might be an important consideration but not in itself conclusive.” It was held that “incidental connoted an element of subordination in land use terms in relation to the enjoyment of the dwellinghouse.”
- 6.8 All buildings are considered to be of a size and proposed use that ensures they are incidental to the enjoyment of the dwellinghouse. The existing dwelling and garage do not have space to accommodate a gym, a workshop, a summerhouse and an additional garage, and all outbuildings are considered to be of a reasonable size sufficient to house the equipment needed to maintain the dwelling and also its extensive curtilage.
- 6.9 None of the proposed buildings contain primary living accommodation such as bedrooms, kitchens or bathrooms.

- 6.10 The buildings are subordinate in scale to the dwelling and would not result in an unbalanced relationship between the main dwellinghouse and the proposed outbuildings. They would not appear out of scale with or disproportionate to the overall area of the curtilage associated with the dwelling.

7 Conclusions

- 7.1 It is considered that the proposals are in accordance with the relevant classes in the are therefore Lawful.
- 7.2 It is therefore respectfully requested that this application is approved, and a Certificate is issued.