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Planning Department
Ashford Borough Council
International House
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Ref:100/269
30th October 2025

Dear Sirs,

Lawful Development Certificate (Proposed Development)

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Schedule 2, Part 1, Class E

Buildings etc incidental to the enjoyment of a dwellinghouse

Setts Wood Farm, Appledore Road, Tenterden, Kent, TN30 7DG

On behalf of Miss J Belt, owner of the above, we are submitting an application for a Lawful Development Certificate for a proposed garden outbuildings in the rear garden.

The Site

The farm house is a two storey detached building located on an unmade track off Appledore Road. The property is believed to date from the C19th and has been extended.

The property is within the countryside about 1.6km from Tenterden and designated as part of the High Weald Area of Outstanding Natural Beauty.

Planning History

The recorded relevant planning history obtained from the Council website is as follows:

Setts Wood Farm, Appledore Road, Tenterden, Kent, TN30 7DG		
PA/2023/0023	Change of use of land from agriculture to a mixed use for agriculture and seasonal glamping including toilet and showers	Withdrawn

22/00006/AS	Demolition of existing agricultural barn and replace with 2No holiday lets on the same footprint including change of use of land	Granted 16 Jun 2022
16/01208/AS	Demolition of existing agricultural building and replace with holiday accommodation	Granted 04 Oct 2016
10/00656/AS	Application for Lawful Development Certificate - Existing - Use of outbuilding for purposes incidental to the enjoyment of the dwellinghouse	Lawful 11 June 2010
03/00351/AS	Sand school 25 metres x 45 metres complete with post and rail fence gate and kick boards	Granted 22 Apr 2003
Setts Wood Farm, Appledore Road, Tenterden, Kent, TN30 7DG		
06/02385/AS	Two storey extension to existing dwelling house	Granted 26 Feb 2007
99/01201/AS	Extensions to existing dwelling	Granted 14 Oct 1999
83/01002/AS	extensions to existing dwelling	Granted 11 Oct 1983

Having researched the relevant planning history and given the age of the house, there is no indication that permitted development rights have been removed from the property.

Proposal

The proposal is for two, single storey garden outbuildings in the rear garden.

Context

In order for a LDC to be granted under s191 of the Town and Country Planning Act 1990, it is necessary for the Applicant to show, on the balance of probabilities, that the proposed development would be lawful.

The work proposed constitutes 'development' within the meaning of section 55 of the Act¹. Part 1 of Schedule 2 of the GPDO² sets out what constitutes 'permitted development' (PD) within the curtilage of a dwellinghouse. Class E sets out that the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure is PD subject to the criteria specified in paragraphs E.1 and E.4.

¹ Town and Country Planning Act 1990 as amended

² Town and Country Planning (General Permitted Development) Order 1995

The proposal complies with the criteria of Schedule 2, Part 1, Class E because:

E.1

- a) permission to use the dwellinghouse as a dwellinghouse has not arisen by virtue of Class M, N, P or Q of Part 3 of the Schedule (changes of use);
- b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- c) no part of the buildings would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;
- d) the buildings would not have more than a single storey;
- e) the height of the buildings would not exceed:
 - i) 4 metres being a building with a dual-pitched roof,
 - ii) the building would not be within 2 metres of the boundary of the curtilage of the dwellinghouse,
- f) the height of the eaves of the buildings would not exceed 2.5 metres;
- g) the buildings would not be situated within the curtilage of a listed building;
- h) it would not include the construction or provision of a verandah, balcony or raised platform;
- i) it does not relate to a dwelling or a microwave antenna;
- j) it is not a container
- k) the dwellinghouse was not built under Part 20 of the Schedule

E.2

The dwellinghouse is on article 2(3) land but the proposed outbuildings would not be situated more than 20 metres from any wall of the dwellinghouse.

E.3

No part of the outbuildings would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.

E.4

The outbuildings are for the personal enjoyment of the occupants of the dwellinghouse.

Conclusion

In light of the above, it is submitted, on the balance of probabilities, that the proposed development is lawful and that there is sufficient evidence to issue a LDC.

The proposal is shown on drawing:

- MC25102/001/A Location Plan, Existing and Proposed Plans

We trust you will consider the application satisfactory. Should you require any further information, please do not hesitate to contact us.

Yours faithfully,



James Sharp Planning Limited