



## Appeal Decision

Site visit made on 07 January 2014

## APPENDIX

by **K Stone BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 January 2014

**Appeal Ref: APP/U2235/D/13/2209657**

**7 Downs View Road, Penenden Heath, MAIDSTONE, Kent, ME14 2JB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr John Richardson against the decision of Maidstone Borough Council.
- The application Ref MA/13/1508 was refused by notice dated 21 October 2013.
- The development proposed is described as "a ground floor front extension and first floor extension".

### Decision

1. The appeal is dismissed.

### Procedural matter

2. I note that the description of development on the original application form differs from that on the decision notice and the appeal form. The latter description more accurately reflects the proposed development and I have had regard to that in my determination of the appeal.

### Main issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the original property and the surrounding area.

### Reasons

#### *Character and appearance*

4. The property the subject of this appeal is a small detached bungalow with the principle part of the building having a square footprint with a pyramidal roof. There is a front projecting element topped with a hipped roof having a ridge line running into the main roof below the level of the apex of the main roof. It is located on the western side of Down View Road among a group of similarly scaled and proportioned bungalows albeit with variations in their detailed design. The topography of the area is such that the land falls away to the north.
5. The proposed alterations to the footprint associated with the roof alterations would introduce a principle ridge orientated at 90° to the front elevation at a height above the highest point of the apex of the existing main roof and significantly above the lower forward projecting ridge line. This would result in a significant additional bulk and mass to the front of the property that would be

readily visible in the street. The insertion of a number of dormer windows on each side of the new ridged roof form would add to the incongruous appearance that would be significantly more dominant than the roof forms of any of those on the surrounding properties. This would appear disproportionate and out of scale with the original bungalow and the surrounding properties. This would be further compounded by the topography of the locality. As such it would conflict with the advice given for loft conversions in the Residential Extensions Supplementary Planning Document (SPD) adopted by the Council in May 2009 and criteria (1) and (2) of Policy H18 of The Maidstone Borough Wide Local Plan (Local Plan) 2000.

6. Whilst each of the individual dormers and their flat roofed form are relatively small the combination of the alterations to the existing roof form, the amended ridge, its orientation and height, along with the number of dormer structures accumulate to produce a resultant extension that overwhelms and dominates the original building and appears out of keeping in the street.
7. The concern expressed regarding the front extension is not independent of its impact on the overall envelope and appearance of the resultant extended building. The squaring off of the footprint and small porch addition would not of themselves detract significantly from the appearance of the bungalow. However, the treatment of the roof with the introduction of the half hip on the front elevation is at odds with other properties in the immediate vicinity. This is further compounded by the two small windows inserted into the small space on the vertical face of the half hip end which gives this elevation a somewhat cramped appearance.
8. Whilst there is a degree of variation in property styles in the general area the property sits within a group of similarly modestly scaled bungalows. These are not all identical in appearance however their general proportions and scale produce a coherent character which would be significantly disrupted by the proposed extended property. This would materially harm the character of the area.
9. For the reasons given above I conclude that the proposed development would result in material harm to the character and appearance of the original property and the surrounding area. Consequently it would conflict with Policy H18 of the Local Plan and the Council's SPD on residential extensions which require development to be appropriate in terms of scale and design and complement the street scene and character of the area. These are consistent with the National Planning Policy Framework in particular the core planning principles at paragraph 17 and paragraphs 56 to 68 which seek to secure high quality design integrated with the built environment that promotes or reinforces local distinctiveness.

#### *Other matters*

10. The appellant has introduced the issue of a "fallback" position in relation to alterations to the property that could be made under the terms of Class B permitted development Rights<sup>1</sup>. However the consolidated and more coherent form of the alterations to the roof as illustrated in the illustrative plans are not

<sup>1</sup> Class B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

as extensive and to my mind are not as intrusive or disruptive as the insertions and alterations to the roof form of the proposed scheme. Moreover there is no evidence to suggest that the appellant would adopt this approach in the absence of gaining permission for this scheme. Rather this is put forward in the context of an alternative against which to judge the potential impact of the scheme at appeal. However, I am required to consider the scheme in front of me and I do not view the potential alternative scheme illustrated as justification to accept a scheme which would result in the material harm that I have identified.

11. The appellant has also drawn my attention to a number of decisions by the Council which it is argued support their proposal insofar as the necessity for the Council to reach consistent decisions. However, each application must be considered on its own merits and I am satisfied that there are sufficient differences in terms of the form of the proposed developments, the site locations and relationships with adjoining properties and the dwelling types to ensure that this proposal is not so similar to those schemes. This would not in my view in any event justify the acceptance of the material harm I have identified above.
12. For the reasons given above I conclude that the appeal should be dismissed.

*Kenneth Stone*

INSPECTOR