
Appeal Decision

Site visit made on 2 September 2019

by Richard Aston BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th September 2019

Appeal Ref: APP/U2235/D/19/3235251

7 Cavendish Way, Bearsted ME15 8PW

- 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 and Mrs Ryder against the decision of Maidstone Borough Council.
 - The application Ref 19/502377/FULL, dated 3 May 2019, was refused by notice dated 3 July 2019.
 - The development proposed is loft conversion and proposed dormer windows to an existing annexe.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host building and area.

Reasons

3. Although the proposal would not increase the overall roof height or footprint of this existing annexe building, it would substantially and markedly change the form and appearance of the building's rear roof slope when viewed from the bridleway to the rear. On both approaches past the appeal site and from some neighbouring properties in Tasker Close and Bodsham Crescent opposite, the insertion of such a wide, deep and squat dormer that would occupy the majority of the rear facing roof slope would appear unduly dominant and overly prominent.
4. The visual effect would be exacerbated by an overly large expanse of flat and shallow hipped roof. This is symptomatic of an overly excessive floorspace and height requirement, resulting in an entirely uncharacteristic design feature on a building that appears as a large domestic garage¹ within a suburban rear garden environment. The eye would be unacceptably drawn to it and it would be to the detriment of the visual interests of its surroundings. In such a context it would not be a high quality of design.
5. For these reasons, the proposal would cause significant harm to the character and appearance of the host building and area. Consequently, it would conflict with Policies DM1 and DM9 of the Maidstone Borough Local Plan and the

¹ The appellant's statement refers to the host building appearing as a 'triple garage'.

Maidstone Local Development Framework Residential Extensions Supplementary Planning Document 2009 which require high quality design and that such development fits unobtrusively with the existing building and the character of the streetscene and/or its context.

Planning balance and conclusion

6. I have had regard to the personal circumstances of the appellant and his family and I have some sympathy with the desire to provide additional living accommodation for the potential future care requirements of elderly relatives. However, on the evidence before me this appears to be a perceived need which ultimately may not be necessary and there is nothing substantive in the evidence of any confirmed or actual medical requirements to confirm a need for such care and assist in providing justification for it. There is also nothing to suggest what alternatives have been considered, if any, including other care or accommodation options.
7. I acknowledge the disappointment that this view may cause, but the evidence before me does not indicate that at this point there is such a pressing need for the development that this consideration outweighs the significant harm to the character and appearance of the host building and area that I have identified.
8. Drawing everything together, the proposal would conflict with the development plan, when read as a whole. Material considerations do not indicate that a decision should be made other than in accordance with the development plan.
9. Having considered all other matters raised, I therefore conclude that in this particular case the appeal should be dismissed.

Richard Aston

INSPECTOR