



Appeal Decision

Site visit made on 14 January 2020

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2020

Appeal Ref: APP/U2235/D/19/3241453

5 Nursery Avenue, Bearsted ME14 4JS

- 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 Carl and Caroline Lohead against the decision of Maidstone Borough Council.
 - The application Ref 19/503141/FULL, dated 18 June 2019, was refused by notice dated 28 August 2019.
 - The development proposed is a first floor front extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have amended the description of the proposed development so as to remove superfluous words, in the banner heading above.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. Nursery Avenue contains a mix of garden-fronted dwellings of various sizes and types. From my observations, the predominant housing type is a single-storey, late 20th century, pitched-roofed bungalow. However, in the vicinity of the appeal site there are larger dwellings¹, some of which, including the appeal building, have been extended or altered in the past.
5. Nursery Avenue slopes downwards from its junction with Otteridge Road in the west, and splits into two just past the appeal building, where a short cul-de-sac rises to the north, whilst the main road curves southwards and further downhill.
6. The appeal building is located on the northern side of Nursery Avenue and has a half-hipped roof, with its ridgeline running parallel to the road, on a roughly east-west axis. The building has been extended to the rear and the loft space has been converted for habitation, with rooflights and a pitched roofed dormer window on the front roofslope. There is a ground floor hipped-roofed feature to

¹ Including Nos 2, 10, 7 and 7A Nursery Avenue

- the front of the building, between the side garage and the central main entrance.
7. The proposed development would entail the construction of a half-hipped roof extension to the front of the dwelling, the ridgeline of which would be around one metre higher than the existing main roof ridgeline. The proposed extension would be built over the existing ground floor, hipped-roofed feature, with the half-hipped end facing towards the street. The extension would be widened at first floor level, forming a canopy over the main entrance area and supported by a pillar, thus increasing the developed footprint of the dwelling.
 8. The proposal would also include new first floor fenestration, with a large window to the front, in a similar design to the existing windows, with two small, frosted-glass windows on the western side. The materials and finishes would match the existing dwelling.
 9. However, the scale, massing and position of the proposed extension would make it an obtrusive and over-dominant feature on the building. It would be unduly prominent in views along Nursery Avenue from the east, west and south. Notwithstanding the various types and designs of dwellings along Nursery Avenue, the proposed extension would appear as a noticeable and incongruous addition to the streetscene. None of the dwellings in this vicinity, including Nos 6 and 8 on the opposite side of the street, or Nos 3 and 7 next door to the appeal site, contain such a large extension in such a conspicuous position on their front elevation.
 10. The appellant refers to other dwellings in the area to support their proposal, in particular Nos 2 and 10 Nursery Avenue. I am not fully familiar with the developments at these other locations, and in any event each proposal should be considered on its individual merits, which is what I have done in this case.
 11. No 2 is located at the junction with Otteridge Road, some distance from the appeal site and on the opposite side of Nursery Avenue, whilst No 10 is separated from the appeal site by Nursery Avenue itself and by No 8 and is at a significantly lower elevation. Whilst both Nos 2 and 10 can be seen in views of the appeal building, the separation distances and the sloping topography reduce their significance in this regard considerably.
 12. The scale and massing of No 2 relates to the 2-storey semi-detached dwellings on the opposite side of Otteridge Road, and the ridgeline of its front extension does not exceed the height of the main roof ridgeline. From the evidence there have been significant alterations to No 10. However, no drawings showing these alterations are provided. From my observations on site, the design of No 10 is significantly different to the design of No 5, either currently or if the proposed development were to take place.
 13. Consequently, the presence of Nos 2 and 10 in the wider streetscene does not cause me to reach a different conclusion with regard to the harm that the appeal proposal would cause.
 14. From the evidence and my observations on site I am not satisfied that the roof ridgelines of either No 10 or No 7 are higher than the main roof ridgeline of the appeal building. Even if they were to be, such a difference would not be significant in the context of the streetscene, given the mix of housing types and

the sloping topography. In any event, the proposed extension would be higher than the existing main roof ridgeline at No 5.

15. For the reasons given above, the proposed development would be harmful to the character and appearance of the area. It would, therefore, conflict with Policies DM1 (Principles of good design) and DM9 (Residential extensions, conversions and redevelopment within the built up area) of the Maidstone Borough Local Plan 2017 and with guidance contained within the Residential Extensions Supplementary Planning Document 2009.

Other Matters

16. I note the appellant's comments regarding the lack of objections to their proposal, the approval of the works at Nos 2 and 10 nearby and their reasons for wanting to develop the property in this way. None of these matters cause me to reach a different conclusion with regard to the harm that the proposed development would cause, as set out above.
17. The appellant also makes extensive references to another officer report for the development at 10 Nursery Avenue, including with regard to the description of the area. This report is not in the evidence before me and in any event, I have made my own assessment of the area, as set out above.

Conclusion

18. For these reasons, and taking into account all matters raised, I conclude that the appeal is dismissed.

Andrew Parkin

INSPECTOR