



Appeal Decision

Site visit made on 20 October 2020

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 28 October 2020

Appeal Ref: APP/U2235/D/20/3249719

Sunflower Cottage, Maidstone Road, Sutton Valence ME17 3LS

- 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 B Hatton against the decision of Maidstone Borough Council.
 - The application Ref 19/505411/FULL, dated 29 October 2019, was refused by notice dated 18 December 2019.
 - The development proposed is the removal of existing fence and shed and erection of garage with store.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: the effect of the proposal on the character and appearance of the area; and the visual amenities of adjoining residential properties.

Reasons

3. Sunflower Cottage is a large detached chalet style bungalow set back from Maidstone Road, which is a busy main road leading to the settlement of Sutton Valence. The property has a large mainly hard surfaced front driveway of irregular shape and extending forward of the front gardens of properties to the north which are modest sized bungalows. Both these and the appeal property are served by a small access road which runs parallel to the main road. Adjoining to the south and on a narrow plot is a further bungalow of modest scale which is aligned approximately with Sunflower Cottage. Elsewhere along either side of the main road are a mixture of different sized properties with a variety of architectural styles.
4. At the front of the property there is an existing steel fence and on the road side of this a tree/hedge screen. The latter is to remain and the proposed garage would be set in behind this but adjacent to it. It would be a substantial structure, easily accommodating two vehicles, plus an adjoining store, and would have a large hipped and pitched roof. It would have a maximum width of approximately 11 metres and a maximum depth of 7.5 metres, whilst the height of the pitched roof would be approximately 5.5 metres.
5. The appellant considers that the proposed garage would be compliant with the Council's policies in that the local character and spatial pattern is diverse and it

would be subservient to the host dwelling and surrounding built forms. It is also pointed out that the Council's Supplementary Planning Document on residential extensions 2009 (SPD) does not place a presumption against the appeal proposal.

6. However, whilst I acknowledge that the spatial pattern of the area is somewhat varied, it is predominantly housing on either side of the road set back behind front gardens of differing sizes but with an absence of structures within them close to the road frontage. The appeal site is slightly different in that because of the adjoining access road, its front garden extends in front of the adjoining gardens to the north. This in conjunction with the roadside vegetation might provide some opportunity for a building of modest size somewhere in the front garden area. However, the proposed garage because of its large overall footprint and height, would appear as an over dominant structure and incongruous in such a forward setting, even allowing for the screening effect of the roadside vegetation. Whilst the latter may mitigate the impact when approaching from the south, the building and particularly the roof structure would still be visible. It would be more prominent when approaching from the north because of its forward siting in relation to the access road and the size of the overall structure. In my view it would appear out of character in relation to its surroundings and cause visual harm to the streetscene as a result.
7. Similarly, from the point of view of both neighbouring properties, it would be very apparent and over dominating in their outlook because of its substantial size and forward location and whilst having no direct impact, in terms of overbearing effect or loss of light, I agree with the Council there would be a loss of visual amenity to the occupiers of those properties.
8. I acknowledge that the SPD is for guidance purposes and therefore not prescriptive as such. However, the principles within it in terms of discouraging garages or outbuildings in prominent locations, being located close to the original dwellings and not generally in front of the building line, are founded on sound design principles and designed to avoid the harm that I have found above.
9. For the above reasons, I find that there would be harm caused to the character and appearance of the area and the visual amenities of the adjoining occupiers. The proposed development would therefore be contrary to Policies DM1, DM30 and DM32 of the Maidstone Borough Local Plan 2017 and the SPD, in that it would not respond positively to local character, it would not be sympathetically related to the existing dwelling and would be a visual intrusion in respect of amenity.
10. Accordingly, the appeal is dismissed.

Kim Bennett

INSPECTOR