



Appeal Decisions

Site visit made on 11 December 2020

by **N Holdsworth MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 January 2021

Appeal A Ref: APP/U2235/D/20/3258195

Bridgewater, Tyland Lane, Sandling, ME14 3BL

- 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 Dean Clews against the decision of Maidstone Borough Council.
 - The application Ref 20/501170/FULL, dated 9 March 2020, was refused by notice dated 2 June 2020.
 - The development proposed was originally described as installation of a window in the front gable and the addition of a dormer to the side elevation.
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Appeal B Ref: APP/U2235/D/20/3263417

Bridgewater, Tyland Lane, Sandling, ME14 3BL

- 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 Dean Clews against the decision of Maidstone Borough Council.
 - The application Ref 20/504123/FULL, dated 7 September 2020, was refused by notice dated 4 November 2020.
 - The development proposed was originally described as Installation of new side dormers and front gable window.
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Decision

1. Appeal A: The appeal is dismissed.
2. Appeal B: The appeal is allowed and planning permission is granted for installation of a window to front gable and insertion of 4.no side dormers at Bridgewater, Tyland Lane, Sandling, ME14 3BL in accordance with application ref 20/504123/FULL, dated 7 September 2020, but subject to the attached schedule of conditions.

Main Issue

3. The effect of both proposals on the character and appearance of the host building and surrounding area.

Preliminary Matter

4. The description of development in Appeal B in the formal decision reflects the version used on the Council's decision notice, with the omission of unnecessary detail. This concisely describes the development.

Reasons

5. The host property comprises a bungalow with a large pitched roof. It sits on Tyland Lane which comprises a row of houses of varied design, facing on to a vista of open countryside. They all rise to a broadly similar height and there are many examples of existing first floor dormer windows. Most of these are modest in size, thus preserving the form of the respective roofs.
6. Appeal A: The proposed dormer roof extension would encompass almost the full width of the side roof slope of the host property, being clearly visible from the adjacent road. Whilst it is set away from the ridge, eaves and sides of the roof it would appear unduly large due to its excessive width. It would dominate the roof of the building to such an extent that the building appears unbalanced, compromising the original bungalow form. It would also noticeably exceed the size of most other existing dormer windows visible along this road. Consequently, there would be harm to the character and appearance of the host building and surrounding area.
7. Appeal B: The proposal in Appeal B comprises four smaller dormer windows spread across the same roof slope. The total number, size and design of the dormers would be similar to the arrangement found on other properties visible in close proximity to the site, along this road. These dormer windows would be broadly sympathetic to the fenestration on the remainder of the building. Because of the gaps between them, the form of the pitched roof would be preserved. The extended building would therefore blend in with the existing built development along Tyland Lane. It would also complement the wider rural surroundings, which fall within an Area of Outstanding Natural Beauty.
8. Consequently, in Appeal B there would be no harm to the character and appearance of the host building or the surrounding area. There is no conflict with policies SP 17, DM 1, DM 30 or DM 32 of the Maidstone Borough Local Plan 2017, nor guidance contained in the Maidstone Residential Extensions Supplementary Planning Document, nor the National Planning Policy Framework, all of which seek to achieve a high standard of design that responds positively to the local character of the area, where residential extensions are proposed. These policy aims would not be achieved in Appeal A.

Other Matters

9. Other works are shown on the proposed plans, but these are uncontentious and do not raise planning concerns. The proposed roof extension and associated windows would be set a sufficient distance away from the boundary of the site to avoid any significant additional overlooking to nearby residential properties or their gardens. The proposal is acceptable in terms of its effect on the living conditions of the occupants of existing residential properties, in all respects. None of the issues raised by interested parties would justify the dismissal of Appeal B.

Conclusions

10. It follows from my findings above that the proposal in Appeal A conflicts with the development plan and there are no other considerations that outweigh this finding. This appeal should be dismissed.

11. Appeal B, by contrast complies with the development plan and there are no other considerations that outweigh this finding. This appeal should be allowed subject to conditions necessary to comply with statutory periods of commencement, to provide certainty for all parties and to ensure a satisfactory standard of development in relation to the character of the surrounding area.

Neil Holdsworth

INSPECTOR

Schedule of Conditions (Appeal B)

- 1) The development shall be carried out within a period of 3 years from the date of this decision.
- 2) The development hereby approved shall be carried out in accordance with the following approved plans: Site Location Plan, drawings numbered 19042 001 and 19042 002.
- 3) The materials to be used in the external surfaces of the development hereby permitted shall match those used in the existing building.

End of Schedule