



Appeal Decision

Site visit made on 24 August 2021

by A Thompson BSc BTP MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 22 September 2021.

Appeal Ref: APP/U2235/D/21/3274350

28 Lewis Court Drive, Boughton Monchelsea, ME17 4LQ

- 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 Ms Jackie Crosby against the decision of Maidstone Borough Council.
 - The application Ref 20/505967/FULL, dated 14 December 2020, was refused by notice dated 2 March 2021.
 - The development proposed is demolition of gazebo and erection of two storey side extension to create an annex for assisted living, with front and side canopy.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. I have adopted the Council's description of development which more accurately describes the development proposed and I note this description was adopted by the appellant on their appeal form. The Council's decision notice refers to the National Planning Policy Framework (February 2019) (the Framework). In July 2021, after the Council's decision was issued, the Framework was revised and the main parties were invited to submit comments on the impact of this revision on the decision, which I have taken into account.

Main Issue

3. The effect of the proposed development on the character and appearance of 28 Lewis Court Drive (the host property) and the street scene.

Reasons

4. The host property forms one of a pair of semi-detached properties. It has a generously sized plot in a corner location that is visually prominent in the street scene. Although the front wall of the extension would be set back, the Council estimate the width of the proposed extension would equate to some 81% of the width of the existing property and project beyond the back wall of the host property, meaning the footprint of the proposed extension would equate to 87% of the footprint of the host property and extend beyond the building line of the next-door properties to the south. The scale of the extension would be further accentuated by a substantial single-storey porch type canopy that would wrap around the front and part of the side of the extension.

5. The provision of a part-hipped roof would be discordant with the gable roof on the host, and adjoining semi-detached, property. This feature and the lack of reduction in the ridge height of the non-hipped element of the proposed roof, together with the disproportionate scale of extension and the use of differentiating materials on both the front and side elevations would add to the visual impression that the proposal would appear akin to a separate unit of accommodation, not a subordinate and well-integrated extension. My attention has been drawn to a number of one and two storey extensions on similar properties nearby, however, those extensions appear both smaller in overall scale and better integrated in design terms than the appeal proposals and therefore do not provide a precedent for the current scheme.
6. In short, the proposed extension would be of disproportionate scale that would dominate the host property and be discordant with it in design terms. Furthermore, because of its prominent corner plot location, substantial scale and poor design, it would have a harmful impact on the quality and openness of the street scene.
7. Accordingly, I find that the proposed development would have a harmful impact on the character and appearance of the host property and street scene. It would therefore be contrary to policies DM1 and DM9 of the Maidstone Borough Local Plan 2017 and the guidance contained in the Council's adopted Residential Extensions Supplementary Planning Document which, amongst other things, seeks to ensure extensions accord with the principles of good design and fit unobtrusively with the existing building and the character of the street scene. Although the Framework has been updated since the Council's decision was taken, the revised Framework, in my view, places strengthened emphasis on the importance on delivering good design and, in the light of my findings on the main issue, I conclude that the proposal would also conflict with the Framework published in July 2021.
8. In reaching my conclusion on the main issue, I have taken particular note that the extension is intended to provide accommodation for assisted living. However, in the absence of any substantive evidence on this matter from the appellant and given the uncontested concerns raised by the Council about the shortcomings in the suitability of the layout of the proposal for assisted living, I do not consider that this consideration outweighs the harm I have identified and the resultant conflict with the development plan.

Other considerations

9. I note the Parish Council have raised no objection to this proposal, however, this does not lead me to conclude differently.

Conclusion

10. For the reasons I have set out above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Anthony Thompson

INSPECTOR