



Appeal Decision

Site visit made on 23rd November 2021

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th December 2021

Appeal Ref: APP/H2265/D/21/3279244

447 Wateringbury Road, Brickfield Farm, East Malling, ME19 6JQ

- 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 David and Kerry Collins against the decision of Tonbridge and Malling Borough Council.
 - The application Ref TM/21/00015/FL dated 4 January 2021, was refused by notice dated 27 April 2021.
 - The development proposed is to replace existing 3 car carport with a 4 car garage with single bedroom flat above.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the development on the character and appearance of the area and host property.

Procedural Matter

3. This appeal relates to a householder scheme and the appellant explains that the flat is to be occupied by a family member as an annexe. I have therefore considered the appeal on this basis.

Reasons

4. 447 Wateringbury Road is a large, detached property set back from the road and located within a substantial plot. The proposed building would be sited in the same position as the existing carport located at the end of the driveway which runs along the front (western elevation) of the property.
5. The rural barn design of the proposed building would be distinctly different to the host property which has a country house style. It would be a substantial structure having a larger footprint and being significantly taller than the low level open fronted carport. The height and scale of the building, which has a greater massing and a projecting balcony at first floor would create an imposing structure in close proximity to the host property. In my view, the proposal would be a dominating feature which would have an incongruous relationship with the host property emphasised by the contrasting dark materials. As a result, the proposal would unacceptably diminish the character, appearance, and integrity of the host property with consequent harm to the character and appearance of the surrounding area.

6. I accept that due to the area of woodland to the west of the property the building would not be visible from Watlington Road, and while there are open fields to the rear the nearest neighbour is at a distance where the proposal would not result in a loss of privacy for the occupiers. Nevertheless, the site is located within the countryside where development is restricted. Whilst Tonbridge and Malling Borough Council Core Strategy (CS) policy CP14 does allow for extensions to existing dwellings, these need to be appropriate. The property has previously been extended and in my opinion the proposal would be a disproportionate and harmful addition.
7. Overall, I find that the development would result in an unacceptable intensification of the site and the scale and form of the development would be harmful to the character of the host property and surrounding area. The development would thereby be contrary to CS policies CP14 and CP24, and saved policy SQ1¹ which require development to respect the character and appearance of the site and its surrounding.

Other Matters

8. The Council has also raised concerns in relation to the building being occupied as a separate dwelling. The flat does contain facilities to allow for independent living, however it is close to the house and the building also serves as garaging for the host property. I also agree with the appellant that the use as ancillary accommodation could be secured by condition. Nonetheless such a condition would not alter my findings on the main issue.

Conclusion

9. For the reasons set out above and having regard to all other matters raised I dismiss the appeal.

G Ellis

INSPECTOR

¹ Managing Development and the Environment DPD – April 2010