



Appeal Decision

Site visit made on 25 January 2022

by T Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 February 2022

Appeal Ref: APP/U2235/D/21/3279854

13 Gresham Road, Coxheath ME17 4EY

- 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 Chris Harryman against the decision of Maidstone Borough Council.
 - The application Ref 21/500807/FULL, dated 18 February 2021, was refused by notice dated 7 May 2021.
 - The development proposed is Construction of a garage.
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Decision

1. The appeal is allowed and planning permission is granted for Construction of a garage at 13 Gresham Road, Coxheath ME17 4EY in accordance with the terms of the application, Ref 21/500807/FULL, dated 18 February 2021, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site plans (Drawing No 2131-PL02); and Plans & Elevations (Drawing No 2131-PL01).
 - 3) With the exception of the metal garage door, the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published in July 2021. However, as its policies that are most relevant to this appeal have not materially changed, no parties will have been prejudiced by my having regard to the latest version in reaching my decision.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

4. Forming a corner plot, the appeal site contains a semi-detached bungalow with a set-back consistent with the adjoining row of properties to the south. With limited boundary treatment facing Gresham Road and properties in the locality generally being semi-detached and set-back within their plots, the surrounding area has a relatively open character and ordered appearance. However, given the site's corner situation, its fencing fronting the east-west axis of Gresham Road and the

bungalow's projection beyond the frontages of the set-back row of semi-detached properties (Nos 1-11) situated to the rear, the site is somewhat different and relatively distinct in its surroundings. With its different orientation to Nos 1-11 and the degree of separation to the closest property in that row, it also reads as unrelated to the graduated building line formed by those properties.

5. The proposed garage would be set back behind the front of the bungalow and would therefore respect the front building line to which the site forms part of and contributes to, along the north-south axis of Gresham Road. Although it would extend built form further beyond the row of properties to the rear, the side of the bungalow already projects well beyond the front of them. With the site being in a different line of properties and appearing as distinct and unrelated to the building line of Nos 1-11, the proposed garage would therefore not read as disrupting the ordered, graduated building line of that part of Gresham Road.
6. Although its ridge would be reasonably high, the footprint and eaves height of the proposed garage would not be significant. It would therefore be subservient to the bungalow and not read as an unacceptably dominant or prominent feature in the surrounding area. Although it would abut the boundary fence and be higher than it, I observed on my site visit that some sections of the existing fence are higher than shown on the existing elevations. The fence, which is not said to be unauthorised, would therefore screen more of the garage than shown in the proposed elevations and would thus serve to further lessen the presence of it in the locality. The relatively modest size of the garage and the presence of the existing fence mean that the appeal proposal would also not significantly erode the open nature of the surrounding area. In coming to this view, I have taken into account that the site is elevated above the highway and that garages in the locality are generally set back behind properties.
7. For the above reasons, I conclude that the proposed development would not harm the character and appearance of the surrounding area. I therefore find that it accords with Policies DM1 and DM9 of the Maidstone Borough Local Plan (2017). Amongst other aspects, these seek development with good design and set out that proposals which respond positively to local character and fit unobtrusively with the context will be permitted. The proposal would also be consistent with the: provisions in the Framework in relation to achieving well-designed places; and the guidance on corner plots and garages/outbuildings in the Council's Supplementary Planning Document, Residential Extensions (2009).

Conclusion

8. For the above reasons, the appeal is allowed.
9. In addition to the standard time limit condition, I have imposed a condition requiring the carrying out of the development in accordance with the approved plans in the interests of certainty. A condition requiring matching materials, with the exception of the metal garage door, is necessary in the interests of the character and appearance of the area.

T Gethin

INSPECTOR