



Appeal Decision

Site visit made on 5 October 2022

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2022.

Appeal Ref: APP/U2235/D/22/3298094

April Cottage, Bow Hill, Yalding ME18 6AJ

- 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 N Pepper, against the decision of Maidstone Borough Council.
 - The application Ref 22/500027/FULL, dated 12 January 2022, was refused by notice dated 23 March 2022.
 - The development proposed is described on the planning application form as "demolition of the existing conservatory and the construction of a two storeys extension at the south of the property to accommodate a new living room at ground floor and a bathroom and larger bedrooms at first floor".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect on the character and appearance of the host dwelling and locality.

Reasons

3. The appeal concerns a two storey detached dwelling. The conservatory at the southern end of the property would be removed and a two storey side extension built in this position. The existing side addition is subordinate to the host dwelling. This is due to factors such as its fairly modest height with a gently sloping roof and its set back from the front and rear elevations. It has contrasting materials with a transparent lightweight appearance compared to the solid brick and stone in the main part of the property, significantly limiting the perceived bulk. It is an appropriate feature, which I do not consider unsightly and its removal would not be a significant benefit.
4. The proposed development would have a substantially greater impact for a number of reasons. The front and rear walls would be flush with those of the host dwelling, with the roof slopes and ridge not being stepped down and therefore at the same height as the existing main roof. As well as having no set-backs, the addition would be appreciably taller than the conservatory given its gable ended form and two storey height, while also projecting further to the south.
5. The extension would be built of clay tiles and timber cladding giving a solid appearance and in the above circumstances it would not form a discrete subordinate addition, as the conservatory does. The actual and perceived additional size and bulk would not just be at first floor level. Rather than the

- impact being minimal, the result would be a significantly bulkier building, with the addition being overly dominant and not subservient to the host dwelling.
6. Moreover, despite the Council considering the existing dwelling to be acceptably proportioned, it has a somewhat horizontal emphasis due to the length of the main elevations and roof ridge, alleviated to a degree by the two storey front projection and porch. This is reinforced by the generally horizontal proportions of the windows. The proposed development would intensify this to an unacceptable degree, resulting in a particularly lengthy uniform ridge to the main roof with its slopes below also being excessively long and set in a single plane.
 7. The windows at the front would further reflect and reinforce the undue horizontal emphasis. In this context, rather than suitably harmonising with the existing dwelling, the addition would result in a sprawling, unduly elongated and poorly proportioned building. This would also be significantly exacerbated by the horizontal line of the relatively long canopy roof. I do not therefore agree that this part of the scheme would result in a visual enhancement.
 8. The Appellant suggests that the extended dwelling would be well screened with limited views and seen within the context of a domestic setting. However, the presence of such detrimental development would be readily apparent in the fairly close views from the public footpath along the western side of the site. From here the detrimental impact on the open and undeveloped nature of the countryside, which provides the setting and location for the dwelling, would be appreciated, with the enlarged property appearing visually obtrusive and views of the trees to the east being noticeably reduced.
 9. I note the property is not the subject of any special designation, is not located within a Conservation Area or an Area of Outstanding Natural Beauty and that local building materials would be used. Nevertheless, for the above reasons, the character and appearance of the host dwelling and locality would be harmed.
 10. Because the extension in the countryside would not be of a scale that relates sympathetically to the existing building and rural area, while having a significant adverse impact on the appearance and setting of the building, there would be conflict with Maidstone Borough Local Plan 2017, Policy DM 30. There would also be a failure to satisfy Policy DM 32 which, among other things, indicates that extensions should be well designed and sympathetically related to the existing dwelling. Further conflict would arise with Policies DM 1 and SP 17 in relation to failing to achieve high quality design and not responding positively to the character of the area, or conserving and enhancing the landscape character of the Greensand Ridge Landscape of Local Value within which the site is located.
 11. The Council's Residential Extensions, Supplementary Planning Document (SPD) 2009, indicates that extensions in the countryside should be limited in scale, with no adverse impact on the character or openness of the countryside, the form and appearance of the original building, and be well proportioned. It has particular regard to the cumulative impact of enlargement, indicating that extensions in themselves and with those previously built should not increase the volume of the dwelling by more than 50%. It also advises that this should not be seen as a maximum to be sought. Undisputed evidence from the Council is that the volume of the original building would more than double if

the proposed development was accepted. In consequence, there would be conflict with the SPD in this regard. Nevertheless, I have found the extension unacceptable in itself and contrary to the development plan regardless of the cumulative impact.

12. I am reinforced in my view regarding the adverse impact of the development by the importance placed on design in the National Planning Policy Framework (The Framework). This indicates that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and good design is a key aspect of sustainable development. The failure to achieve good design in this case means there would also be conflict with the Framework.
13. For the above reasons and taking account of all other matters raised, due to the harm that would arise it is determined that the appeal fails.

M Evans

INSPECTOR