
Appeal Decision

Site visit made on 22 February 2023

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th March 2023

Appeal Ref: APP/U2235/D/22/3310559

34 Salts Avenue, Loose, Kent ME15 0AZ

- 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 & Mrs Stuart Beardwell against the decision of Maidstone Borough Council.
 - The application ref. 22/503767/FULL, dated 28 July 2022, was refused by notice dated 28 September 2022.
 - The proposed development is the demolition of existing rear extension and erection of a two storey rear extension with a first floor side extension, including pergola to the rear.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing rear extension and erection of a two storey rear extension with a first floor side extension at 34 Salts Avenue, Loose, Kent ME15 0AZ in accordance with the terms of the application ref. 22/503767/FULL, dated 28 July 2022, subject to the following conditions:

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: 20127_SAL_410_001, 20127_SAL_414_100, 20127_SAL_414_101A, 20127_SAL_414_102, 20127_SAL_414_180, 21127_SAL_414_185

3) The external finishes of the development hereby permitted shall be as indicated on the approved plans unless otherwise approved in writing by the Local Planning Authority.

4) There shall be no development above slab level until details of a scheme for the enhancement of biodiversity on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of at least one integrated method into the design and appearance of the extension by means such as swift bricks, bat tubes or bee bricks, and through the provision within the site curtilage such as bird boxes, bat boxes, bug hotels, log piles, wild flower planting and hedgehog corridors. The development shall be implemented in accordance with the approved details prior to first use of the development and all features shall be maintained thereafter.

Preliminary Matter

2. I have taken the description from the Council's decision notice as it better reflects the proposed development.

Main Issue

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

Reasons

4. The appeal site relates to two-storey, semi-detached dwelling in a neighbourhood of residential properties of differing form and detailing. Amongst other things, the scheme before me includes a two-storey rear extension. This would be clad in contemporary materials and incorporate an asymmetrical pitch at first floor level.
5. I appreciate that this element of the proposal would be striking in appearance, and the external finishing would be in contrast to that used on the existing house. Nonetheless, the west-facing roof slope would match the pitch of the new side addition to create a sense of homogeneity at the upper level, and the ridge line of the larger protruding gable element would sit well below the ridge height of the main dwelling, thus maintaining a sense of subservience.
6. The asymmetrical pitch would replicate the roof to the existing gable projection on the front of the house, and is a relatively small feature in the context of the proposals, set against the backdrop of the larger host building. Being low level in nature, the pergola would not represent a dominant feature, and its depth of approximately 2 metres would be relatively modest.
7. I am aware that Paragraph 130 of the National Planning Policy Framework (the Framework) states that, amongst other things, decisions should not prevent or discourage appropriate innovation or change. With this in mind, and taking into account my reasoning above, I am drawn to conclude that whilst the development would introduce a blend of traditional and modern styles, there would be no demonstrable harm as a result, and the overall appearance would not be so unneighbourly as to warrant a refusal of permission on this ground.
8. I note that the Council does not object to the first floor side extension, and I have no reason to disagree. It would appear to harmonise with the existing residence, maintaining an appropriate gap to the flank boundary, and would restore symmetry between the pair of semi-detached houses.
9. Therefore on balance I consider that the proposal would not be harmful to the character and appearance of the existing dwelling and the surrounding area. It would accord with Policies DM1, DM30 and DM32 of the Maidstone Borough Local Plan October 2017 and the Council's Residential Extensions Guidelines Supplementary Planning Document (2009), which seek to secure new development that is of an acceptable scale and appearance. It would also be consistent with the advice in the Framework, which states that good design is a key aspect of sustainable development.

Conditions

10. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the National Planning Policy Framework. In addition to the standard implementation condition, the approved plans are listed for certainty. Further conditions requiring external materials as indicated on the approved plans would provide for a satisfactory appearance, and ecological enhancement details would provide for benefits for biodiversity.

Conclusion

11. Having regard to the above and all other matters raised, the appeal succeeds.

C Hall

INSPECTOR