
Appeal Decision

Site visit made on 22 March 2023

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th April 2023

Appeal Ref: APP/U2235/D/23/3316042

Avalon, Boxley Road, Walderslade, Kent ME5 9JE

- 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 D Simmons against the decision of Maidstone Borough Council.
 - The application ref. 22/505825/FULL, dated 12 December 2022, was refused by notice dated 1 February 2023.
 - The proposed development is for demolition of existing detached garage and erection of a first floor extension to dwelling, including a part single storey, part two storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site comprises a detached chalet bungalow with off-street parking to the front in a residential area. Due to the lie of the land, the dwelling and those to either side are set on plots below the level of the highway. Properties along this side of Boxley Road (between the junctions at Travertine Road and Brownelow Copse) although of mixed character and design, are generally modest in scale, many having accommodation in the roof served by compact dormer windows.
4. In contrast, the proposed development would result in a substantial increase in volume at first floor level, considerably enlarging the size and scale of the existing chalet bungalow in terms of footprint and height. In my view, the extent of development would not be sympathetic to the diminutive scale of the existing dwelling and those properties to either side.
5. Moreover, the cumulative impact of the mass and bulk at first floor level, together with the increase in two-storey depth that would be clearly evident from the public highway between the buildings, would result in a cramped appearance that would be dominant and obtrusive within the context of the local streetscene.
6. I appreciate that the wider locality comprises houses of varying size and design, including other chalets and two-storey residences. However, many of

the larger dwellings in the immediate area are on the opposite side of Boxley Road, where the land rises steeply, and therefore I do not consider that they are comparable to the scheme before me. In any event, the appearance of other dwellings would be a neutral consideration in any balance against planning harm, and I am mindful that each case must be assessed on its own merits.

7. I acknowledge those other matters that have been advanced in support of the development; the extent of the scheme has been reduced from a previously refused application, the Parish Council does not object to the latest proposals, there would be no adverse harm to the living conditions of the occupiers of surrounding properties, the existing dwelling does not have any inherent quality worthy of preservation and is neither within a conservation area nor an AONB, and there are no objections to the contemporary design. However, none of these points could justify the harm I have identified above.
8. The appellant also states that the appeal dwelling could be extended under the permitted development rights. It is contended that any such additions would be of a low design standard, and as such this represents a viable fallback position. However, I have not been presented with any detailed information in this respect; there is no certificate of lawful development for any such proposals and no guarantee that any potential scheme would be built were the appeal dismissed, and I therefore attribute this matter limited weight.
9. I conclude that the proposal would result in harm to the character and appearance of the existing house and the surrounding area. It would be contrary to Policies DM1 and DM9 of the Maidstone Borough Local Plan October 2017 and the Council's Residential Extensions Supplementary Planning Document (2009), which seek to secure new development of acceptable scale and appearance.

Conclusion

10. Having regard to the above and all other matters raised, the appeal is dismissed.

C Hall

INSPECTOR