



Appeal Decision

Site visit made on 1 November 2023

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 November 2023.

Appeal Ref: APP/U2235/D/23/3326035

41 Boughton Lane, Maidstone, ME15 9QW.

- 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 R Simmons against the decision of Maidstone Borough Council.
 - The application Ref 23/501863/FULL, dated 17 April 2023, was refused by notice dated 21 June 2023.
 - The development proposed is described as removal of single storey side extension and erection of a first floor extension raising roof height and changes to fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for the removal of single storey side extension and erection of a first floor extension raising roof height and changes to fenestration at 41 Boughton Road, Maidstone, ME15 9QW in accordance with the terms of the application, Ref 23/501863/FULL, dated 17 April 2023, and the plans submitted with it and 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 proposed extension and alterations hereby permitted shall be carried out in accordance with the following approved plans: BDS-BL-PO1, BDS-BL-PO2 and BDS-HT-P03.
 - 3) The external surfaces of the extension and alterations hereby permitted shall be constructed strictly in accordance with the materials schedule and illustrations set out in section 3 of the Design and Access Statement dated April 2023, which was submitted with the planning application.

Main Issue

1. The main issue is the effect of the proposal on the character and appearance of the host dwelling, the street scene and the surrounding area.

Reasons

2. Boughton Lane is characterised by a diverse mix of detached and semi-detached chalet bungalows and two storey houses. This includes small rows of similarly designed houses and chalet style dwellings constructed from a limited palette of materials. As indicated in the Boughton Lane and Shernolds Character Area Supplementary Planning Document (LR-SPD), parts of the road

have a verdant setting and some of the dwellings have long back gardens incorporating protected woodlands.

3. The appeal dwelling occupies a relatively prominent position adjacent to the junction of Boughton Road and Pheasant lane and at the end of a short row of similarly designed chalet bungalows. Directly opposite and on the east side of Pheasant lane are rows of individually designed two storey houses. Within this part of Boughton Road front building lines vary and the character is more suburban than the more noticeably verdant character to the south along Boughton Lane and to the north along Pheasant Lane.
4. Collectively and amongst other things Policies DM1 & DM9 of the Maidstone Borough Local Plan 2017 (LP) and policy SD5 of the North Loose Neighbourhood Plan 2016 (NP), seek to ensure that new development is of high-quality design and creates a high-quality public realm. New development should respond positively to local context and the established character of the area. The character, scale, height, form and appearance of residential extensions should fit unobtrusively with the host dwelling and the character of the street scene. Similarly, the aim of the LR-SPD is to raise the standard of design of new development such that it fits well with the locally distinctive character of an area.
5. The Maidstone Residential Extensions Supplementary Planning Document (RE-SPD), advises that front extensions should fit unobtrusively with the host building and its setting and be compatible with the surrounding properties. An extension should not dominate the original dwelling and it is desirable that its form, proportions, symmetry and detail respects the original building. Where visible from the public realm roof shape is critical to creating a successful built form.
6. Together paragraphs 126 and 130 of the National Planning Policy Framework 2023 (the Framework) state that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development and new development should add to the overall quality of the area.
7. In changing the existing chalet bungalow to a two storey house the character and appearance of the host dwelling would be changed. However, the footprint of the dwelling and the lower attached double garage would remain unaltered. The proposal would retain the existing simple and uncluttered appearance of the existing dwelling and the eaves line of the proposed canopy porch would reflect the existing front eaves line. The proposed materials would largely match those of the host dwelling. Finally, the removal of the existing side extension would declutter the dwelling.
8. Not only is the appeal dwelling located at the end of a row of chalet dwellings, it is set back from the front building line of the adjacent chalet bungalow at 39 Boughton Road. The appeal site is also located adjacent to rows of individually designed two storey houses to the south and east. A short distance to the northwest of the appeal site are several pairs of semi-detached two storey houses located alongside chalet bungalows. These houses are similarly visually uncluttered, with gable roofs, garages to the side and some have similar canopy porches.

9. For these reasons the proposal would not dominate and would respect and fit unobtrusively with the host dwelling. It would respond positively to the street scene, local context and the established locally distinctive character of the area.
10. The council has suggested the imposition of conditions relating to the adherence to the submitted drawings and the use of matching materials. The former is necessary in the interests of certainty. However, whilst I agree that an external materials condition is necessary, the appellant has provided details for their chosen materials within their Design and Access Statement. As the suggested materials both respect the host property and the street scene, I am satisfied that they should be made the subject of the materials condition.
11. For these reasons I conclude that the proposal would respect and blend in readily with the host dwelling and the street scene. Accordingly, it would comply with LP Policies DM1 & DM9, NP Policy SD5, the objectives of the advice set out in the LD-SPD, the RE-SPD and paragraphs 126 & 130 of the Framework.

Elizabeth Lawrence

INSPECTOR