



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/23/3328951

5 Nursery Avenue, Bearsted, ME14 4JS.

- 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 and Mrs C Lohead against the decision of Maidstone Borough Council.
 - The application Ref 23/501633/FULL, dated 31 March 2023, was refused by notice dated 16 June 2023.
 - The development proposed is described as proposed first floor front extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the street scene.

Reasons

3. Nursery Avenue is primarily characterised by detached bungalows from a limited range of designs, which include a combination of hipped and gable roofs. A number of the dwellings have had loft conversions and roof extensions of various forms and a number of two storey houses within the vicinity are clearly visible within the street scene. The dwellings have broken and varied front building lines and are set back from the street scene behind a combination of open and enclosed front gardens. There are spacious gaps between the dwellings, many of which contain attached flat roofed garages. This together with the curves in the highway and sloping topography contributes to the informal and spacious suburban character and appearance of Nursery Avenue.
4. The appeal property occupies a prominent position within the street scene, adjacent to a junction and a bend within the highway. The appeal dwelling has been extended and comprises a chalet bungalow with half hipped roof features to the sides. It has a single storey front projection with a fully hipped roof on one side of the front elevation and within the main roof slope are a hipped roof dormer window and two roof lights. To the rear of the appeal dwelling are a combination of ground and first floor extensions with a variety of roof forms. This includes two flat roofed first floor additions which sit a short distance below the main ridge height of the dwelling.

5. DM1 and DM9 of the Maidstone Borough Local Plan 2017 (LP), seek to ensure that new development is both of high-quality design and creates a high-quality public realm. New development should respond positively to local character and the scale, height, form, appearance and siting of residential extensions should fit unobtrusively with the host dwelling and the character of the street scene.
6. The Maidstone Residential Extensions Supplementary Planning Document (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 flat-roofed extensions are unlikely to be permitted as they can appear unsympathetic to the form of the original dwelling. Roof shape is critical to creating a successful built form.
7. Together paragraphs 126 and 130 of the National Planning Policy Framework 2023 (the Framework) state that good design is a key aspect of sustainable development and the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. New development should be visually attractive as a result of good architecture and be sympathetic to the surrounding built environment.
8. The front roof slopes of the host dwelling are a prominent feature of the dwelling and with their low eaves lines are reflective of the street scene in general. The proposed extension would cover more than half the width of the existing front roof slope. Although the high eaves lines of the proposed squat pitched roof would align with the existing dormer window and the side half hip features, it would fail to respect or reflect the character and appearance of the original dwelling or the prevailing design features within Nursery Avenue. The large expanse of brickwork above ground floor level would accentuate the squat appearance of the proposed roof of the extension.
9. I acknowledge that the appeal property already has two flat roofed first floor extensions at the rear. Not only are these rear extensions largely hidden within the wider street scene, where they can be glimpsed, they fail to respect or enhance the character and appearance of the host dwelling or the street scene.
10. For these reasons the proposed extension would look incongruous and the resultant dwelling would appear poorly proportioned and unbalanced. The proposed extension would unacceptably detract from the character and appearance of the host dwelling and the street scene. This harm would outweigh the benefits for the appellant and their family that would result from the additional accommodation and is not a matter that could be satisfactorily addressed through the imposition of conditions.
11. Whilst the glazing in the proposed front dormer would match that of the existing front dormer window, its ridge line, gable finish and dormer boxing would not match that of the existing dormer. As a result, it would further unbalance the appearance of the host dwelling. However, this is a minor detail that could be addressed through the imposition of a condition and so does not weigh against the proposal.

12. The appellant has referred to the two-storey extension at the front of 2 Nursery Avenue. That extension has a fully pitched roof which respects the main roof of the dwelling and its detailed design maintains the uncluttered form and appearance of the roof of the dwelling. It is also noted that there are a number of two storey dwellings within the street scene, including those that have been converted. They have traditional pitched roofs and their overall design respects and blends in with the street scene. The approved flat roofed dormers at 7 Nursery Avenue do not project forward of the front wall of the host dwelling. Rather than set a precedent these extensions highlight the need to assess each proposal on its individual merits and in light of the prevailing planning policies.
13. I conclude that the proposed extension would unacceptably harm the character and appearance of the host dwelling and the street scene. It would therefore conflict with LP Policies DM1 & DM9, the SPD and paragraphs 126 and 130 of the Framework.

Elizabeth Lawrence

INSPECTOR