



Appeal Decision

Site visit made on 11 September 2024

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2024

Appeal Ref: APP/U2235/D/24/3345644

The Limes, Heath Road, Boughton Monchelsea, Kent ME17 4HS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Wilson against the decision of Maidstone Borough Council.
 - The application Ref is 24/501012/FULL.
 - The development proposed is described as construction of an additional two storeys.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of the proposed development from the planning application form although I note it is expressed differently on other documents.
3. The appellant has referred to the adjoining property as 'Restholme'. The Council has referred to this property as 'Roseholme'. This is also the name given to this property as cited on the ordnance survey location and site block plans that supported the planning application that is now the subject of this appeal. For the purposes of clarity, I have referred to the adjoining property as 'Roseholme' as this is consistent with the name annotated on the ordnance survey plans.

Main Issues

4. The main issues raised by this appeal are the effect of the proposed development on: -
 - a) The character and appearance of the host property and the area; and
 - b) The living conditions of existing adjoining occupiers at Roseholme.

Reasons

Character and appearance

5. The predominantly linear residential development along this part of Heath Road is characterised by single, chalet style and two-storey detached and semi-detached properties. The proposal would add two additional floors within the property by way of adding a second storey and creating a third storey within the loft. The resulting appearance would be one of a three storey dwelling.

6. The proposal would add significantly to the height and size of the dwelling house. The upward extension of the dwelling would not represent a subservient addition to the house. It would considerably change the existing form of the two-storey dwelling. As such, it would not appear as a sympathetic extension to the dwelling's original form as this would be lost as a result of the development.
7. Given the overall height and size of the resulting dwelling, it would appear as an overly dominant and uncharacteristic development visually out of keeping within the context of the existing linear development along this part of Heath Road. The proposal would not visually integrate well and consequently it would have a visually poor appearance within the street scene. For these reasons the proposed development would be harmful. Given the overall size of the development the visual harm would be clearly visible in public views from Heath Road.
8. For these reasons, I conclude that the proposed development would be harmful to the character and appearance of the host property and the area. The proposal would, therefore conflict with Policies LPRSP9, LPRSP15, LPRQD4 and LPRHOU11 of the Maidstone Local Plan Review 2024, the Residential Extension Supplementary Planning Document (SPD) 2009, Policies PWP4, RG1 and RH8 of the Boughton Monchelsea Neighbourhood Plan 2021 and the provisions of the National Planning Policy Framework (the Framework). These policies and SPD seek, amongst other matters, development to be of high-quality design, be in keeping with its location and be of a scale which relates sympathetically to the existing building and the countryside. The SPD reflects this, requiring an extension to be modest in size, subservient to the original dwelling and not to overwhelm or destroy its original form.

Living conditions

9. Roseholme has a rear conservatory with glazed roof and rear roof dormer with a large proportion of glazing. The substantial increase in height and size of the dwelling would be dominant in the outlook from this adjacent dwelling. The upward extension over the depth of the existing dwelling would have an overbearing impact upon the occupiers of the adjoining property. This would diminish the enjoyment of the residential living environment for the neighbouring occupiers.
10. Given the appeal proposal's orientation and proximity to the neighbouring property the occupiers of Roseholme are extremely likely to experience reduced light within their habitable living environment making their home a gloomier place in which to live. Again, the proposal would harm the enjoyment the existing occupiers should reasonably expect to enjoy.
11. For these reasons, I conclude that the proposed development would be harmful to the living conditions of the existing adjoining occupiers at Roseholme. The proposal would, therefore conflict with Policies LPRSP15 and LPRHOU11 of the Maidstone Local Plan Review 2024, the Residential Extension SPD, the Boughton Monchelsea Neighbourhood Plan 2021 and the provision of the Framework. These policies and SPD seek, amongst other matters, development to respect the amenities of occupiers of neighbouring properties.

Other Matters

12. The appellant contends that the Council has not adequately considered the proposal as the Council has not issued a Certificate of Lawful Development (Intended Use). The Council within its Officer Report has considered the proposed development against the criteria set out in Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and has concluded the proposal would not satisfy Class AA. I consider the Council has adequately addressed this matter.
13. Both parties mention concern that the property may in the future be occupied as a House in Multiple Occupation. The appellant advises that the intention for the property is to retain it as a family home. Furthermore, the application has been submitted as a householder application that seeks planning permission for the extension to a dwelling. There does not appear to be any substantive evidence that would support this concern.

Conclusion

14. Having regard to the above findings, the appeal should be dismissed.

Nicola Davies

INSPECTOR