
Appeal Decision

Site visit made on 24 July 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 August 2025

Appeal Ref: APP/A2280/W/25/3364539

218 King George Road, Chatham ME5 0PH

- 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 Parmar against the decision of Medway Council.
 - The application ref. is MC/24/1870.
 - The development proposed is for erection of detached dwelling and associated hard and soft landscaping works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on a) the character and appearance of the local area; and b) the living conditions of the occupants of the host dwelling having regard to outlook, light and privacy.

Reasons

Character and appearance

3. The appeal site relates to a two-storey, end-terrace house on the junction of King George Road and Chestnut Avenue in a predominantly residential area. Whilst the terraces on King Georges Road are of broadly similar scale and appearance, there is no prevailing architectural style to properties on Chestnut Avenue, which is characterised by buildings of differing design, detailing and external materials. I also observed that the layout of dwellings immediately to the west of the appeal site running along Chestnut Avenue is fairly regimented. The front building lines of the units are laid out in a well-defined linear pattern along the highway; the distance between elevations and the road is therefore fairly consistent and uniform.
4. The proposal would interrupt this pattern; the layout plan demonstrates that it would project into the side garden of the appeal site and beyond the established building line that predominates along this side of Chestnut Avenue. Furthermore, it would be of substantial proportions, with a ridge height exceeding the host residence and others locally, thus exacerbating its dominance. It would be clearly evident from the public domain within the vicinity of the site resulting in a prominent incursion within the context of the neighbourhood.
5. I note that planning permission has previously been granted for a two-storey attached dwelling on the appeal site (Council ref. MC/21/2409), however this is

considerably smaller in mass and bulk than the proposal before me and does not project as far into the side garden. Moreover, it appears contiguous with the terrace of which it is a part, assimilating with the overall dimensions and integrating with the design, which the appeal development fails to achieve. It is not therefore comparable in this instance.

6. I am satisfied that parking could be provided in the arrangement indicated on the block plan without resulting in any adverse impacts, and that the side elevation facing the junction would be suitably detailed. However, these matters do not outweigh the harm I have identified above.
7. I therefore conclude that the scheme would result in detriment to the character and appearance of the local area. It would run contrary to Policy BNE1 of the Medway Local Plan May 2003 (LP), which seeks to secure new development of acceptable size and appearance. It would also be inconsistent with the National Planning Policy Framework (the Framework), which states that good design is a key aspect of sustainable development.

Living conditions

8. The rear facing first floor window of no.218 currently benefits from a view in a broadly southerly direction towards Chestnut Avenue and beyond. The window is a source of light and outlook from the bedroom, which is deemed to be a habitable area.
9. Due to the height and close proximity of the appeal proposal relative to the window, the view would be impeded by a blank side wall approximately 2 metres away. Moreover, I also have no robust evidence, for example in the form of a BRE compliant report, to ratify that light levels would not be materially reduced. My concerns on this matter would also pertain to the rear garden immediately beyond the hindmost elevation of the host dwelling. As such, the development would result in a constrained environment for the occupants of the bedroom and rear garden, materially worse than the existing situation, and would have a harmful impact upon their living conditions.
10. The north-facing dormer window of the development would primarily face towards the roof form of the existing house, and also could be obscure glazed and fixed shut so as to avoid any material loss of privacy. Furthermore, I recognise that the previous approval projected beyond the back wall of the host dwelling; nevertheless, this was at ground floor level only and as such does not compare to the appeal scheme before me. Collectively these issues do not counterbalance the detriment I have reasoned above.
11. Although there would be no adverse effect upon privacy, the proposal would be deleterious to the living conditions of the occupants of the host dwelling having regard to outlook and light. Accordingly, it would contravene BNE2 of the LP, which relates to the protection of the quality of life and states that all development should protect amenity. It would also be inconsistent with the advice in the Framework, which advocates safe and healthy living conditions.

Other Matter

12. The Council has referred to the need for a legal agreement to secure the proposal as a self-build. This did not form a reason for refusal; had the appeal been

acceptable I am satisfied that this could have been dealt with procedurally through discussion with the main parties.

Conclusion

13. Having regard to the above and all associated factors, I dismiss the appeal.

C Hall

INSPECTOR