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## Appeal Decision

Site visit made on 18 December 2023

**by Philip Willmer BSc Dip Arch RIBA**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 January 2024**

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**Appeal Ref: APP/U2235/D/23/3331578**

**Moonrakers, Darman Lane, Laddingford, Kent, ME18 6BL.**

- 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 Shane Huke against the decision of Maidstone Borough Council.
  - The application Ref 23/503511, dated 27 July 2023, was refused by notice dated 29 September 2023.
  - The development proposed is for the demolition of existing conservatory and erection of two-storey side extension and part single part two storey rear extension and creation of in and out driveway.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. I consider the main issue in this case to be the effect of the proposed development on the architectural integrity of the host property and thereby the character and appearance of the local area.

### Reasons

3. Moonrakers is a detached dwelling located in an area, classified in the Local Plan as countryside. The dwelling is of a well-mannered traditional vernacular design and character.
4. I understand from the evidence before me that the original property was a rectangular building to which a two-storey extension on the north side and a rear conservatory have been added (Ref: MA/87/1958) and (Ref: MA/03/0916) respectively. There is also an extant permission for a matching two-storey extension to the south side of the existing building attached to a part two-storey, part single-storey rear extension protruding approximately 6.0 metres from the original rear wall of the building (Ref: 22/504290/FULL).
5. A recent prior notification application has also confirmed that prior approval is not required for an 8.0 metre deep flat roofed single-storey rear extension to replace the existing conservatory, it would not be attached to the existing side extension, (Ref: 23/501671/PNEXT). The Council advises the permissions 22/5045290/FULL and 234/501671/PNEXT are mutually exclusive proposals, and cannot both be implemented because the 8.0 metre deep prior notification

extension would be built in the same position as part of the extension approved under 22/504290/FULL.

6. The appellant proposes a two-storey side extension and a part single-storey, part two-storey rear extension following the demolition of the existing conservatory. I understand that the key difference with the current proposal when compared to the development approved under 22/504290/FULL and 23/501671/PNEXT is the proposed wide and fully glazed contemporary styled gable to fill the space between the rearward projecting wings of the side extensions along with the provision of access onto a roof terrace on top of the rear of the single storey extension.
7. An in and out driveway is also proposed that would result in part of the front hedgerow being removed. As identified by the Council the loss of part of the front hedgerow would be regrettable. However, given the existing opening in the hedge in that position I do not consider that a wider opening here would be harmful to the street scene or the character and appearance of the wider area.
8. By reference to the earlier scheme designs submitted in evidence for this appeal the house if extended as previously approved (Ref: 22/504290), would appear as a well-proportioned traditional vernacular designed property. The previously approved extensions and additions being in scale and sympathy with the character and style of the host building.
9. If designed sensitively a contemporary addition to a traditional vernacular styled dwelling can make for an interesting architectural composition. However, in this case the proposed first floor fully glazed rear projecting gable would appear, when viewed from either side and particularly the rear as a large, contrasting, dominant and somewhat utilitarian addition. Thereby it would significantly denude the subtlety of the design of the both the host property and the previously approved additions and alterations.
10. Furthermore, along with other design details the retention of the utility room door in the rear elevation, the design and proportions of the proposed French doors and the proportions of the proposed study and utility room windows, would in small but material way further detract from the overall architectural composition.
11. I conclude in respect of the main issue that the proposal would cause significant harm to the architectural integrity of the host and thereby the character and appearance of the local area. To allow it would therefore be contrary to the objectives of Policies SP17, DM1, DM30 and DM32 of the Maidstone Borough Council's *Maidstone Borough Local Plan* (Adopted October 2017), the design guidance contained in the Maidstone Borough Council *Maidstone Local Development Framework-Residential Extensions* Supplementary Planning Document (Adopted May 2009) and the National Planning Policy Framework, as they relate, to amongst other things the quality of development.

## **Other Matters**

12. I acknowledge, that while it would be for the Council to consider in the first instance, a two-storey rear extension, projecting 3.0 metres from the rear wall of the host property may well represent a realistic material fallback position here. However, in this case it is not necessarily the scale or form of extension

that is the concern but its design and design detailing in relation to the host property. I consider, therefore that the design of the proposed extension before me to be so harmful as to outweigh the substantial weight I can attach to the fallback position, which may in any case, when it comes forward to be of a more appropriate design.

13. I note that no objections have been raised in terms of the developments impact on residential amenity, heritage, ecology or trees, and views from the public realm a limited due to existing tree screening. However, the absence of harm is a neutral factor in my considerations and, as such, I have given these matters very little weight in my decision.

### **Conclusions**

14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Philip Willmer*

INSPECTOR