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# Appeal Decision

Site visit made on 22 April 2024

**by P Terceiro BSc MSc MRTPI**

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

**Decision date: 12 June 2024**

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**Appeal Ref: APP/U2235/W/23/3324716**

**Storage Barn, Admiral Way, Marden TN12 9JS**

- 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 Nick Gaskin against the decision of Maidstone Borough Council.
  - The application Ref is 23/500830/FULL.
  - The development proposed is the removal of the existing storage barn and the erection of a 3 bed det. dwelling.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. Since the Council issued its decision on the planning application, a new Maidstone Local Plan (MLP) has been adopted and I have taken it into account in my decision. The Council has clarified that the relevant policies are LPRSP6, LPRSP15 and LPRTRA4. The appellant has had the opportunity to comment on the new policies and I have taken any response received into account in my decision.
3. There has recently been a revised National Planning Policy Framework (the Framework) published by Government. The parties have had the opportunity to comment on this as part of their appeal submissions. I have had regard to the revised Framework and to any representations received in my decision.

## Main Issues

4. The main issues are:
  - the effect of the proposed development on the character and appearance of the area;
  - whether the proposal would provide acceptable living conditions for future occupiers with particular regard to car parking, access arrangements, outlook and internal space.

## Reasons

### *Character and appearance*

5. The appeal site is a modest plot that is located to the rear of a residential property that faces Goudhurst Road, by the entrance to a wider residential estate on Admiral Way. The prevailing pattern of development within

Goudhurst Road in the vicinity is characterised by a strong, linear layout comprising street frontage dwellings with long rear gardens. Development along Admiral Way is laid in a more modern layout, with smaller gardens.

6. Admiral Way has generous grass verges, which in combination with the dwellings' set back from the road and the rear gardens of the properties facing Goudhurst Road creates a pleasant and spacious character to the area around the appeal site. The site is occupied by a workshop that due to its height, form and roof design, has an unassuming presence which helps to maintain the sense of space within Admiral Way. The dwellings on this road display some variety in their design, however they are of a similar scale, with the main entrance in the front elevation.
7. The proposal would result in the introduction of a substantial two storey dwelling within this constrained site. Even though the dwelling's front elevation would broadly be in the same location as that of the existing workshop, due to its height, size and scale, the proposal would loom larger in the street scene than the workshop and unacceptably affect its spaciousness.
8. The front elevation of the new dwelling would comprise a bay window to act as a focal point. However, given its contrived roof form with a steep slope, it would result in an awkward appearance that would be prominent within the street scene due to its projection beyond the main elevation.
9. The main entrance would be hidden and accessed past parked cars in the under-croft parking, markedly at odds with the frontage style and activity in the surrounding plots. Moreover, the parking area would create a void in the front elevation which would not be visually attractive. The pattern of fenestration across the proposed building would appear incoherent in terms of proportions, design and location, thereby failing to create a visually balanced and harmonious composition. As such, the proposed development would be a discordant feature in the street scene.
10. The proposed dwelling would be of a lower height than surrounding homes and suitable materials could be secured by condition were I minded allowing the appeal. Furthermore, it would remove obsolete farm buildings from this residential area. However, this would not overcome the harm that I have identified above related to its scale, design and appearance.
11. I understand that this proposal follows a previous planning application for one residential unit that was refused by the Council. Whereas it may be that the scheme before me has been reduced in size, I find that the proposal would be harmful in its own terms.
12. In conclusion, the proposal would have a harmful effect on the character of the area, contrary to MLP Policies LPRSP6 and LPRSP15, insofar as these policies support the development of an appropriate scale that responds positively to the local character of the area. In addition, the proposal would fail to accord with the Framework, where it supports development that is sympathetic to local character. Further, the proposal would conflict with Policy BE1 of the Marden Neighbourhood Plan (MNP), where it supports development that respects the existing character.

### *Living conditions*

13. The Landscape Plan shows two under-croft parking spaces arranged side by side and the appellant indicates that the area to the front of these spaces would also be used for parking. The Council advises that the size of the parking spaces would fall below that recommended by Kent County Council's guidance<sup>1</sup>. In the absence of compelling evidence to demonstrate that the parking spaces would meet the minimum size, I cannot conclude that these spaces would be fit for purpose.
14. The width of the main part of the parking bays would be reduced towards the site entrance due to the siting of the brick wall. Consequently, the manoeuvring space would appear cramped. I have not been provided with substantive evidence to demonstrate that the proposed layout would accommodate vehicle movements onto and off the site. As such, I am unable to conclude that the space provided would be sufficient to accommodate safe vehicle manoeuvring.
15. The proposal would provide cycle storage and details of electric vehicle charging facilities could be secured by condition where I minded allowing the appeal. Furthermore, I note that not all driveways have room for a turning area. However, there remains an expectation that new development will be provided with appropriate access and parking facilities and, on the evidence before me, I am not satisfied that the proposal would achieve this.
16. Two windows serving the lounge would overlook the site's rear boundary at a limited distance. These windows would therefore offer inadequate views to the external environment, thereby resulting in unacceptable levels of outlook.
17. While it may be that the size of proposed rooms would meet the national space standards, a large proportion of the first-floor accommodation would have restricted headroom. Furthermore, the entrance hall would be an enclosed space with limited access to natural light. Therefore, the quality of the internal space provided would be deficient.
18. The proposed garden space would be adequate for a 3-bedroom dwelling. However, this would not overcome the deficiencies I have identified with regard to the internal accommodation in terms of outlook and headroom.
19. In conclusion, I am not satisfied that the proposal would create acceptable living conditions for its future occupants with regard to car parking, access arrangements, outlook and internal space. As such, the proposal would be contrary to MLP Policies LPRSP15 and LPRTRA4, where these policies support development that provides adequate residential amenities for its future occupiers and appropriate parking. Further, the proposal would conflict with Policy BE2 of the MNP, which requires new housing development to provide suitable amenity for future residents in terms of privacy, light and outlook.

### **Planning Balance and Conclusion**

20. The proposed development would contribute to the Council's housing stock and would meet the Framework's objectives of boosting the supply of housing. Further, the proposal would re-develop a brownfield site for a residential use within a rural service centre. The proposal would contribute to the local economy and there would be some economic benefits accrued from the

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<sup>1</sup> Movement and Connectivity Parking Standards.

construction process. However, given that the scheme is for one dwelling, these benefits would be limited and therefore do not outweigh the harm that I have identified.

21. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

*P Terceiro*

INSPECTOR