



Appeal Decision

Hearing held on 17 February 2026

Site visit made on 17 February 2026

by N Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 MARCH 2026

Appeal Ref: APP/U2235/W/25/3375644

Plot 8, Eclipse Park, Sittingbourne Road, Maidstone, Kent ME14 3EN

- 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 Cinch Self Storage against the decision of Maidstone Borough Council.
 - The application Ref is 24/503497/FULL.
 - The development proposed is for the erection of a 5 storey self-storage facility (class B8) for 7,097m² of floorspace over five floors, with landscaping, 16 parking spaces, access, and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a 5 storey self-storage facility (class B8) for 7,097m² of floorspace over five floors, with landscaping, 16 parking spaces, access, and associated works at Plot 8, Eclipse Park, Maidstone, Kent ME14 3EN in accordance with the terms of the application, Ref 24/503497/FULL, subject to the conditions in the attached schedule.

Procedural Matters

2. At the hearing it was established that one of the appellant's statements had not been seen by the Council. Specifically, this related to the statement of GDM Architects, and this therefore could amount to new, or missing, evidence. However, I am mindful here that this statement contained limited new information that had not already been aired during the Council's consideration of the planning application. Further, this statement was referenced in the other statement provided by the appellant and a hard copy was given to the Council during the hearing. On this basis, I am satisfied that the Council's position was not prejudiced by not having had sight of it before the hearing and I have thus taken it into account in reaching my decision here.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The site is located within a fairly distinct area to the north of Bearsted Road which has been developed over the past 20 years. It is divided between residential uses to the north and west of the site and other commercial uses which predominate to the south and east. The residential area exists along and around Shaw Close and Heath Wood Drive. Buildings here form a mix of two and three storey houses and flats. Moving to the east, along the north side of Sittingbourne Road, this evolves

into a care home which, although still within a residential use, is a much larger format building.

5. To the south, and further to the east on both sides of Sittingbourne Road, there are much more distinct commercial uses. These include the units at plots 6 and 7 to Eclipse Park which are largely complete, a recently constructed Costa Coffee drive-through café, two large retail units with an office block (Towergate House) set between them and with associated parking. To the south exists a hotel which is generally single storey in construction and two further office blocks.
6. The height and footprint of buildings varies, ranging from lower two storey homes on domestic scale plots along Shaw Close at one end of the spectrum to the large retail units to the east. Whilst there is a general evolution of buildings from the smallest in the west to the largest in the east, this evolution is by no means gentle or consistent. There are changes in height, footprint and fenestration between all buildings. Moreover, there are variances in the building's relationships with the surrounding roads along with the amount of landscaping and other spaces between them. Many of the larger buildings are set back from the road with varying levels of landscaping to soften their impact and prevent the height of the taller buildings from being overly dramatic when viewed from the road. Moreover, I do accept that, moving away from the site itself, the relevance of other buildings diminishes, and this applies to both the small scale homes to the west as equally as to the large retail units to the east.
7. Overall, I find that the area has a highly varied and mixed character. This is owing to the range of uses and the way the area has developed. Even though Sittingbourne Road does present a form of dividing line between residential uses to the north of the road and commercial uses to the south, the general impression of the area is not always as clear cut as this when on the ground.
8. The proposed building would be amongst the taller ones in this area. Its footprint would be large compared to the houses and flats to the west, similar to plots 6 and 7 adjoining the site and significantly smaller than the retail units. The fenestration to the building would be largely windowless, excepting at ground floor level, owing to its function as a self-storage building. Even so, the façade has been varied to provide interest to an otherwise blank wall. This has been done through the use of panelling set forward of recessed elements, set back parts of the upper floor of the building, use of timber cladding together with ragstone facing at ground floor level.
9. The building would be set back from the road. It would be separated by a car parking area with a line of landscaping along the immediate frontage. This landscaping would take time to become fully established but given its broad similarity to the neighbouring office building, it would, in time, provide a reasonable screen and would tie in with the more verdant areas of Sittingbourne Road to the west.
10. The set back of the proposed building, together with its mixed palate of materials and the softening effect of the landscaping would mean that it would not dominate the domestic scale of residential buildings opposite. Its height would be ameliorated by the separation distance with these smaller houses.
11. The juxtaposition of the proposed commercial use at the appeal site, and its established commercial neighbours, with the residential neighbourhood opposite is somewhat jarring. Even so, this would be the case for any commercial proposal on

this allocated employment area, and I must have regard here to the clear efforts made by the appellant to provide a varied design, particularly towards the sensitive aspect presented to the homes opposite.

12. The buildings large façade is well broken up through the use of materials, set back to upper floor and with recessed panels, and providing an angled element as the site turns the corner. There would be an active function at ground floor level where the building utilises local materials and elements of glazing. The view of the building would be filtered through the landscaping strip and this would further be of benefit in providing a soft edge in the street scene.
13. Therefore, I conclude that the proposal would have an acceptable impact on the character and appearance of the area. It's footprint, height and massing have been well broken up through use of effective design features. Moreover, these features greatly assist in making sure the building does not appear wholly utilitarian. The design has responded sympathetically to its context. Accordingly, the proposal complies with policies LPRSP15 of the Maidstone Local Plan and National Planning Policy Framework (the Framework) in that it creates a high-quality design which responds to the local area.

Other Matters

14. A signed and executed Unilateral Undertaking (UU), dated 4 February, was provided in advance of the hearing. The UU is for a Biodiversity Gain Plan Monitoring contribution. As the development is significant, this is necessary to make the development acceptable in planning terms. It is directly related to the development and fairly and reasonably related in scale and kind to it. It is thus in accordance with Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

Conditions

15. A schedule of conditions was provided in the Statement of Common Ground. I have imposed all the conditions suggested with some limited modifications and edits, as discussed below, having regard to the Planning Practice Guidance (PPG) and paragraphs 56 and 57 of the Framework.
16. The wording "for that phase" has been removed from conditions 8, 9, 13 and 16 as the development is not phased.
17. Condition 1 is a general time limit condition to accord with the provisions of the Town and Country Planning Act (the Act).
18. Condition 2 is a plans condition and is imposed in the interests of certainty. The plan references in this condition have been updated to reflect corrected plan references that were confirmed at the hearing.
19. Condition 3 is to ensure adequate parking and turning provision on site in the interests of the safety and convenience of users of the highway.
20. Conditions 4 to 6 (inclusive) pertain to landscaping and biodiversity in the interest of landscape, visual amenity and biodiversity enhancement.

21. I have imposed condition number 7 to ensure the varied façade of the building is delivered. This is important as the quality of the fenestration here is a reason for granting permission for this proposal.
22. Conditions 8 to 11 (inclusive) are pre-commencement conditions having regard to s100ZA of the Act and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018. As these have been put forward and agreed upon by the appellant, I do not need to seek further agreement to impose these. This is notwithstanding the edits I have made to them. This is because these edits correct typographical errors for ease of reading and do not change the conditions requirements.
23. Condition 8 is to ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on or off site flooding.
24. Conditions 9 and 10 are in the interests of the visual amenity of the area with the latter condition also considering the effects on trees. Condition 11 is for biodiversity enhancement. To ensure the scheme is a sustainable form of development, I have imposed condition 12.
25. Conditions 13 to 16 (inclusive) relate to the design, materials and lighting for the development to ensure it is of a high quality. Condition 17 provides secure cycle parking to promote sustainable transport use.
26. A restriction is imposed, at condition 18, on the installation of plant that may be noise generating being mindful of the site's proximity to residential properties.
27. Condition 19 is to protect vulnerable groundwater resources whilst condition 20 minimises flood risks from the development. Condition 21 is a precautionary condition in the event that potential contamination is encountered in the interests of human health.
28. I have imposed condition 22 to restrict the use of the building to self-storage only. Whilst this term is not defined in policy or legislation, the wording of this condition ensures that it delivers a building with a multiplicity of occupants. An unrestricted B8 use¹ would have the potential to have different impacts. Condition 23 is to ensure a sustainable form of development.
29. Finally, condition 24 is imposed to restrict the hours of operation of the premises, or, more specifically, those times when stored items can be accessed. This is to safeguard the living conditions of the occupants of nearby residential properties.

Conclusion

30. The proposed development would have an acceptable impact upon the character and appearance of the area, it would accord with the development plan and the material considerations do not indicate that a decision should be made other than in accordance with it. Therefore, for these reasons, the appeal is allowed.

N Bowden

INSPECTOR

¹ The Town and Country Planning (Use Classes) Order 1987 (as amended)

Schedule of conditions

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved drawings:
 - 4104 P001 RevE (Site Location Plan)
 - 4104 P003 RevH (Proposed Site Plan)
 - 4104 P106 RevE (Proposed Elevations)
 - 4104 P200 RevE (Existing and Proposed Sections)
 - 4104 P201 (Existing and Proposed Sections)
 - 4104 P107 RevE (Ground to Third Floor Plans)
 - 4104 P108 RevC (Fourth Floor and Roof Plans)
 - 0693/24/B/100A (Landscape Planting Plan)
 - 4104 P202 (Proposed Site Sections)
- 3) The approved vehicle parking and turning areas shall be completed before the commencement of the use of the building and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them.
- 4) The development shall be carried out in accordance with the approved landscaping scheme as shown on drawing no. 0693/24/B/100A. All planting, seeding and turfing specified in the landscaping scheme shall be carried out in the first planting season (October to February) following the occupation of the building or the completion of the development, whichever is the sooner. Any approved seeding or turfing which fails to establish or any trees or plants which, before a period of 10 years from the completion of the development has expired, die or become so seriously damaged or diseased that their amenity value has been adversely affected, shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation. No replacement planting or removal of any planting shall take place without the prior written consent of the local planning authority.
- 5) The development shall be carried out in accordance with the approved Arboricultural Method Statement (dated 05/10/22) including the tree protection plan and measures.
- 6) The development shall be carried out in accordance with the ecological enhancements as shown on drawing no. 0693/24/B/100 (July 2024) which shall be installed prior to the occupation/use of the building hereby approved.
- 7) The development shall be carried out so as to ensure the different coloured cladding panels on the building are recessed from one another by at least 0.25m and the roof is recessed by at least 3.8m.

8) No development shall take place until a detailed sustainable surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment and Drainage Strategy Revision 2 dated 25th October 2024 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.

- The drainage scheme shall also demonstrate (with reference to published guidance):
- That silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

9) No development shall take place until details of the proposed finished floor levels of the buildings, all ground levels of the development, and existing site levels shown at 0.5m contour intervals have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed strictly in accordance with the approved details.

10) No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed strictly in accordance with the approved details.

- An on-going management regime for works to any overhanging trees to the south of the site.
- Details of any ground retaining measures as part of construction within any tree root protection areas.

11) No development shall take place until, a Habitat Management and Monitoring Plan (HMMP) for maintaining a minimum 20% net gain in habitat units across the site in line with the 'Biodiversity Net Gain Report' (Ecology Solutions August 2024) for a period of at least 30 years from completion of the development which shall include:

- i. A non-technical summary;
- ii. The roles and responsibilities of the people or organisation(s) delivering the HMMP;
- iii. The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain. in accordance with the approved Biodiversity Net Gain Report' (Ecology Solutions August 2024);

- iv. The management measures to maintain the biodiversity net gain for a period of at least 30 years from the completion of development; and
- v. The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

The development shall be implemented in full accordance with the requirements of the approved HMMP.

Notice in writing shall be given to the Council when the habitat creation and enhancement works as set out in the HMMP have been completed.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

- 12) No development above slab level shall take place until details and evidence of the measures necessary to incorporate at least 10% on-site renewable or low carbon energy production measured as a percentage of overall consumption have been submitted to and approved in writing by the Local Planning Authority. Follow installation of the approved measures they shall thereafter be retained.
- 13) No development above slab level shall take place until written details and sample of the materials, to be used in the construction of the external surfaces of the buildings have been submitted to and approved in writing by the local planning authority. The materials shall include the following:
- Kentish ragstone as shown on the approved plans including photographs of at least a 1.5m x 1.5m sample panel of the ragstone (which has been constructed on site) and written details of the mortar mix.

The development shall be constructed using the approved materials.

- 14) No development above slab level shall take place until details of hard surfaces have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 15) No development above slab level shall take place until details of all fencing, walling and other boundary treatments have been submitted to and approved and the development shall be carried out in accordance with the approved details before the first occupation of the building and retained thereafter.
- 16) No development above slab level shall take place until details of all external lighting, which shall be operated by motion sensors or timers so it is switched off and/or dimmed when not required, and designed to minimise light pollution, has been submitted to and approved in writing by the local planning authority. The lighting shall be carried out in accordance with the approved scheme.
- 17) No development above slab level shall take place until details of secure cycle parking have been submitted to and approved in writing by the local planning authority. The approved parking shall be provided before the occupation of the building and shall thereafter be kept available for such use.

- 18) No occupation/use of the building shall take place until details of any plant (including ventilation, refrigeration and air conditioning) or ducting system to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The scheme shall include an acoustic assessment which demonstrates that the noise generated at the boundary of any noise sensitive property shall not exceed Noise Rating Curve NR35 as defined by BS8233: 2014 Guidance on sound insulation and noise reduction for buildings. The equipment shall be maintained in a condition so that it does not exceed NR35 as described above, whenever it's operating. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority.
- 19) Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.
- 20) The building hereby permitted shall not be occupied (or within an agreed implementation schedule) until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.
- 21) If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

If during construction/demolition works evidence of potential contamination is encountered, upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority if necessary. The closure report shall include details of:

- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

- 22) The building hereby approved shall be used for 'self-storage' only with no individual storage unit over 190m² and for no other purpose, including any other uses permitted under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any statutory instrument revoking and re-enacting those Orders with or without modification).
- 23) The building hereby approved shall achieve a Very Good BREEAM UK New Construction Version 6.1 rating including maximising energy and water efficiencies under the mandatory energy and water credits. A final certificate shall be issued to the Local Planning Authority for approval in writing within 6 months of the first occupation of the building(s) to certify that at a Very Good BREEAM UK New Construction Version 6.1 rating has been achieved.
- 24) The building and car park hereby permitted shall not be open for use outside the hours of 6am to 11pm.

End of schedule

Appearances

For the Appellant:

Andrew Fraser-Urquhart KC – Barrister, FTB Chambers

Jonathan Buckwell – Director, DHA Planning

Gavin Ernest – Director, GDM Architects

William Yarnley – Development Manager, Cinch Self Storage

For the Local Planning Authority:

Richard Timms MATCP MRTPI – Principal Planning Officer, Maidstone Borough Council