



Appeal Decision

Site visit made on 28 May 2025

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 June 2025

Appeal Ref: APP/U2235/D/25/3363085

Hillside House, Pilgrims Way, Detling, MAIDSTONE, ME14 3EX

- 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 T Cowland against the decision of Maidstone Borough Council.
 - The application Ref is 25/500129 .
 - The development proposed is the erection of a part single storey, part two storey, side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a part single storey, part two storey, side extension at Hillside House Pilgrims Way, Detling, MAIDSTONE, ME14 3EX in accordance with the terms of the application, Ref 25/500129 , and the plans submitted with it, subject to the conditions set out in the attached Schedule.

Procedural matter

2. There is a slight anomaly in the submitted plans in that the proposed side extension is shown set-down and set-back from the existing end gable on the front and rear elevations but appears to be shown as flush with the main roof on the side elevation. In plan form the set-in is shown at ground, first floor, and roof plan level. I have therefore considered the proposal as shown on most of the plans where the gable extension would be set-down and set-in slightly and that the depiction of the front elevation takes precedent over the side elevation shown on the drawing BDS-HSH-P02 – rev E.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and its setting in the Kent Downs National Landscape (KDNL).

Reasons

Background

4. The appeal site contains a detached property which lies on the corner of Pilgrims Way and Hermitage Way on the edge of the village of Detling. The site lies in an elevated position above the lane and there are mature hedgerows along and above the road frontages. The existing dwelling has been considerably extended and the planning history is set out in the officer report. Of relevance to this appeal is an appeal decision in 2024 under ref. APP/U2235/D/24/3343407, for the erection of a part single, part two storey side extension. The inspector concluded that while the extensions then proposed would conserve the natural beauty of the

KDNL, they would overwhelm the original form of the host dwelling and unacceptably harm the character and appearance of the area.

5. The current scheme has therefore been submitted to try and overcome the previous objections. Moreover, the appellant submits that there is a fallback position with a previous extension involving a garage at ground floor and a first-floor addition above, which were permitted under ref. 23/501528 but these additions has not been built.

Effect on character and appearance

6. In assessing this issue I have sought to further the purpose of conserving and enhancing the natural beauty of the KDNL and placed great weight on these aspects.
7. From my observations at the site visit and having regard to the extensions already permitted and also those that can still be carried out, I am satisfied that this further proposal would have only a very localised effect on the host building and would not have a wider effect on the landscape and natural beauty of the KDNL.
8. In terms of the fallback position, I find that there is more than a theoretical prospect of this being carried out. The footings of those extensions are about the same as those in the current appeal scheme and appear to have already been dug.
9. Comparing the permitted and current proposals, the current scheme would be a visual improvement as the large expanse of flat roof associated with the first-floor addition would be replaced by a main gable continuing the front elevation and then a subservient pitched roof section running at right angles. This arrangement would avoid the double gable shown on the south-west elevation of the permitted scheme as well as the partial pitched roof for the rear section. The current proposal would also greatly reduce the extent of lean-to pitched roof over the garage which would run the width of the side of the property on the south-western elevation. I am satisfied that the proposal would not make the view of the property from the north-west noticeably elongated as the Council alleges. In short, the current proposal would provide a simpler and more sympathetic addition to the host property.
10. Although the appeal proposal would add to the further enlargement of the original property and reduce some of its architectural character, bearing in mind the extension that has already been permitted and can be added, I am satisfied that the current proposal as an alternative would provide a visually better architectural solution. On this basis I find that the proposal meets the requirements of Policies LPRSP9, LPRS15 and LPRQD4 on the design of house extensions in the countryside, and the Management Plan for the KDNL.

Planning balance

11. This accord with the development plan is not outweighed by any other consideration which indicates that the appeal should be allowed.
12. In terms of conditions, the Council recommends that standard ones be imposed concerning the commencement of the development; accord with approved plans, and external materials to match the existing dwelling. These are all necessary in the interests of clarity and to ensure that the extension approved fits in with the existing dwelling. Further, I agree that a condition concerning ecological

enhancement is necessary to aid biodiversity and I will impose this as well. Finally, to address the apparent anomaly over the plans, in the interests of clarity I will impose a condition to require the correct plans to be submitted and agreed with the Council before the scheme progresses above slab level.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed.

David Murray

INSPECTOR

Schedule of conditions

- 1) The development hereby approved shall begin not later three years from date of this decision.
- 2) The external materials of the extension hereby permitted shall match those used in the existing dwelling.
- 3) The development hereby permitted shall be carried out in accordance with drawing No's BDS-HSH: P01 rev B; P02 - rev E (as to be corrected); P03-rev A.
- 4) No development above slab level shall take place until details of a scheme for the enhancement of ecology on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of ecology through integrated methods into the fabric of the extension by means such as swift bricks, bat tubes and bee bricks, and through the provision within the application site of measures such as bird and bat boxes, bug hotels, log piles, wildflower planting and hedgehog corridors. The development shall be implemented in accordance with the approved details prior to the first use of the extension and all features shall be permanently retained and maintained thereafter.
- 5) No development above slab level shall take place until correct drawings showing the true side elevation of the proposed extensions have been submitted to and agreed in writing by the Local Planning Authority.

End