



Appeal Decision

Site visit made on 29 April 2025

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 July 2025

Appeal Ref: APP/U2235/D/25/3358516

The Yew Trees, Marley Road, Harrietsham, Kent ME17 1AX

- 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 Graham Bishop against the decision of Maidstone Borough Council.
 - The application ref. is 24/503093/FULL.
 - The development proposed is construction of detached ancillary annex.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal questionnaire indicates that the site is not in an Area of Outstanding Natural Beauty (AONB), now named National Landscapes. However, an extract from the Kent Downs AONB Management Plan shows that it is, in fact, in the Kent Downs National Landscape and I have dealt with the appeal on that basis.
3. I do not have an extract of the Local Plan Policies Map before me, but on the basis that policies relating to the countryside are cited in evidence and the appellant has not disputed their applicability, I have dealt with the appeal on the basis that the site is not within a settlement boundary and is, therefore, in the countryside.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the intrinsic character and scenic beauty of the Kent Downs National Landscape.

Reasons

5. The site comprises a large, detached bungalow in stone and render with two parallel driveways on the northern side of a lane running along the edge of a large village. Its dual access has twin five-bar gates flanked by two curved brick walls, which continue along the frontage, topped by hedgerow.
6. Further similar large bungalows in spacious plots line the northern side of the lane, mostly in brick with tile roofs, and separations increasing from about 20m at the western end to 60m at the eastern end. The separation from the host bungalow to its western neighbour is about 27m and that to its eastern neighbour is about 42m.
7. The lane climbs from west to east, has no footway apart from a short section opposite the site, and only a grass verge to the southern side, along which there are further detached dwellings in smaller plots. Hedgerows and trees form most boundaries to the lane, but an avenue opposite has open front gardens.

8. The Maidstone Landscape Character Assessment identifies the area as part of the Gault Clay Vale, guidelines for which include conserving the undeveloped foreground of the Kent Downs National Landscape, in which the site is located.
9. The proposal is the erection of a rendered single storey annexe with dual-pitch slate roof and uPVC fenestration between the host dwelling and that to its west, but closer to the latter. The surrounding topography is such that the ridge of the annexe roof would be at a similar height to that of the neighbour.
10. The effect would be to reduce the current gap to an extent uncharacteristic of the lane. I recognise that the annexe would be set back from the lane by a distance comparable to neighbouring buildings, but it would nonetheless create a more developed feel on what is currently the much lesser developed side of the lane.
11. The annexe would not be subservient to the host dwelling, being located closer, and of similar prominence to, the neighbouring dwelling, and its cumulative visual impact would include that of existing outbuildings. The annexe is also of a scale or type, which could also be used as a separate dwelling.
12. Whilst I note that the speed limit changes to the east of the site, this relates mainly to the likely presence of pedestrians, accesses and junctions rather than character. Similarly, whilst neighbouring plots may have been subdivided, this does not alter the number of buildings or separations between them.
13. In seeking to further the statutory purpose of conserving and enhancing the natural beauty of the National Landscape, I am mindful of the guidelines on conserving the undeveloped parts of its foreground. I consider the proposal would run contrary to these and thereby harm its intrinsic character and scenic beauty.
14. This would be contrary to Policies LPRSP9, LPRSP15 and LPRHOU11 of the Maidstone Borough Local Plan Review (2021-2038), which seek to conserve the Kent Downs National Landscape and require siting and scale to respect topography and maintain distinctiveness. I attach significant weight to these conflicts.

Other Matters

15. The appellant states that the scheme would create ancillary accommodation for family members and that the provision of granny annexes is supported by the Government due to an aging population.
16. Whilst Planning Practice Guidance deals with housing for older and disabled people, neither it nor the National Planning Policy Framework specifically support ancillary accommodation of the sort proposed.
17. Furthermore, a specific need to accommodate an older or disabled person has not been identified and so I attach only moderate weight to this.

Conclusion

18. For the reasons given above the appeal should be dismissed.

S Simms

INSPECTOR