



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: 23 July 2025

Appeal Ref: APP/U2235/D/25/3359220

Church Manor, 3 Church Green, Upper Street, Hollingbourne, Kent ME17 1HW

- 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 Benedict Nielsen against the decision of Maidstone Borough Council.
 - The application ref. is 24/504163/FULL.
 - The development proposed is the erection of one detached, single-storey outbuilding and associated landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of one detached, single-storey outbuilding and associated landscaping at Church Manor, 3 Church Green, Upper Street, Hollingbourne, Kent, ME17 1HW in accordance with the terms of the application, ref. 24/504163/FULL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings and documents:
 - TDS_0290_02_110 - Proposed Site Plan
 - TDS_0290_02_111 - Proposed Ground Floor Plan
 - TDS_0290_02_112 - Proposed Roof Plan
 - TDS_0290_02_200 - Proposed North Elevation
 - TDS_0290_02_201 - Proposed East Elevation
 - TDS_0290_02_202 - Proposed South Elevation
 - TDS_0290_02_203 - Proposed West Elevation
 - 3) No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The external surfaces of the development shall thereafter be constructed using only the approved materials.
 - 4) Before the development is first occupied, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and

approved in writing by the local planning authority. All landscaping shall be managed in accordance with the approved landscape management plan.

- 5) The use of the outbuilding hereby permitted shall be for purposes incidental to the enjoyment of the dwelling house and for no other purposes or use.

Applications for costs

2. An application for costs was made by Benedict Nielsen against Maidstone Borough Council. This is the subject of a separate decision.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area, including the intrinsic character and scenic beauty of the Kent Downs National Landscape.

Reasons

4. The site comprises a two-storey detached house and a detached car port building in a large plot at the edge of the village of Hollingbourne, on the side closest to a larger village, Eythorne Street. A well-used public footpath links the villages across an open field, from which the site is separated by a hedgerow and trees.
5. The house and three others were built about 25 years ago in a style sympathetic to the village and area. They lie just outside a conservation area containing several listed buildings, including the 14th century All Saint's church in Grade I. The village has no settlement boundary and is thus in open countryside. It is also within the Kent Downs National Landscape.
6. The subject house, neighbouring house to the east (Bell Cottage) and All Saint's church beyond it, are all visible in longer views from the footpath approaching Hollingbourne. Being nearest to the field and screened from it by fewer trees, Bell Cottage becomes more prominent closer to the village.
7. The proposal is to erect an outbuilding, close to the hedgerow boundary with Bell Cottage, and nearer to that with the open field than either house. The outbuilding would be roughly the size of the existing car port building, smaller than the host house, timber-clad and with an offset dual-pitch hipped roof in timber shingle.
8. The central section of the roof slope facing into the plot and away from the public footpath would have a sloping dormer under which would be full height glazing incorporating a glazed access door, providing views of the garden. The outbuilding would be used as a den or hobby space.
9. Its height, form and materials would reflect local style and be subordinate to the host and neighbouring houses, such that only the roof would be visible from the footpath for most of the year. Seen from along the footpath, the materials would also blend with their background, more so as they age.
10. Whilst closer to the field than any of the houses and outbuildings in the vicinity, it would be within the broader grouping they form, close to the host house and not unduly prominent. I am also satisfied that the existing outbuilding is needed and could not be converted for the purpose of the proposal.

11. Overall, I do not consider that the proposed outbuilding would appear unduly dominant or incongruous. It would not, therefore, harm either the character or the appearance of the area, including the intrinsic character and scenic beauty of the Kent Downs National Landscape.
12. Consequently, it would comply with Policies LPRSP9, LPRSP15, LPRHOU11, and LPRQD4 of the Maidstone Borough Local Plan Review (2021-2038), which seek to conserve the Kent Downs National Landscape and require siting, local materials, mass and scale to maintain distinctiveness. It would also be in line with guidance in the Council's Residential Extensions Supplementary Planning Document (2009). I attach significant weight to compliance in this regard.

Conditions

13. I have adapted the conditions suggested by the Council to list the approved drawings and require the submission and approval of materials. This is to define the permission and because, as the appellant points out, the proposed materials differ from those of the existing building.
14. I have also amended a condition suggested by the Council restricting use of the outbuilding to domestic purposes to avoid the outbuilding being severed from the dwelling. The amendment is to focus on the relationship with the dwelling rather than potential commercial use, which would in any case entail development.
15. I have not attached a condition suggested by the Council to require an ecological enhancement, as there is no evidence that it would be necessary. However, I have attached a condition requiring the submission, approval and implementation of a landscape management plan to maintain the setting of the proposal.

Conclusion

16. For the reasons given above the appeal should be allowed.

S Simms

INSPECTOR