
Appeal Decision

Site visit made on 28 August 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 September 2025

Appeal Ref: APP/E2205/D/25/3368924

Gorse Farm, Pook Lane, Biddenden, Kent TN27 8JJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Steve Forrest against the decision of Ashford Borough Council.
 - The application Ref. is PA/2025/0415.
 - The development proposed is for the erection of a single storey outbuilding to be used as annexe for elderly family member.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey outbuilding to be used as annexe for elderly family member at Gorse Farm, Pook Lane, Biddenden, Kent TN27 8JJ in accordance with the terms of the application Ref. PA/2025/0415, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 4967 01, 4967 10A, 4967 11A, 4967 12, 4967 13.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with those stated on the application form to match the existing buildings.
 - 4) The proposal hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Gorse Farm, Pook Lane, Biddenden, Kent TN27 8JJ.

Preliminary Matter

2. An application for a full award of costs has been made by Mr Steve Forrest against Ashford Borough Council. This application will be the subject of a separate decision.

Main Issues

3. The main issue in the determination of the appeal is whether the scheme would be a residential annexe ancillary to the use of the host property, or whether a separate unit would be created. Furthermore, whether there would be harm to the character and appearance of the existing dwelling and surroundings.

Reasons

4. The appeal site comprises a detached, two-storey house with off-street parking on the driveway to the front. The area is rural in nature and mainly consists of sporadic residential properties and agricultural buildings set in wider open countryside.
5. My attention is drawn to Policy HOU9 of the Ashford Local Plan 2030 (LP), which specifically covers the creation of residential annexes in the form of the erection of new detached buildings, as proposed in this instance. The Council argues that the scheme would effectively amount to a stand-alone dwelling, separate from the main house. However, it is important that I consider the proposal as applied for; there is no separate dwelling before me, and no subdivision of the land is proposed. The application was registered, validated and advertised as an annexe in general accordance with the description of the proposal on the application form. The red edge on the location plan surrounds the whole residential site of Gorse Farm.
6. Whilst the proposal would offer the facilities required for independent day-to-day living, in physical terms it would have an extremely close association with the host residence, lying immediately adjacent. The floor plan demonstrates that most of the primary windows and doors would have an intimate relationship with Gorse Farm, facing directly towards the main house and its rear garden area, and the building would require access over the existing driveway and via the side gate and passage between the principal dwelling and detached garage.
7. Moreover, the whole site of Gorse Farm would remain in the appellant's ownership; there is no evidence before me that separate titles, bills or postal addresses would be established. The parking and garden areas would be and are clearly capable of being shared. Overall, whilst I recognise that any occupiers may experience a degree of independence, this is not untypical of annexes and would not undermine the ancillary purpose.
8. The single storey nature of the development would be subservient to the main two-storey dwelling, to my mind it would not physically challenge its dominance with regard to size, scale, height or massing, and would not appear to overdevelop the land when taking into account the relatively extensive plot and spacious surrounds. The design and materials would match the simple form of Gorse Farm and its timber elevations to assimilate with the site and local environs.
9. I therefore conclude that the scheme would be a residential annexe ancillary to the use of the host property, and there would be no harm to the character and appearance of the existing dwelling and surroundings. It would comply with Policy HOU9 of the Ashford Local Plan 2030 of the LP in relations to the formation of annexes.

Conditions

10. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the National Planning Policy Framework. In addition to the standard implementation condition, the approved plans are listed for certainty.
11. External materials should be in accordance with those listed on the application form to match the existing buildings and provide for a satisfactory appearance. A condition to ensure the outbuilding is not occupied or used at any time other than

for purposes ancillary to the residential use of the dwelling known as Gorse Farm would accord with the appellant's intentions and prevent any subdivision of the site.

Conclusion

12. For the reasons given and in respect of all remaining matters, the appeal is allowed.

C Hall

INSPECTOR