



Appeal Decision

Site visit made on 20 June 2023

by J Moore BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 August 2023

Appeal Ref: APP/G2245/D/22/3305921

2 New Barns Farm Cottages, Telston Lane, Otford, Kent TN14 5JZ

- 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 Mrs A Goff against the decision of Sevenoaks District Council.
 - The application Ref 22/01420/HOUSE, dated 19 May 2022, was refused by notice dated 19 August 2022.
 - The development proposed is introduction of single rear dormer of pitched roof design to serve existing habitable accommodation in loft space.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The proposed rear dormer would serve an existing bedroom within the roof of the appeal property, which is currently served by two rooflights. However, the submitted plans annotate two bedrooms within the property as 'Bedroom 4', one on the first floor, and one on the second floor, within the loft space. For the purposes of this appeal, I shall refer to the bedroom on the second floor as 'Bedroom 5'.

Main Issues

3. The main issues are:
 - Whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect of the development on the openness of the Green Belt, and;
 - Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate development

4. The Framework (2021) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of

exceptions, which include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Policy GB1 of the Sevenoaks Allocations and Development Management Plan 2015 (SADMP) permits limited extensions where they meet certain criteria, including criteria to assess whether a proposed addition would be disproportionate.

5. In this regard, the policy requires applicants to clearly evidence that the total floorspace of the proposal, together with any previous extensions, alterations and outbuildings would not result in an increase of more than 50% above the floorspace of the original dwelling, measured externally, including outbuildings within 5m of the existing dwelling.
6. From the evidence before me, including a previous appeal decision¹, the property has been substantially extended from its original form. The council has calculated that the floorspace of the original dwelling has been increased by about 93%, which is well in excess of the 50% threshold set out in Policy GB1. This figure is not disputed by the appellant. On this basis, although the proposal itself is modest at some 3sq.m, it would represent a disproportionate addition over and above the size of the original dwelling.
7. I therefore conclude that the proposal would be inappropriate development in the Green Belt. It conflicts with Policy GB1 of the SADMP and the Framework.

Openness

8. The supporting text to Policy GB1 sets out that floorspace alone does not always fully reflect the impact of extensions on the size of the original building. While the rear dormer would not increase the footprint of the dwelling, it would increase the volume, mass and bulk of the property, albeit to a modest degree.
9. The host property is a semi-detached cottage and with its adjoining neighbour is located at the bend of a road. The openness of the Green Belt is clearly evident around the cottages and the wider area. The rear dormer would not be visible from the frontage of the appeal property, where there is a public right of way along the road. However, I saw that it would be within public view from the part of the road that rises up towards the south-west, and that the road forms part of the North Downs Way.
10. As a result, both spatially and visually, the openness of the Green Belt has been reduced. Although in isolation the loss is minimal, nonetheless, the proposal would result in limited harm to the openness of the Green Belt.
11. For the reasons above, the proposal would result in spatial and visual harm to the openness of the Green Belt. It would not preserve the openness of the Green Belt, which conflicts with the fundamental aims of the Framework.

Other considerations

12. The fact that the proposal represents a modest or marginal addition to the property is of little consequence. The council considers that the proposal would have no adverse impact upon the character and appearance of the area, nor upon the living conditions of the neighbouring occupiers of the adjoining

¹ APP/G2245/D/16/3162201

cottage, and I find no reason to disagree. However, the absence of harm in these matters does not carry positive weight in favour of the proposal.

13. While the proposed dormer would improve the outlook to Bedroom 5 and provide increased headroom, such benefits would attract limited weight.

Conclusion

14. The proposal would represent inappropriate development in the Green Belt that would reduce openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition, openness is an essential characteristic of the Green Belt, so a reduction in openness would also be harmful. I am also required to give substantial weight to any harm to the Green Belt.
15. Set against this are the limited benefits arising to the occupiers of the appeal property. In this case, I find that there are no other considerations that would clearly outweigh the harm that I have identified to the Green Belt. Therefore, the very special circumstances required to justify the proposal do not exist.
16. For the reasons above, I conclude that the appeal should be dismissed.

J Moore BA (Hons) BPL MRTPI

INSPECTOR