



Appeal Decision

Site visit made on 30 April 2024

by Timothy C King BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 June 2024

Appeal Ref: APP/G2245/W/23/3333519

**Ranmoor, White House Road, Bayleas Hill, Sevenoaks Weald,
Kent TN14 6HS**

- 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 Craig Norton against the decision of Sevenoaks District Council.
 - The application Ref 23/01984/HOUSE, dated 11 July 2023, was refused by notice dated 4 September 2023.
 - The development proposed is a two-storey side extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a two-storey side extension at Ranmoor, White House Road, Bayleas Hill, Sevenoaks Weald, Kent TN14 6HS, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos M23-6589:11, M23-6589:13, M23-6589:08B, M23-6589:09B, M23-6589:06B, M23-6589:07A and M23-6589:10A.
 - 3) The materials to be used in the construction of the external surfaces of the building hereby permitted shall match those used in the existing building.

Main Issues

2. The site lies within the Metropolitan Green Belt, and the main issues in this case are therefore:
 - 1) whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework);
 - 2) if it is inappropriate development, the proposal's effect on the openness of the Green Belt; and
 - 3) whether the harm by reason of inappropriateness and by reason of any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Inappropriate development

3. The latest iteration of the National Planning Policy Framework, published in December 2023 (the Framework) indicates that the construction of new buildings should be regarded as inappropriate development in the Green Belt. There are certain exceptions to this as set out in paragraph 154 of the document, with that relating to householder development being 154(c). This potentially allows for 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.
4. This approach largely reflects the objectives of policy GB1 of the Council's Allocations and Development Management Plan (DMP), expounded further by the Council's Supplementary planning Document 'Development in the Green Belt' (SPD).
5. The Framework contains no definition as to what will constitute 'disproportionate additions', although policy GB1 says that, within the Sevenoaks District area, the total floorspace, together with previous extensions alterations, and outbuildings should not result in an increase of more than 50% beyond the floorspace of the original dwelling (ie as was originally built). In this regard the Council, in its case report, calculated that the original dwelling measured some 201 sqm, and extensions and alterations already carried out represent an increase of some 54%. If the additional extension now proposed was built this would increase to an uplift of approximately 110% on the dwelling's original floorspace. These figures have not been challenged by the appellant.
6. In such circumstances, and irrespective of the design and appearance of the additional built form, I am satisfied that the resultant level of increase would go beyond what could reasonably be considered as proportionate additions. Accordingly, I must conclude that exception 154(c) does not here apply, and the proposal is in conflict with DMP policy GB1.
7. I therefore find that the proposal would represent inappropriate development in the Green Belt for the purposes of the Framework.

Openness

8. The Council's case revolves around its consideration that the proposal would be harmful to the maintenance of the character of the Green Belt and its openness.
9. The scheme would involve the demolition of a detached single-storey garage and, in its place, the living accommodation would be extended out at two-storey level, albeit to a height set down from the ridge. The dwelling's new flank wall would be slightly closer to the common boundary with the neighbouring property, Summersby.
10. The prevailing pattern of development along White House Road is of large dwellings set back a considerable distance into, and within, substantial plots of notably generous width. Given this, although the proposal would lengthen the dwelling, its depth would not be affected. However, as the detached, ridged roof garage would be replaced by a hip-ended two-storey extension, thereby

impeding the existing long-distance views from White House Road over the dwelling, the increased bulk would impact on the Green Belt's openness.

11. In the circumstances, the Green Belt's openness would be adversely affected, at least in visual terms, and I afford this substantial weight.

Planning Balance

12. Paragraph 153 of the Framework indicates that very special circumstances which might override the fundamental policy objection will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
13. No other resultant harm has been identified by the Council, and I agree with this approach.
14. At my site visit, in assessing the proposal, I took the view that the proposal would make for a more cohesive form of development and layout than is currently the case. Internally, at first floor level, I witnessed that bedroom 5, as shown on the drawing depicting the existing first floor layout, cannot be accessed directly from the landing but, instead, is only reached via a door to the rear of bedroom 4. The proposed scheme would reconfigure the layout to rectify this.
15. Moreover, enlarging bedroom 4, as here proposed, would dispense with the existing side-facing window and replace it with a rear facing aspect and a rooflight. Importantly, this modification would end the overlooking of the neighbouring property, as the existing side window currently looks out over the existing garage roof towards Summerby's rear garden. Given that the proposal would represent improvements to the privacies of neighbouring occupiers I attach significant weight to this matter.
16. In the above connection I have also had regard to the overwhelming support for the proposal from local interested parties, illustrated by the various representations made following the Council's consultation exercise; none of which raised objections to the intended extension.
17. This appeal is finely balanced. I acknowledge that the additional built form would impact on openness, but I have found that this is marginally outweighed by the other material factors which I have highlighted.
18. In reaching my decision I have not taken into account the appellant's claim that a 'fallback' exists due to a LDC issued in 2012. Besides, it would appear from the information given that the then 'permitted' extension, as considered by the Council at the time, is disallowed by the current technical guidance to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Accordingly, this point raised by the appellant has not influenced my conclusions.
19. In conclusion I have found that the very special circumstances necessary to justify the scheme have been demonstrated, and the inappropriateness and effect on openness identified is outweighed by other considerations of note and materiality.

20. Accordingly, the appeal is allowed and I hereby grant planning permission for the proposal, subject to the imposition of the three standard conditions relating to householder developments.
21. The Council has also requested the submission of an ecological enhancement plan in mitigation. However, I find that, in this instance, such a measure would be disproportionate to the degree of development involved and a condition to this effect would be neither necessary or reasonable.

Timothy C King

INSPECTOR