



Appeal Decision

Site visit made on 25 February 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 March 2025

Appeal Ref: APP/G2245/W/24/3353793

Hazards, Camberwell Lane, Ide Hill, Kent TN14 6JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Ms Fiona Freund against the decision of Sevenoaks District Council.
 - The application Ref is 24/01941/PIP.
 - The development proposed is the development of site to provide 1no. infill dwelling.
-

Decision

1. The appeal is allowed and planning permission is granted for the development of site to provide 1no. infill dwelling at Hazards, Camberwell Lane, Kent TN14 6JL in accordance with the terms of the application, Ref 24/01941/PIP.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second stage (technical details consent) is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
4. In the present case, the appeal is accompanied by a proposed site plan and proposed site location plan. In view of the above, I have treated these as illustrative.
5. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024. The main parties have had the opportunity to comment on this and I have taken account of the comments made.

Main Issue

6. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development, with particular reference to whether the proposal would be inappropriate development in the Green Belt having regard to the Framework.

Reasons

7. The appeal site is located within the Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
8. Paragraph 154 of the Framework states that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions. One such exception, of relevance in this case, at paragraph 154g) is the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, which would not cause substantial harm to the openness of the Green Belt.
9. The site accommodates a detached cabin, and the parties do not dispute that the site constitutes previously developed land. The indicative layout shows that the dwelling would be large in footprint, so it is likely that its scale, bulk, mass and volume, together with other paraphernalia that would be introduced to the site, would harm the openness of the Green Belt in both spatial and visual terms. However, given that the site accommodates an outbuilding and is set in the context of built development, it is unlikely that the proposal would result in substantial harm to the openness of the Green Belt. Therefore, the proposal would not be inappropriate development in the Green Belt. My findings are consistent with those of the Council in its latest comments.
10. The proposal would not be inappropriate development in the Green Belt, in accordance with paragraph 154g) of the Framework. On this basis, there is no need to consider the other exceptions cited.

Other Matters

11. The site lies within the Kent Downs National Landscape (NL). Section 245 of the Levelling-up and Regeneration Act 2023 places a duty upon me to seek to further the statutory purpose of the NLs, which is to conserve and enhance the natural beauty of the area of the area of outstanding natural beauty. The special qualities of this part of the Kent Downs NL include a pattern of agricultural fields and woodland, with scattered settlements and hamlets, and undulating topography.
12. The surrounding area has a semi-rural and verdant appearance and feel but is not devoid of dwellings and associated domestic uses and paraphernalia. As such, the proposal could be constructed in a sympathetic manner that would not harm the landscape character and scenic beauty of the NL.
13. Reference has been made to the Ide Hill Conservation Area (CA). The plan before me shows that the site is located outside the CA. Due to existing boundary treatments, and the set back of the site from Camberwell Lane, the proposed residential scheme could be delivered in such a way that would preserve the character or appearance of the heritage asset.
14. Concerns have been raised that the proposed dwelling would be used as a holiday let. However, there is no compelling evidence before me to suggest that this would be the case.
15. Details of matters including parking, traffic generation, design of the proposed dwelling and effect on the living conditions of the occupiers of neighbouring

properties would be addressed as part of the technical details consent, the second stage of the process.

Conditions

16. The PPG indicates that it is not possible to impose conditions as the terms of any permission in principle must only include site location, type of development and amount.

Conclusion

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

P Terceiro

INSPECTOR