



Appeal Decisions

Site visit made on 3 March 2025

by **R J Redford MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th March 2025

Appeal A Ref: APP/G2245/W/24/3348130

The Wheatsheaf, Hever Road, Bough Beech, Kent TN8 7NU

- 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 Mr N Naismith against the decision of Sevenoaks District Council.
 - The application Ref is 24/00738/FUL.
 - The development proposed is described as 'stationing of the cedar cabin – used as commercial kitchen. Timber post and canopy – used to connect the kitchen cabin and the pub; and Cold Store enclosure.'
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Appeal B Ref: APP/G2245/Y/24/3348132

The Wheatsheaf, Hever Road, Bough Beech, Kent TN8 7NU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr N Naismith against the decision of Sevenoaks District Council.
 - The application Ref is 24/00739/LBCALT.
 - The works proposed are described as 'stationing of the cedar cabin – used as commercial kitchen. Timber post and canopy – used to connect the kitchen cabin and the pub; and Cold Store enclosure.'
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Decision

Appeal A Ref: APP/G2245/W/24/3348130

1. The appeal is dismissed.

Appeal B Ref: APP/G2245/Y/24/3348132

2. The appeal is dismissed.

Preliminary Matters

3. The cedar cabin and timber post and canopy have already been erected and reflect that shown on the submitted plans.

Main Issues

4. The main issues are:
 - whether the proposal 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 it has upon the openness of the Green Belt;

- whether the proposal would preserve a Grade II listed building known as “The Wheatsheaf Public House” (Ref: 1336418) (the LB), and any of the features of special architectural or historic interest that it possesses; and
- if the development is inappropriate whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the proposal would be inappropriate development in the Green Belt and its effect on openness

5. The appeal site is a large detached 2 storey building with a large parking area to the fore, and to the rear large gardens and an additional parking area. The planted rear boundary of the appeal site aligns with the rear boundaries of the other properties along Hever Road, and beyond them area open fields and a golf course. The existence of some tandem development and various structures within the rear areas of adjacent properties along Hever Road, along with the appeal site, creates a strip of developed land between the road and open space beyond, albeit within a verdant setting. This whole area is within the Metropolitan Green Belt.
6. The proposal is situated to the rear of the main building positioned in between a series of existing outbuildings, all of which are in various states of repair. This area of the appeal site and the outbuildings relate to the function of the main building as a public house and include chemical stores, staff facilities and a commercial cold store, which the proposal seeks to enclose. The cedar cabin element of the proposal is currently used as an extension of the commercial kitchen providing preparation and washing up facilities. Whilst the canopy provides a covered space that links the various outbuildings to the commercial kitchen situated in the rear of the appeal building.
7. Paragraph 154 of the Framework states that the construction of a new building is inappropriate in the Green Belt but sets out 7 exceptions to this. The Council has considered the proposal against exception c) which allows for the extension or alterations of a building provided that it does not result in disproportionate additions over and above the size of the original building. And there is nothing before me to conclude that the proposal should be considered against any of the other exceptions.
8. Policy GB8 of the Allocation and Development Management Plan (ADMP) deals with extensions to non-residential buildings in the Green Belt. It aligns with the paragraph 154 of the Framework but goes further to require consideration of the cumulative impact of any previous extensions on the original building as well as its impact on openness. As Paragraph 142 of the Framework identifies openness as an essential characteristic of Green Belts.
9. According to the Framework the original building is as it existed on 1 July 1948 or if constructed after that date, as it was built originally. With this in mind, taking account of the massing of the existing 20th Century single storey rear extensions, outbuildings and the proposal and their linking to the LB, this cumulation of extensions and alterations would be disproportionate to the original size of the

building. Evidenced by their combined footprint increasing the size of the original building by a considerable amount above its original footprint.

10. Consequently, the proposed scheme would constitute inappropriate development within the Green Belt in terms of local and national planning policy. Turning to the impact of the proposal on openness, which has both spatial and visual elements.
11. The location of the proposal is in a relatively contained area of the appeal site with development largely surrounding it. Spatially it would enclose an area between existing structures but would not extend significantly beyond them. Therefore, in my mind, the proposal does not constitute an encroachment on the Green Belt. Nor is it visually intrusive when viewed from a distance as it is not obviously differentiated from the other structures on the site or the development along Haver Road.
12. As such the proposal does not harm the openness of the Green Belt. However, a lack of harm is a neutral factor so does not outweigh that inappropriate development is, by definition, harmful to the Green Belt. Therefore, as identified in Paragraph 153 of the Framework, inappropriate development should not be approved except in very special circumstances, which are considered below.

Heritage

13. As the appeal relates to a listed building, I have had special regard to sections 16(2), and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
14. According to the appellant's Heritage Statement (HS) the LBs significance lies in its historic use as a public house which can be dated back to the late medieval period. The building itself provides examples of 16th Century vernacular timber framing as well as various additions and extensions dating from the 19th Century, providing an evolution of design allowing the public house to continue as needs and fashions changed. The HS defines the historic significance of the LB as high and there is nothing before me to conclude otherwise. The special interest of the LB is therefore a combination of architectural merit and historic use.
15. To meet the modern requirements of a public house the existing single storey range to the rear of the LB which provides a beer cellar, kitchen, and toilet facilities, was permitted in the 20th Century. It is also recognised that a less positive element of the appeal site is the mix of outbuildings which vary in age, form and style and add clutter to the setting of the LB.
16. The proposal has added to the mixture of outbuildings and, by the introduction of the canopy, connected the proposed cabin and cold store to the LB. Visually this has created a bulky addition to the LB and emphasised the cluttered and somewhat confused mix of structures to its rear. It therefore fails to preserve the significance of the LB by further obscuring the original form of the building and confusing the existing honest delineation between historic elements and the later 20th Century additions. This is further accentuated by the proposal's utilitarian design which fails to consider the traditional materials and form of the LB.
17. It is appreciated that the proposal would not harm any of the architecturally significant fabric of the building, to some degree could be considered temporary and is subservient in size to the overall building. However, this does not outweigh the harm identified in terms of the LB's preservation and there is nothing before me

to secure appropriate remediation should the proposal be considered temporary in placement. It is also noted the appellant has suggested that the proposal would not harm the LB because it would not be widely visible. Listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.

18. Nevertheless, given the scope of the works I find the harm to be less than substantial, and Paragraph 215 of the Framework advises that such harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
19. It is not disputed that the optimal use of the LB is as a public house, that current economic circumstances mean that for public houses to remain they have to focus their offer on food, and that public houses can have positive social impacts on local communities. However, without tangible evidence to show how securing this use would be both economically and socially dependent on the proposal, these public benefits can only be given limited weight.
20. Consequently, as Paragraph 212 of the Framework requires great weight to be given to conservation of heritage assets, irrespective of the level of harm, the proposed public benefits would not outweigh the less than substantial harm identified. The proposal would therefore fail to satisfy the requirements of the Act and the Framework, and would conflict with ADMP Policy EN4 which, amongst other things, seeks to conserve or enhance historic assets and their settings.

Other considerations

21. It is acknowledged that the appellant considers the proposal would ensure the ongoing viability of the appeal site as a public house by providing an expansion of preparation, storage and wash up facilities to support the existing kitchen. And that the maintenance of the public house could be seen as supporting the local rural economy, which Core Strategy (CS) Policy LO8 supports when development is compatible with Green Belt policies, amongst other things.
22. However, without evidential justification as to how the proposal would support the ongoing business, it cannot be concluded that this benefit would clearly outweigh the totality of harm to the Green Belt, by reason of inappropriateness, and the harm to the LB. As such, the special circumstances necessary to justify the development do not exist. The proposal would therefore fail to comply with ADMP Policy GB8, CS Policy LO8 and the Framework.

Other Matters

23. The Council have not found harm in relation to environmental health, archaeology, ecology, public rights of way, landscaping, living conditions, trees, or biodiversity. However, a lack of harm cannot, by definition, weigh for or against the proposal.

Conclusion

24. Given the above and considering all other matters raised, both Appeal A and Appeal B should be dismissed.

RJ Redford

INSPECTOR