
Appeal Decision

Site visit made on 2 April 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 April 2025

Appeal Ref: APP/H2265/D/24/3355972

Appledene Farm, Norman Road, West Malling, Kent ME19 6RW

- 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 Siobhan McAuley against the decision of Tonbridge and Malling Borough Council.
 - The application Ref. is TM/24/01296/PA.
 - The development proposed is for the replacement and minor enlargement of an existing roof extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal constitutes inappropriate development in the Green Belt having regard to the National Planning Policy Framework 2023 (the Framework) and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt; and
 - whether any 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

Whether inappropriate development

3. The appeal site comprises a detached bungalow with roof accommodation and off-street parking on the driveway to the front. It is situated on the edge of a residential area to the south and east with wider countryside of fields and woodland to the north and west.
 4. The Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. This is subject to certain exceptions, which include at paragraph 154 (c) '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.' I consider this to be the relevant criterion in determining this appeal; paragraph 154 (g) pertains to limited infilling or complete redevelopment which is not proposed in this instance.
 5. For the purposes of the Development Plan, Policy CP3 of the Tonbridge and Malling Borough Council Local Development Framework Core Strategy 2007 (CS) is of relevance. This states that national Green Belt policy will be applied generally and is consistent with the Framework.
-

6. The Framework does not define what constitutes a disproportionate addition. Therefore it is for the decision-maker to judge a proposal on its individual merits, taking into account the size of the original building, the bulk, height, mass and prominence of the extension and its impact on the openness of the Green Belt.
7. The Council states that the dwelling has been the subject of a number of implemented extensions between 1978 and 2011; taken together, these have a footprint almost twice as large as the original building. This does not appear to be disputed by the appellant.
8. The cumulative footprint increase of works to the original home would further increase when one adds the appeal scheme. Even allowing for the fact that one could measure volume or use other comparisons, I find it impossible to reach a view other than there would be a failure of the 'disproportionate additions' test.
9. Judging the scheme in accordance with Policy CP3, I consider that the proposed extension, together with the previous additions to the dwelling, would amount to a disproportionate addition over and above the size of the original building. This would represent inappropriate development within the Green Belt and would not benefit from the exception in paragraph 154 (c) of the Framework. Consequently, there would be conflict with Policy CP3.

Openness

10. The Framework makes it clear that an essential characteristic of Green Belts is their openness, which can be perceived spatially and visually. The new development would provide a quantum of built form that does not currently exist on site, and involve the addition of extra bulk at roof level. This would include a substantial dormer window that would be significantly larger than the existing dormer to be replaced. By occupying areas that are currently undeveloped, the proposals would inevitably reduce the spatial openness of the site.
11. Visually, given the extensive scale of the new dormer relative to the bungalow, the proposal would have a greater effect than currently experienced. It would be apparent from the public domain when viewed along the access drive from Norman Road, and be more dominant within the roof slope. Overall, I find the scheme would have a modest, but nonetheless clearly discernible, effect on the openness of the Green Belt.

Other considerations

12. I appreciate that the site does not contribute towards checking the unrestricted sprawl of a large built-up area; preventing neighbouring towns merging into one another; or preserving the setting and special character of a historic town. Moreover, there would be no harm to neighbouring residential amenities in terms of overlooking or loss of light, and the Council does not object to the character and appearance of the proposals in isolation from Green Belt issues. However, such matters do not outweigh the harm that I have identified above.

Green Belt Balance

13. According to paragraph 153 of the Framework, inappropriate development in the Green Belt should not be approved except in very special circumstances. These will not exist unless the harm to the Green Belt, and any other harm resulting from the proposal, are clearly outweighed by other considerations.
14. I am required by the Framework to give substantial weight to the harm the development would cause to the Green Belt by virtue of its inappropriateness and to openness. Individually or cumulatively, the weights I have attached to other considerations do not clearly outweigh this harm. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

15. Having regard to all matters raised and based on the above arguments, the appeal is dismissed.

C Hall

INSPECTOR