
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/24/3356339

Sunfield House, Tonbridge Road, Ightham, Kent TN15 9AR

- 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 Dr Mo Eyeoyibo against the decision of Tonbridge and Malling Borough Council.
 - The application Ref. is TM/24/00914/PA.
 - The development proposed is for the erection of a two storey wrap-around extension to side and rear of property. To facilitate property extension, an existing two storey flat roof extension to be demolished, and the existing double garage to be reduced in size.
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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 (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. Sunfield House is a detached two-storey dwelling with off-street parking on the driveway to the front and side. The appeal site borders other dwellings to the south and west. The wider area comprises fields and woodland within the Green Belt.
 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.'
 5. Policy CP3 of the Tonbridge and Malling Borough Council Local Development Framework Core Strategy 2007 (CS) sets out the Council's approach to the assessment of proposals in the Green Belt. This states that national Green Belt policy will be applied generally and is broadly consistent with the Framework.
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6. The Framework defines the date of an 'original building' as 1 July 1948, or as originally built if constructed after that date, but does not outline 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 Design and Access Statement provided at the application stage indicates that Sunfield House has previously been extended, and calculates that the proposed scheme would result in the volume of the dwelling being extended over and above the 'original building' by about 144%. This figure is repeated by the Council and there does not appear to be any dispute between the parties in this respect.
8. Judging the scheme in accordance with Policy CP3, I consider that the proposed extension, together with the previous additions to the property, 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.

Openness

9. The Framework makes it clear that an essential characteristic of Green Belts is their openness, which has spatial and visual aspects. Openness is evident around Sunfield House and in the wider area, as a result of spaces between dwellings and the surrounding undeveloped fields and woodland.
10. The scale and extent of the scheme would be substantially greater than the existing property, including the creation-built form at first floor and roof level where previously there was none. The combined extent of all the proposed extensions and alterations would result in a noticeably larger dwelling, that would result in moderate harm the openness of the Green Belt in both visual and spatial terms. The Framework makes clear that substantial weight should be given to any harm to the Green Belt, and the erosion of openness therefore weighs heavily against the proposals.

Other considerations

11. I have considered the matters advanced in the Design and Access Statement and the grounds of appeal. I acknowledge that the proposal would have limited public impacts, other houses locally have been extended, the overall design, fenestration and external materials would match those on the existing property, existing trees and parking spaces on the site would be retained, and the scheme would provide for additional accommodation to the benefit of the appellant and their family. However, the scheme remains unacceptable for the reasons given above.

Green Belt Balance

12. According to paragraphs 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.
13. 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. As such, the very special circumstances necessary to justify the development do not exist.

Conclusion

14. Having regard to all matters raised and for the reasons given above, the appeal fails.

C Hall

INSPECTOR