



Appeal Decision

Site visit made on 10 June 2025

by **A Owen MA BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 June 2025

Appeal Ref: APP/G5180/W/25/3358634

Rose Cottage, Church Approach, Cudham, Sevenoaks TN14 7QF

- 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 & Mrs J Baxter against the decision of the Council of the London Borough of Bromley.
 - The application Ref is DC/24/02885/FULL1.
 - The development proposed is demolition of part of existing stables building to enable the erection of detached double garage to serve Rose Cottage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are
 - i) whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the 'Framework') and development plan policies;
 - ii) the effect of the development on openness;
 - iii) the effect of the development on the character and appearance of the Cudham Conservation Area and the setting of locally listed buildings; and
 - iv) would the harms to the Green Belt, and any other harms, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

Green Belt

3. The appeal site comprises two separate pieces of land. One accommodates the dwelling, its gardens and a vehicular access and turning area. The other is separate from the first and contains an 'L' shaped building housing some stables, and some hardstanding. The proposal is to erect a garage on the first site close to the house and to remove part of the stable building on the latter site in exchange.
4. The erection of the garage, taken on its own, is development which would be inappropriate in the Green Belt unless it constitutes one of the exceptions set out in paragraph 154 of the Framework which are broadly the same as those identified in policy 49 of the Bromley Local Plan (2019).

5. Part g) of paragraph 154 states that the partial or complete redevelopment of previously developed land would not be inappropriate if it would not cause substantial harm to the openness of the Green Belt.
6. In my view, to constitute redevelopment the proposal would necessarily require the demolition and the new building to be on the same plot of land. In this case, the two parcels of land are spatially separated by a distance of around 30 – 40 metres by the corner of the adjacent field, and they are visually separated by a row of tall and mature trees. The erection of the garage could be conditioned to be dependent on the demolition of part of the stable block and it is understood that both parts of the appeal site are owned by the appellant. Nonetheless this would not render the proposal redevelopment. Rather, the proposal should be considered as the erection of a building, with the demolition of part of the stable building assessed separately, primarily in terms of any benefits to openness.
7. It has not been suggested that the erection of the garage, singularly, would constitute any of the other exceptions listed in paragraph 154. As such the proposal would be inappropriate development in the Green Belt. It would therefore fail to accord with policy 49 as set out above, and policy G2 of the London Plan which also seeks to prevent inappropriate development in the Green Belt.

Openness

8. Paragraph 153 of the Framework identifies that harm to the Green Belt, including harm to openness should be given substantial weight. Openness is commonly considered in spatial and visual terms.
9. Spatially the garage would represent the provision of a building where currently there is none. It is recognised that there was an outbuilding here in the past, but it has been several years since that was removed. The garage, which would measure around 62 square metres and have a height of just over four metres, would therefore represent a significant amount of built form. In terms of the demolition, the part proposed to be removed totals about 134 square metres and is just over three metres high. Spatially this would mean the creation of openness where currently there is a built form. Overall, across the two parts of the proposal, there would be a net gain of around 74 square metres of floorspace.
10. Visually the garage would be located between Rose Cottage and the adjacent dwelling at The Coach House, with the larger dwelling at Rectory House further to the north. There is a mono-pitched brick outbuilding just the other side of the boundary fence and a larger detached outbuilding at Rectory House. The garage would be visible from the public footpath which runs to the southeast of the site. But from here, it would be seen in the context of these other larger buildings and, due to the hedge on the south boundary, it is likely only the roof of the garage would be visible. The part of the building to be demolished is also seen from the footpath to the southeast, but the retention of the remaining part of that building along with the other agricultural buildings around it, mean that part of the view would not become wholly open.
11. To my mind, for the trade off in openness to be appreciated visually, both parts of the appeal site should be seen together. The only position from where this is possible is at a substantial distance along the public footpath to the southeast. From here neither the existing stables are, nor the proposed garage would be, prominent.

12. As such, whilst the combination of the net spatial and visual impacts would be of no great benefit to openness, the proposal would not be harmful in this regard either.

Character and appearance

13. Rose Cottage, along with the cluster of dwellings to the north, are locally listed buildings. Rectory House is the most striking of these and it is understood it was originally a vicarage and then a care home with the other buildings, including Rose Cottage, being ancillary to that. All the buildings have similar design features such as steep gable roofs finished in slate, half dormers and red brick detailing. Although Rose Cottage is mainly finished in flint, whereas the other buildings are in yellow brick, a sense of consistency gained from the other design features prevails which informs their significance. The outbuildings contribute to the significance to a lesser degree, but it is notable that the roof of the outbuilding to Rectory House, which is the only part visible beyond that property's boundary, is constructed of slate to match the main dwelling.
14. The proposed garage would be finished in brick but with flint on its west elevation, facing the entrance to the property. This, and the use of slate roof tiles, would result in it reflecting the design of the main house and the other nearby buildings. The garage would be small in scale, its blank north elevation would be hidden by the boundary fence and its east side would face into the garden. When seen in the context of the other outbuildings in the neighbouring gardens and the design of the host dwelling, it would not harm the significance of the locally listed buildings.
15. The Cudham Conservation Area (CCA) largely encompasses the scattered dwellings on the western side of Cudham Lane and the open fields to the west with the recreation ground in the middle. Its significance is largely informed by its rural character with very little in the way of built form.
16. The garage would be partly visible from positions along the footpath, which is within the CCA, but from here it would be seen as a small scale building in the context of the host dwelling, neighbouring dwellings and their outbuildings. As such the rural character of the CCA would remain. Moreover, the Supplementary Planning Guidance for the CCA advises that garages should not dominate, should have pitched roofs and employ materials that match the host. The proposal would comply with this guidance.
17. As such, the development would not harm the character and appearance of the locally listed buildings or the CCA. It would therefore accord with policies 41 of the Bromley Local Plan and HC1 of the London Plan which both seek to ensure that the significance of heritage assets is conserved. It would also comply with Local Plan policy 37 and London Plan policy D4 which both require all development to be of high quality design.

Other considerations

18. Planning permission for the demolition of the whole of the stable building, as well as two other sheds, and the erection of a cattle building was approved in 2023. The appellants state they have no intention of implementing that permission and indeed have applied for planning permission for another cattle building elsewhere on their wider land holding. Also they suggest that, as the cattle shed was deemed to be not inappropriate, it was not dependent on the demolition of the stables.

Nonetheless, should the appellant decide to implement that permission and demolish the stable, any benefit to openness in the current proposal would be lost. To ensure the current proposal benefited from the demolition works, it would therefore be necessary to revoke that planning permission. This could not be secured by a condition and there is no mechanism before me that could ensure that. In any case, I have accounted for the removal of the stable in my assessment of openness above.

19. I appreciate that all of the other dwellings in the cluster have garages and I accept it is not unreasonable for a dwelling to have a garage.
20. It is understood that planning permission for a greenhouse was granted at Rectory House in exchange for the demolition of a garage. However that appears to involve development within the same parcel of land, which is not the case in this appeal. Similarly, the appellant refers to other cases at Eden Fields and Littlewood Farm, where planning permission was granted for the removal of stables and the erection of dwellings. However, from the evidence before me, in both cases the dwellings were on the same site as the stables they replaced.

Green Belt balance

21. The development is inappropriate in the Green Belt and this should be given substantial weight. There would be no harm to openness nor to heritage assets, but an absence of harm in these respects does not carry positive weight in the balance.
22. I have assessed the other considerations above, but they do not clearly outweigh the substantial weight I give to the harm to the Green Belt. They do not therefore amount to the very special circumstances required to justify the development.

Conclusion

23. The proposal would fail to accord with the development plan as a whole and there are no material considerations that indicate that the decision should be taken otherwise than in accordance with the development plan. As such, the appeal is dismissed.

A Owen

INSPECTOR