



Appeal Decision

Site visit made on 17 June 2025

by **J Bowyer BSc(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6th August 2025

Appeal Ref: APP/H2265/W/25/3365477

Lea Croft Pilgrims Way, Wrotham, Sevenoaks, Kent TN15 7NN

- 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 and Mrs I and J Wilford against the decision of Tonbridge and Malling Borough Council.
- The application Ref is TM/24/01709/PA.
- The development proposed is 'two storey extension to replace existing garage - Amended scheme to approval under application TM/18/01151/FL'.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) whether or not the proposal would be inappropriate development in the Green Belt;
 - ii) the effect of the proposal on the openness of the Green Belt; and
 - iii) if the development would be inappropriate, whether 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 it.

Reasons

Whether Inappropriate Development

3. The appeal site is within the Green Belt where the National Planning Policy Framework ('the Framework') provides that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework identifies that development is inappropriate unless one of a list of exceptions applies. Of these, the main parties refer to the exception at paragraph 154 c) which is 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.
4. The appellants have not disputed figures provided by the Council indicating that previous extensions have already resulted in an increase of around 144% in the floorspace of the appeal dwelling. The appeal proposes a two-storey extension with a pitched roof design. This would replace an existing attached garage, and there would be only a very limited increase in the footprint of the dwelling. However, the inclusion of a first-floor level means that the addition of floorspace would be greater, and would further increase the cumulative gain beyond the existing 144% figure. Although neither party has provided calculations, it is clear that there would also be a marked increase in the volume of the building.
5. Furthermore, the modest height and hipped roof form of the existing garage provide for a generally subordinate feature against the host dwelling. As proposed however, the main roof ridge would be extended over the development, and would include front and rear

gables which would be set down only minimally. As a consequence, it would have much greater scale and bulk than the existing garage and I consider that the extension would appear as a large addition to the original dwelling, exacerbating the increase in size which has already occurred.

6. The Framework does not define 'disproportionate additions', and I have not been directed to any other relevant local guidance on this point. In my assessment however, the cumulative effect of the appeal proposal together with previously implemented extensions would amount to patently disproportionate additions over and above the size of the original building.
7. The appellants additionally note that the appeal site would comprise previously developed land. They suggest with regard to its contribution to the purposes of Green Belt that it would also comprise 'grey belt' land and that the development would not conflict with the purposes of Green Belt. Even if I were to agree however, I have no firm evidence of a demonstrable unmet need for the type of development proposed here. Accordingly and whether or not the site is 'grey belt', this is not a case where Paragraph 155 of the Framework indicates that the development should not be regarded as inappropriate.
8. Given the above, I conclude that the proposal would be inappropriate development which is, by definition, harmful to the Green Belt.

Openness

9. I have noted above that the form and two storey height of the extension means that there would be a marked increase in the dwelling's floorspace and volume. There would also be a notable increase in the height of the section closest to the boundary with Pilgrims Way. Notwithstanding that there would be only a very small increase in the footprint of the appeal dwelling onto areas of existing hardstanding, the overall development would therefore have a much greater physical presence than the existing garage and a decidedly greater spatial effect on openness to this part of the site in comparison to the existing situation.
10. There would be some screening of the lower part of the extension by fencing and vegetation including to the boundaries of the site. However, this currently provides screening for much of the existing garage, while its modest height and hipped roof further ensure a degree of openness and retained views across the upper part of the site closest to the boundary with Pilgrims Way.
11. In contrast, the roof and much of the first-floor level of the development now proposed would be clearly visible from points on the approaches to the site along Pilgrims Way, as well as from Nepicar Lane. Based on my observations, it would be appreciated alongside the existing dwelling as extended in these views, and would significantly diminish the current more open aspect and available views above the garage on this part of the site.
12. The development would in some cases be seen together with Green Leas which is on higher land and would not breach the tree-line on the escarpment. I am also satisfied that the design of the extension would be suitably sympathetic to the architectural character and appearance of the dwelling and I have no firm reason to disagree with the Council that effects on the North Downs National Landscape would be acceptable. Nevertheless, the additional height, bulk and mass of the extension would result in a notably greater presence of development and erosion of the current impression of openness on this part of the site. The effect would be relatively modest and localised, but there would be an adverse visual impact on the openness of this part of the Green Belt.
13. The Framework sets out that openness is one of the essential characteristics of Green Belts. For the reasons above, I conclude that the proposal would cause a loss of openness on the site in both spatial and visual terms from the existing situation. This would be the case even if I were to consider the site to be 'grey belt'.

Other Considerations

14. Planning permission has previously been granted for an extension in place of the garage¹. However, that was a single-storey extension with a catslide roof of comparable depth to the adjacent part of the dwelling. The full two-storey extension with a first-floor level and a pitched roof form with gable ends stepping forward of the adjacent part of the dwelling as now proposed would result in a much greater increase in the dwelling's floorspace, volume and its visual bulk and mass. As a consequence, I consider that it would cause a materially greater loss of openness relative to the permitted scheme in both spatial and visual terms.
15. The appellants assert that the proposal would restore a visual balance with the other side of the property and improve the cohesiveness of the dwelling. Be that as it may, nearby built form is mixed and the existing form and appearance of the appeal dwelling does not cause it to appear unduly prominent or detract to any notable degree from the character or appearance of the area. Nor do I consider that the design of the previously approved scheme would be discordant or unsympathetic to the extent that there would be harm to the character or appearance of the dwelling or area. While the proposal would certainly increase the dwelling's impression of symmetry, I am not therefore persuaded that this would result in significant enhancement, and the weight that I afford this factor is accordingly limited.
16. The proposal includes two bird boxes. This could offer some benefit to biodiversity, but the effect would be very limited and I attach no more than limited weight to it.

Planning Balance

17. Drawing matters together, the proposal would be inappropriate development which the Framework identifies is, by definition, harmful to the Green Belt and which should not be approved except in very special circumstances. It would also cause harm to the openness of the Green Belt in both spatial and visual terms, albeit modest and localised. In accordance with the Framework, I give this harm substantial weight.
18. Against the harm, enhancements to the appearance of the dwelling and the provision of bird boxes attract limited weight and even taken together, I find that the weight of the other considerations does not clearly outweigh the harm that I have identified so as to amount to the very special circumstances necessary to justify the development in the Green Belt.
19. For these reasons, I conclude that the proposal would conflict with the Framework. It would also be contrary to Policy CP3 of the Core Strategy 2007 which indicates that national Green Belt policy will be applied generally to areas of Green Belt including the appeal site.

Conclusion

20. The proposal would conflict with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR

¹ Application ref TM/18/01151/FL