



Appeal Decision

Site visit made on 18 August 2025

by **C Housden BSc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22nd of September 2025

Appeal Ref: APP/G2245/W/25/3362793

Beech Tree House, Skeet Hill Lane, Chelsfield, Orpington, Kent BR6 7QA

- 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 Hoy against the decision of Sevenoaks District Council.
 - The application ref is 24/02757/HOUSE.
 - The development proposed is demolition of existing rear terraces and lobby and erection of two storey rear extension with terrace above, conservatory with sedum roof and pergola, installation of external installation and alterations to existing external materials, replacement of existing windows and doors.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development as set out above from the application form as it has not been confirmed that the appellant agreed to the changes made by the Council.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt;
 - the effect of the proposal on the openness of the Green Belt; and
 - if the proposal is inappropriate development in the Green Belt, 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

4. Beech Tree House is situated within the Green Belt. The National Planning Policy Framework (the Framework) sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Green Belts are their openness and their permanence. Paragraph 153 identifies that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

5. Paragraph 154 of the Framework states that development in the Green Belt is inappropriate unless an exception applies. Exception c) of paragraph 154 sets out that one of these exceptions relates to 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.
6. Policy GB1 of the Sevenoaks District Council Allocations and Development Management Plan (2015) (ADMP), set out that the Council will allow limited extensions to dwellings in the Green Belt provided a number of criteria are met. Criteria a) sets out the building should be a lawful and permanent structure, whilst criteria b) requires the extension to be a proportional and subservient addition to the original dwelling which does not materially harm the openness of the Green Belt. Where these are met, criteria c) is engaged which requires extensions to not result in an increase of more than 50% in floorspace above the original dwelling. Policy GB1 broadly reflects paragraph 154(c) of the Framework and is therefore in general conformity with the Framework and carries significant weight.
7. In relation to criteria a) of Policy GB1, the evidence shows the property is a lawful and permanent structure that benefits from planning permission. Criteria a) is therefore met, and I have no substantive evidence to the contrary.
8. The original dwelling is the baseline of my assessment in relation to criteria b). The evidence before me shows that the dwelling that currently exists at the site is a replacement dwelling. The parties agree that the original building is the previous dwelling that was demolished. This interpretation is in accordance with the definition of “original” as outlined in sub-paragraph 7.19 of Policy GB1 which states how the word “original” should be interpreted in the context of the policy. This definition does not conflict with the definition of an original building as set out in Annex 2 of the Framework. For my assessment, I therefore agree that the original dwelling is the property that existed before the construction of the replacement dwelling.
9. The Council’s officer report sets out that the original dwelling had a floor area of 143.7m², this figure is not challenged by the appellant. Furthermore, the appellant accepts that given the size of the replacement dwelling compared to the original, any further increase in floor space would exceed a 50% increase in the floor area from the original dwelling.
10. The proposal involves the removal of a number of attached covered terrace areas to the sides and rear of the property. These are enclosed to varying extents, but in all cases, there is at least one side which is open. The appellant states that the removal of these areas amounts to 45.7m² of floor area and therefore the appeal proposal results in an overall reduction in floor space at the appeal site, as the proposed extension would only add 33.0m² of floor space.
11. I observed that these covered terrace areas were permanent features of the property. However, given that they are not fully enclosed, their form and massing would not be directly comparable to that of the proposed extensions which would replace them. As a result, whilst the demolition of these features would remove some built form from the host property, it would be insufficient to offset the additional bulk, scale and mass introduced by the proposed development which would be considerably greater than these open terrace areas. The proposal would therefore result in development which would not be proportionate to the original

dwelling. The proposal would therefore conflict with criteria b) of Policy GB1 of the ADMP. Criteria b) also has an element relating to openness, which I will return to later. As I have found conflict with criteria b) of Policy GB1, the policy is clear that criteria c) is not engaged.

12. Given my findings above, the proposal would represent a disproportionate addition over and above the size of the original building and therefore would not comply with exception c) of paragraph 154 of the Framework. As such, the appeal proposal would be inappropriate development in the Green Belt which is, by definition, harmful.

Openness

13. The Planning Practice Guidance identifies various factors which can be taken into account when considering the potential impact of development on the openness of the Green Belt.
14. The appeal site is situated within a rural location which is largely free from built form, with the exception of sporadic properties. Whilst the appeal site has open views into the countryside, views from public vantage points of the appeal proposal would be limited.
15. Whilst the covered terrace areas would be demolished, overall, the proposal would visually add additional bulk and mass to the appeal property which would reduce the perceived openness around the site. Given the domestic scale of the development and lack of prominence within the public realm this visual harm to openness would be limited.
16. In relation to spatial openness the proposal would introduce increased bulk and mass to the property which would cause a loss of spatial openness. Due to the scale of the proposal, the harm to spatial openness would also be limited.
17. The proposal would therefore be contrary to the objectives of the Framework of keeping land permanently open. It would also conflict with criteria b) of Policy GB1 of the ADMP which seeks to ensure that extensions do not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion.

Other Considerations

18. The proposal would improve the living conditions of the occupiers of Beech Tree House by providing additional internal floor space, along with replacing the white render with materials which the appellant states would be easier to maintain. However, these are personal benefits of the scheme, and they attract very limited weight in favour of the proposal.
19. The appellant considers that the proposed materials and removal of the covered terraces would create an improved and more cohesive design of the host dwelling. This would also be a personal benefit of the scheme which carries very limited weight, given I have no evidence before me that the current form of the dwelling is of such a detriment to the character and appearance of the area that these changes would be anything more than personal preference.
20. The proposal would have satisfactory parking arrangements and would not result in harm to the living conditions of neighbours, trees, protected species and

habitats. However, this lack of harm is not a benefit in itself. I therefore attach this neutral weight.

Other Matters

21. The appeal site is situated within the Kent Downs National Landscape (KDNL). Section 85 of the Countryside and Rights of Way Act (2000), as amended by section 245 of the Levelling-up and Regeneration Act (2023), requires relevant authorities to seek to further the purpose of conserving and enhancing the natural beauty of National Landscapes. Based on my observations on site, the special qualities of the KDNL include its tranquil and rural landscape with long range views across fields and woodland. The appeal site would have a neutral contribution by appearing as a modern residential property nestled within the wider rolling landscape.
22. Given its domestic scale and form, the appeal proposal would be seen in the context of the existing property and would not appear unduly prominent within the landscape. On this basis, I am satisfied the proposal would conserve the natural beauty of the KDNL.

Green Belt Balance

23. The proposal would amount to inappropriate development in the Green Belt and would result in limited harm to openness. Paragraph 153 of the Framework sets out that substantial weight should be given to any harm to the Green Belt, including harm to its openness.
24. Paragraph 153 further explains inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
25. The other considerations outlined above do not clearly outweigh the harms that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

26. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

C Housden

INSPECTOR