



Appeal Decision

Site visit made on 1 October 2025

by A Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th of October 2025

Appeal Ref: APP/G2245/W/25/3365211

The Hollies, How Green Lane, Hever, Kent TN8 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 S Latham against the decision of Sevenoaks District Council.
 - The application Ref is 24/02029/FUL.
 - The development is change of use to residential garden land to include large, detached shed/store.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted retrospectively and I have considered the appeal on the same basis.

Main Issues

3. The main issues are:
 - (i) whether the development is inappropriate in the Green Belt having regard to the National Planning Policy Framework (the 'Framework') and local policies;
 - (ii) the effect of the development on openness; and
 - (iii) whether the harms to the Green Belt, and any other harms, are clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

Inappropriate development

4. Paragraph 154 of the Framework states that development in the Green Belt is inappropriate. However, along with paragraph 155, it goes on to identify a number of exceptions to this. Neither party have suggested the development constitutes any of the exceptions listed and I have no reason to consider otherwise. In particular, although I understand the shed/store is used ancillary to the paddock/field to the rear of the site, it has not been suggested that the building constitutes an appropriate facility for outdoor recreation. Consequently the change of use of the land and the provision of the shed/store is inappropriate development in the Green Belt. Paragraph 153 of the Framework sets out that inappropriate development is, by definition, harmful to the Green Belt. The Council's 'Development in the Green Belt' Supplementary Planning Document (SPD) is broadly consistent with this.

Openness

5. It is understood that originally, when planning permission was granted for The Hollies, it was provided with a compact garden around the dwelling, with the land beyond that remaining undeveloped. Indeed that is what the drawings submitted with this appeal indicate. As such, the provision of the shed/store where previously there was open space has inevitably, in spatial terms, resulted in a loss of openness. Views of the shed/store from How Green Lane are partly obscured by the solid entrance gates and the dwelling itself, though some limited views are possible through the trees along the roadside verge. There is therefore only a very limited loss of openness in a visual sense.
6. The garden that has resulted from the change of use is enclosed by a low post and rail fence and includes a gravel hardstanding area, a wildflower bed and a lawn. This all has a domesticated appearance and is capable of accommodating further residential paraphernalia which could also contribute to a loss of openness compared to land which is not in residential use. The appellant suggests that all of the appeal site was, originally, part of the garden of the neighbouring house at Wincots. Nonetheless, I have no substantive evidence of that before me, with the only drawing of the previous arrangement being that showing the garden drawn tightly around The Hollies. As such I can only conclude that the development has resulted in the garden extending onto, and encroaching into, the countryside.
7. In summary, the development as a whole causes harm to the openness of the Green Belt. Paragraph 142 of the Framework identifies that openness is one of the fundamental aims of the Green Belt.

Other considerations

8. Paragraph 153 of the Framework states that inappropriate development should not be approved except in very special circumstances where the harms to the Green Belt, and any other harms, are clearly outweighed by other considerations.
9. It is not disputed that the development has no harmful impact on any neighbouring dwelling, that the shed/store has an acceptable design and that there is no impact on nearby trees. However these are not positive benefits and would be expected of any building.

Green Belt balance

10. The development is inappropriate in the Green Belt and causes harm to openness. Paragraph 153 of the Framework says that substantial weight should be given to any harm to the Green Belt, including harm to its openness. The other considerations do not clearly outweigh the harms to the Green Belt and so do not amount to the very special circumstances required to justify the development.

Conclusion

11. The development conflicts with the Framework and the Council's SPD. Therefore, for the reasons given above, and taking account of all considerations, the appeal is dismissed.

A Owen

INSPECTOR