



Appeal Decision

Site visit made on 15 October 2025

by H Miles BA (hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th November 2025

Appeal Ref: APP/G2245/D/25/3368294

2 Hailwood Place, School Lane, West Kingsdown, Kent, TN15 6FQ

- 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 Jason Lavelle against the decision of Sevenoaks District Council.
 - The application Ref is 25/00530/HOUSE.
 - The development proposed is part ground and first floor rear and side extensions, extending and connecting garage to the main property and replacing roof to create a games room.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework 2024 (the Framework) and any relevant development plan policies.
 - The effect of the proposal on the openness of 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

3. The Framework states that inappropriate development is, by definition, harmful to the Green Belt. Development in the Green Belt is inappropriate and thus should be approved only if very special circumstances exist, unless they come within one of the exceptions in the Framework.

Whether disproportionate additions

4. Of relevance to this appeal, paragraph 154c) of the Framework provides an exception for 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 GB1 of the Allocations and Development Management Plan (2015) (ADMP) broadly echoes these requirements of the Framework and includes detail as to how extensions to dwellings in the Green Belt should be assessed. These incorporate a requirement that the total floorspace of the proposal, together with any previous extensions, alterations and outbuildings would not result in an

increase of more than 50% above the floorspace of the original dwelling (measured externally) including outbuildings within 5m of the existing dwelling. As well as that the proposed volume of the extension, taking into consideration any previous extensions, is proportional and subservient to the 'original' dwelling.

6. 2 Hailwood Place was granted planning permission in 2017. The original building, is a two storey house with a single storey detached garage with a hipped, pitched roof located close to the side elevation. Subsequently, an outbuilding has been constructed (LPA ref 21/03386/HOUSE) which has a floorspace of 40sqm. It is clear from the LPA's 2021 decision that it considered this outbuilding was located more than 5m from the existing dwelling and in accordance with policy GB3 of the ADMP which, for such buildings, requires the cumulative impact of outbuildings and extensions to be ancillary to the main dwelling in terms of function and design.
7. The proposed extensions would increase the scale of the garage to a clearly two storey bulk, creating first floor living accommodation in this location, and linking the extended mass to the dwelling across two floors. Along with the part single part two storey extension to the rear, taken together, this would appear as a substantial single dwelling. The proposed scheme would therefore have the effect of bringing the existing outbuilding in close proximity to the dwelling, and this proximity and consequent relationship would mean that it would no longer appear ancillary to the main dwelling. As such, the outbuilding and extended dwelling would be seen collectively which would result in an excessive bulk and scale to the additions at this property resulting in dominant extensions. There are differences between the floorspace calculations of the appellant and the Council. However, it appears that, excluding the outbuilding, the proposed additions would be less than a 50% increase in floorspace. Nevertheless, for the reasons above, the volume of the extensions would appear excessive in scale and disproportionate to the original building in this context.
8. Taken in isolation the Council considers the garage extension is subordinate, and other than in relation to the window sizes there is no suggestion that the rear extension would not be subservient in appearance. However, for the reasons above it is clear that, taken together, the built form would result in disproportionate additions to the original dwelling. As such the cumulative impact would not be ancillary to the main dwelling in terms of function and bulk. Therefore this is not a circumstance where outbuildings more than 5m from the existing dwelling would be permitted in addition to the allowance under policy GB1, as set out in the Development in the Green Belt Supplementary Planning Document (2015).

Grey Belt

9. The closest settlement to the appeal site is West Kingston, which is not an historic town and is clearly separated from the site by fields and open land. Therefore, the proposal does not lead to the unrestricted sprawl of large built-up areas, does not contribute to neighbouring towns merging into one another and preserves the setting and special character of historic towns. Consequently, the site does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. Moreover, the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would not provide a strong reason for refusing or restricting development. As such, the site is grey belt land in terms of the Framework.

10. Where a site is judged to be grey belt, wider considerations are relevant to the development proposals on the site, including whether the development would not be inappropriate development in the Green Belt as set out in paragraph 155. This includes consideration of whether there is a demonstrable unmet need for the type of development proposed under paragraph 155b).
11. The development proposed is a large dwelling with generous living accommodation and the proposed development includes an extended bedroom, games room, wardrobe, bar and extended kitchen/living/dining area. The appellant wishes to provide an improved home for his family. Whilst this would improve the appellant's personal circumstances and would be in line with the wishes of the current occupiers, the existing accommodation does not appear to be inadequate. As such, this statement is unsupported by any detail or evidence of the type that establishes a need for this type of development. Therefore, I am not satisfied that there is a demonstrable unmet need for the type of development proposed. Consequently, the circumstances required by paragraph 155b) do not apply.
12. In order to benefit from the exemption to inappropriate development relevant to grey belt land, the proposal must satisfy all the criteria of paragraph 155. Therefore, even if I were to find that the development of the site would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan, and would be in a sustainable location, the appeal scheme would nevertheless be inappropriate development in this respect as it would not satisfy paragraph 155b).

Previously developed land

13. Paragraph 154g) provides for limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
14. The site is within the curtilage of land which has been lawfully developed and is occupied by a permanent structure. It is not within a settlement and is in the countryside for the purposes of the development plan so, in this case, it is not in a built up area. As such, the appeal site is previously developed land for the purposes of the Framework. I will therefore go on to consider the effect on openness.

Openness

15. Openness has both spatial and visual dimensions. The other dwellings on this road are similar in appearance and generally have generous gaps between the houses and boundaries with some single storey modest and ancillary structures, resulting in a sense of openness between the houses. At present, due to the separation between the dwelling, garage and outbuilding, the property appears as a larger main house with two secondary, single storey outbuildings. There is a clear sense of separation between the three individual elements which minimises the overall scale of development and maintains the spaciousness between the houses along Hailwood Place, contributing to the openness of the wider area.
16. The appeal scheme would increase the scale, mass and amount of development in this location and would introduce built form across two storeys in areas that are

currently open. The works would result in the house having an extended footprint and mass across two storeys, running from the original house, continuing throughout the two storey infill, and connecting with the extended garage. Along with a further addition to the footprint of the building to the rear, also with a two storey element. Whilst the massing of the garage already exists, its extension in height and its connection to the main house, considerably increases the perceived scale of the dwelling on this site. It would change its character from a two storey dwelling with separate outbuildings to a large house across an elongated footprint with a single storey outbuilding in close proximity. Contributing to a developed linear appearance across the width of the plot and excessive bulk. This would harmfully erode the sense of separation at this site and between the neighbouring buildings and would therefore harm the openness of the area.

17. Although Hailwood Place is a private road, the increased size of the building would be clearly seen by visitors and occupiers of the neighbouring property the western elevation of the building may be seen from nearby public footpaths particularly when trees are not in leaf.
18. A single storey side and two storey rear extension were permitted at no. 6 (LPA ref 20/01692/HOUSE). The single storey side addition is modest in height and retains a sense of separation between plots. At no 5 Hailwood Place, planning permission was granted for the enlargement of the garage and a single storey link to the main house as well as a single storey rear extension (LPA ref. 21/02815/HOUSE). These additions are similar but smaller than the proposed development, and are not so common that they form an overriding part of the character of this road. Overall, these have a lesser effect on openness and therefore differ from the scheme before me now.
19. The spacious nature of the plots and gaps between neighbouring properties is a key characteristic of this area that makes an important contribution to the openness of the Green Belt in this context. For the reasons above, the proposed development would be excessively bulky, visually intrusive and would seriously erode this openness. The proposed development would therefore unacceptably undermine the visual and spatial openness and the harm would be substantial in this context.
20. Consequently, for the reasons above, the proposed development would cause substantial harm to the openness of the Green Belt. It would therefore be contrary to the Framework in this regard and furthermore, would not meet the exception at paragraph 154g).
21. Therefore, the proposed development would be inappropriate development in the Green Belt in terms of the Framework, and would be contrary to Policy GB1 of the ADMP, the aims of which are described above.

Other Considerations

22. The appeal scheme would provide improved accommodation for the appellants' family. However, this is mainly a private benefit for the existing occupiers. As such this attracts modest weight.
23. The appeal site is within the Kent Downs National Landscape, and I give great weight to conserving and enhancing landscape and scenic beauty in this area, which has the highest status of protection in relation to these issues. I have a duty

to seek to further the statutory purposes of the National Landscape which are conserving and enhancing the natural beauty of the area. The proposed development is a domestic extension located within the boundary of an existing residential garden. As such, there would not be a change to the landscape character as a result of the proposed development and therefore it would conserve and enhance the natural beauty of the area. However, the lack of harm in this regard is a neutral matter.

Green Belt balance

24. I have concluded that the proposal would be inappropriate development in the Green Belt which is, by definition, harmful. There is also harm to the Green Belt due to the effect on openness. Substantial weight should be given to the harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations.
25. On the other hand, the proposed development results in the modest benefits identified above. Consequently, the considerations advanced by the appellant, even when considered together, do not clearly outweigh the totality of the Green Belt harm. The very special circumstances necessary to justify the development therefore do not exist.

Conclusion

26. The proposal conflicts with the development plan 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 the appeal should be dismissed.

H Miles

INSPECTOR