



Appeal Decision

Site visit made on 30 October 2025

by **C Hall BSc MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 November 2025

Appeal Ref: APP/G2245/D/25/3372332

Cross House, Pennis Lane, Fawkham, Kent DA3 8LZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr A Lamont-Brown against the decision of Sevenoaks District Council.
 - The application Ref. is 25/01125/HOUSE.
 - The development proposed is for the extension of the existing boundary wall.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal constitutes inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposed development on the setting of the listed building and the character and appearance of the surrounding area; and
 - 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

3. The appeal site relates to a Grade II listed, detached dwelling on the junction of Pennis Lane and Valley Road. The wider area is verdant and comprises open fields and pockets of woodland between the settlements of Fawkham and Hartley.
 4. Paragraph 154 of the Framework sets out the limited purposes for which the construction of buildings will not be considered inappropriate. This does not include the formation of walls. Furthermore, certain other forms of development are not inappropriate providing they preserve the openness of the Green Belt and do not conflict with the purposes of including land within Green Belt (paragraph 154 (h)). Again this does not include the construction of walls.
 5. Consequently, I am drawn to conclude the extension to the wall would be inappropriate development in the Green Belt, contrary to the Framework.
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Openness

6. Openness can be perceived spatially and visually. Based on the evidence provided, in spatial terms the wall would provide a quantum of built development that does not previously exist on site, which would have a moderate adverse impact. With regard to the visual aspect, the development would be clearly visible from public views along Woodmansterne Lane, particularly when approaching from the south. The site itself is a residential plot, which contrasts with the much less developed open spaces in the wider surrounds. Overall, I conclude that the expanse of new wall would have a modest, but nonetheless clearly discernible effect, on the openness of the Green Belt.

Setting of the listed building/character and appearance

7. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when assessing proposals for new development which affects the setting of a listed building, special attention shall be paid to the desirability of preserving its setting. In my view, the significance of this building derives from its origins, decorative architectural features and its location within a rural context. Moreover, paragraph 212 of the Framework states that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
8. The existing swathe of brick wall at the site appears as a conspicuous element, and does not contribute positively to the the setting of the listed building or the surrounds. The proposed extension to the wall would be evident from the public highway and its prominence and scale would exacerbate the hard, urban appearance of the boundary treatment, out of keeping with the more green and verdant nature of the surrounding area. Moreover, I am not persuaded that a condition requiring ivy planting would meet the tests of precision and enforceability so as to soften the impact. Overall, it would be a discordant feature to the detriment of the heritage asset and the general locale.
9. I conclude that the scheme would fail to preserve the the setting of the listed building, and be injurious to the character and appearance of the surrounding area. This would be contrary to Policies EN1 and EN4 of the Sevenoaks Allocations and Development Management Plan 2015, Policy SP1 of the Sevenoaks Core Strategy 2011, The Fawkham Neighbourhood Plan 2025 and the Framework. Cumulatively these seek to secure new proposals of acceptable scale and appearance and to conserve or enhance the significance, character and appearance of heritage assets.

Other considerations

10. I acknowledge the appellant's contention that the scheme would result in highway safety improvements. However, there is no suggestion of support from the local Highway Authority in this regard, and I have not been provided with robust evidence to indicate that any accidents have occurred at the junction due to the presence of the existing hedge. For similar reasons, I am not convinced that the house is at risk of collision with motor vehicles.
11. I recognise that the loss of the existing hedge would not draw away from the value and quality of the heritage asset, and the wall would not affect the historic town or see the merging of neighbouring towns. The new wall would continue the existing treatment that spans the corner of Valley Road and Pennis Lane, however as I have stated above this is a detractor in the context of the site and locality, and therefore any unifying appearance would not be a benefit such as to counterbalance the harm I have identified above.
12. At my visit I saw that the existing hedge is an attractive and mature feature, and does not adversely screen Cross House from public view. I also observed other walls in the vicinity of the appeal site, including at Scudders Farm. However, I consider that this should neither represent the benchmark for future front boundary treatments in the area, nor should it

justify the replacement of pleasant natural planting with a brick wall. Furthermore, the presence of other boundary treatments elsewhere would be a neutral consideration in any balance against planning harm, and I am mindful that each case must be assessed on its own merits.

13. I recognise that the wall would afford greater privacy to the occupants of Cross House. Whilst there is clearly private benefit to the appellant arising from the development, based on my findings above there is nothing before me to indicate that there would be substantial public advantages in this case.

Green Belt Balance

14. According to paragraph 153 of the Framework, inappropriate development in the Green Belt should not be approved except in very special circumstances. These will not exist unless the harm to the Green Belt, and any other harm resulting from the proposal, are clearly outweighed by other considerations.
15. I am required by the Framework to give substantial weight to the harm the development would cause to the Green Belt by virtue of its inappropriateness and to openness. Individually or cumulatively, the weights I have attached to other considerations do not clearly outweigh this harm. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

16. Having regard to all matters raised and based on my reasoning above, the appeal is dismissed.

C Hall

INSPECTOR