



Appeal Decision

Site visit made on 16 September 2025 by S Wilson LL.B. MSc MRTPI

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st December 2025

Appeal Ref: APP/G2245/D/25/3367912

Hill View, Rock Hill, Orpington, Kent BR6 7PP

- 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 Gino Baker against the decision of Sevenoaks District Council.
 - The application Ref is 25/00762/HOUSE.
 - The development proposed is single storey extension. Internal alterations.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. Since the determination of the original application a single storey garage has been demolished at the property. The appellant considers that this weighs in favour of the proposed development. This demolition was not included in the description of development nor was it considered by the Council. The appellant considers that this is a significant material change.
4. The Procedural Guide¹ advises that if an appeal is made, the appeal process should not be used to evolve a scheme and explains how it is important that what is considered by the Inspector is essentially what was considered by the local planning authority and by interested parties at the application stage.
5. In terms of the demolition of the garage, this represents a significant material change. To accept it as part of this appeal would be procedurally unfair to the Council and any interested parties. It is not clear whether the act of demolition itself would necessitate any form of planning approval, or indeed if it (or a similar structure) could be reinstated without the need for planning permission. I will therefore consider the appeal based on the development considered by the Council.

¹ Procedural Guide: Planning appeals – England (2025)

Main Issues

6. The appeal site is within the Green Belt and so the main issues are:
- Whether or not the proposed development would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies.
 - The effect of the proposed development on the openness of the Green Belt.
 - If the proposed development is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposed development.

Reasons for the Recommendation

Site and Proposed Development

7. The appeal site contains a single storey residential building set on a corner plot, atop a hill, and on the edge of a rural village location. The appeal building is part of a larger building which has been separated into two residential dwellings at some point. There are two pitched roofs and several flat roof extensions that constitute the building as a whole. The appeal building constitutes part of the pitched roofed building and has two flat roof extensions. There is a garden and driveway with mature hedgerow screening to three sides and a close boarded fence of approximately 1.5m in height to the south boundary.
8. The proposed development comprises the erection of a single storey extension to part of the east elevation of the dwelling house.

Whether or Not Inappropriate Development

9. The National Planning Policy Framework (2024) (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework outlines that the construction of new buildings should be regarded as inappropriate in the Green Belt subject to a number of exceptions as set out in paragraph 154. One of the exceptions cited is 154 c) 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'.
10. The Sevenoaks District Council Allocations and Development Management Plan (2015) (the ADMP) Policy GB1 is consistent with the Green Belt aims of the Framework in terms of acknowledging that extensions which do not result in disproportionate additions are not inappropriate in the Green Belt.
11. The 'original building' is defined as the building as it existed on 1 July 1948 or if constructed after this date, as it was originally built. The Framework does not define what constitutes a 'disproportionate' addition. Policy GB1 requires that for extensions in the Green Belt, the design responds to the original form and appearance of the building and the proposed volume of the extension, taking into consideration any previous extensions, is proportional and subservient to the 'original' dwelling and does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion. In order to be considered not appropriate, criterion c) sets out 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.

12. The Council's evidence sets out that the appeal property has been extended from its original form. The Council calculate that the proposal percentage increase in floorspace from the original dwelling equates to 70.27%. The appellant does not dispute the percentage increase of the proposal over the original and acknowledges that the proposal would be 15sqm above the 50% threshold set out in the ADMP GB1(c). There is no evidence before me to contradict the figures.
13. The percentage significantly exceeds the threshold contained in Policy GB1. The proposed extension would add to the footprint of the appeal building and add additional size and scale, which when taken with the 'original building' would result in a disproportionate addition over the size of the original building in the terms of paragraph 154 c) of the Framework.
14. For these reasons, the proposal would be inappropriate development in the Green Belt. This is a matter to which I afford substantial weight in the planning balance.

Openness

15. The Framework outlines that one of the essential characteristics of Green Belts is their openness. Openness has both a spatial and a visual aspect. By its very nature of placing built development where there is currently none, the proposed development cannot fail but to have a greater impact on the openness of the Green Belt in spatial terms.
16. The proposal would add 24sqm which would result in a significant increase in the overall scale, mass, and volume of the existing property. Therefore, it would have a greater impact on the openness of the Green Belt in spatial terms. I find that considering the overall size and scale of the development, the harm to the openness of the Green Belt from a spatial aspect would be moderate.
17. The dwelling is set within its own grounds and has limited visibility due to mature vegetative screening on three sides. Nevertheless, it is located prominently upon a hill. The extension would significantly increase the visual prominence of the dwelling in the Green Belt, particularly when viewed from the public highway to the side of the property. Despite the careful design and the use of matching materials, as a domestic extension to an existing dwelling, I find that there would be moderate harm to the openness of the Green Belt from a visual point of view.
18. Therefore, overall, I consider that the effect on the openness of the Green Belt would be moderate, and I give this harm moderate weight in the appeal.

Other Considerations

19. Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Stating that very special circumstances will not exist unless the harm to the Green Belt by way of inappropriateness, and any other harm, is clearly outweighed by other considerations.
20. I acknowledge that the development would provide additional living accommodation for the occupants of the property. However, such personal circumstances seldom

outweigh general planning considerations, and I therefore give them limited weight in the appeal.

Planning Balance

21. The proposal would constitute inappropriate development in the Green Belt. When considered as a whole, moderate harm would be caused to the openness of the Green Belt. The substantial weight to be given to Green Belt harm arising from the proposal would not be clearly outweighed by the other considerations as outlined above. Consequently, the very special circumstances necessary to justify the development do not exist. Therefore, the proposed development would not accord with the Green Belt aims of the Framework and the ADMP.

Conclusion and Recommendation

22. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

A M Nilsson

INSPECTOR