
Appeal Decision

Site visit made on 19 September 2016

by Claire Victory BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 04 October 2016

Appeal Ref: APP/H1515/D/16/3151767

Long Chase, Ongar Road, Kelvedon Hatch, Brentwood, CM15 0AD

- 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 and Mrs Squibb against the decision of Brentwood Borough Council.
 - The application Ref 16/00346/FUL, dated 9 March 2016, was refused by notice dated 18 May 2016.
 - The development proposed is a two storey side extension to existing house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The site is within the Green Belt so the main issues are:
 - Whether the development would be inappropriate development for the purposes of the National Planning Policy Framework and development plan policies;
 - The effect of the development on the openness of the Green Belt;
 - The effect of the development on the character and appearance of the area; and
 - If the proposal would be inappropriate development, 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 necessary to justify the development.

Reasons

Whether inappropriate development

3. The appeal property is a detached house within a generous plot. Policy GB1 of the Brentwood Replacement Local Plan (LP) (2005) states that within the Green Belt “...*planning permission will not be given, except in very special circumstances, for changes of use of land or the construction of new buildings or extension of existing buildings, for purposes other than those appropriate to a Green Belt...*” Further to the above, LP Policy GB2 sets out criteria for assessing development in the Green Belt. It seeks to ensure that proposals would not conflict with the purposes of including land within the Green Belt and
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do not harm the openness of the Green Belt. Whilst the LP predates the National Planning Policy Framework (the Framework), these policies broadly accord with the Green Belt objectives of the Framework, and thus I accord them full weight. That said, neither LP policy provides any specific guidance as to when an extension might be considered inappropriate development.

4. Paragraph 89 of the National Planning Policy Framework (the Framework) states that an extension of a building in the Green Belt is not inappropriate providing it does not result in disproportionate additions over and above the size of the original building. Annex 2 of the Framework defines the 'original' building as the building as it was on 1 July 1948. I have used this as the starting point for my assessment.
5. There are several large outbuildings within the appeal site, including a summerhouse at the rear of the garden, but these are some distance away from the house and thus I do not consider these buildings constitute extensions to the dwelling.
6. However the Council has stated that the property has been previously extended to form a conservatory and enlarged kitchen, and contends that the proposed extension, together with the existing extensions would result in a floorspace increase of approximately 48% in comparison with the original building. The appellants have stated that the appeal proposal would have 30% of the floorspace of the host property but it is unclear if this includes the extended kitchen and conservatory. Even taking the lower figure of 30%, this would result in an increase in floorspace of almost a third to the original dwelling, and on the basis of the Council's unchallenged assessment the overall increase in relation to the size of the original dwelling would be greater still.
7. Furthermore, the significant increase in the width of the original roof ridge by more than half is another indication that the extension would be a disproportionate addition to the property. This would be contrary to
8. I therefore conclude that the proposal would be inappropriate development, which is, by definition, harmful to the Green Belt. Consequently it would conflict with LP Policies GB1 and GB2 and the Framework.

Openness of the Green Belt

9. The Framework at paragraph 79 indicates that openness is an essential characteristic of the Green Belt. Openness is defined as representing an absence of built or otherwise urbanising development. The proposed two storey side extension would significantly increase the width of the host dwelling, and thus there would be some reduction in openness. This would be contrary to LP Policies GB1 and GB2 and the Framework.

Character and appearance

10. Long Chase is an attractive example of an Arts and Crafts building, but there is no predominant style of architecture in the locality and there are a variety of different building styles and materials evident. I also note that the property is set well back from the road and is well screened by mature landscaping around the site boundaries, so that it is not easily visible from the road. As such there would be limited harm to the rural character of the area.

11. Nevertheless, there would be a significant increase in the width of the roof ridge, of about 67% with no set down from the existing roof ridge. As a result, the extension would not be subordinate to the main dwelling and would appear overly dominant. The use of matching materials would not overcome the harm that would be caused.
12. I conclude that the proposed extension would cause material harm to the character and appearance of the host property, by reason of its size and scale. It would be contrary to LP CP1, which, amongst other things, requires that development proposals are compatible with the existing building in terms of size, siting, scale, style, design and materials.

Other Considerations

13. The Framework, at paragraph 88 requires decision makers to ensure that substantial weight is given to any harm to the Green Belt, including harm to the openness of the Green Belt. Added to that is harm to the character and appearance of the area. Other considerations weighing in favour of the development must clearly outweigh this harm.
14. The appellants consider that a much larger extension could be built as permitted development, and that this could have a greater adverse impact than the appeal proposal. However, any development greater than 4m in height would be likely to require planning permission. The proposed extension would be 8m in height, and thus would have a much greater visual impact, and in any event it is uncertain whether such an extension proposed as permitted development would be built and what permitted development rights may remain for any further extensions. As such I give this matter limited weight.
15. The appellants have stated that the proposal would only involve one ground floor room and one first floor bedroom, and that the appeal property is too small for the family's needs. However, these personal requirements carry only limited weight in comparison with the national planning policy for Green Belts.

Conclusion

16. The proposal would be inappropriate development in the Green Belt. It would therefore, by definition be harmful to the Green Belt. It would also harm the openness of the Green Belt. I have given this harm substantial weight. Furthermore, there would be harm to the character and appearance of the appeal property as a result of the development.
17. I have only given limited weight to each of the material considerations cited in support of the proposal, and conclude that, taken together, they do not clearly outweigh the harm that the proposal would cause. As such there are not the very special circumstances necessary to justify inappropriate development in the Green Belt.
18. For the above reasons I conclude that the appeal should be dismissed.

Claire Victory

INSPECTOR