
Appeal Decision

Site visit made on 15 February 2017

by Mr Kim Bennett BSc DipTP MRTPI

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

Decision date: 22 February 2017

Appeal Ref: APP/M1595/D/16/3165626

The Gables, Brentwood Road, Bulphan, RM14 3SP

- 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 & Mrs Miles against the decision of Thurrock Council.
 - The application Ref 16/01311/HHA, dated 17 September 2016, was refused by notice dated 21 November 2016.
 - The development proposed is a detached garage.
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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; the effect of the proposal on the openness of the Green Belt; if the proposal would be 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 necessary to justify the development.

Reasons

Whether inappropriate development

3. The appeal property is a detached bungalow located on the southern side of Brentwood Road amongst a loose knit number of other residential properties. The character of the area is semi-rural with open fields opposite the site. At the time of my site visit, the bungalow was not occupied but was undergoing extensive building works, which the Council advises were approved as permitted development. The site lies within the Metropolitan Green Belt.
4. From figures given by the Council it would appear that the original bungalow was 74.45 sqm in terms of floorspace, which has now been increased to 169.64 sqm as a result of the current building works. I note that the appellant has not disputed those figures.
5. The Council's approach towards extensions in the Green Belt is set out in Policy PMD6 of its Core Strategy and Policies for Management of Development 2015 (CSPMD) which says that extensions must not be disproportionate to the original building, which for the purposes of Thurrock District, means no larger than two reasonably sized rooms. That approach follows on from Annexe 8 of

the Council's Local Plan 1997 (LP) which also referred to permitting a maximum sized extension represented by the equivalent of two reasonably sized rooms. There is no separate provision for ancillary outbuildings such as the appeal proposal but given its proximity to the main dwelling I consider that from a policy point of view the proposed garage should be regarded as an extension to a building. Both policy approaches are generally consistent with the National Planning Policy Framework which sets out in paragraph 89 that the construction of new buildings are inappropriate within the Green Belt subject to certain exceptions. One of these relates to 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.

6. The Council advises that from a policy point of view, an extended footprint over the original size of the property to allow for two reasonably sized rooms would have resulted in an increased floorspace with a total area of 111.67 sqm. Whilst the appellants argue that there is no conflict with adopted policy because it allows for extensions to properties to cater for changing family needs, that has already been accommodated through the building works currently under construction, which are significantly greater in size than a strict application of policy limits. Clearly, the proposed double garage, which would be a sizeable structure in itself, would further increase the overall size of the original dwelling, well in excess of policy provisions. Given the figures supplied, the original bungalow must have been very modest in size and there is no doubt in my mind that the cumulative increase in size of the bungalow in terms of the current building works and the proposed garage, would amount to a disproportionate addition over and above the size of the original building. It would therefore be inappropriate development within the Green Belt, contrary to Policy PMD6 of the CSPMD, Annexe 8 of the LP and the Framework. In that context, the Framework makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness

7. Although there are currently hoardings at the frontage of the site, once those are removed the proposed garage would be prominent when approaching along Brentwood Road from the east, because of the open nature of front gardens of adjoining properties and the winding nature of the road. It would be less so from the other direction where it would be partially screened by boundary vegetation with the neighbouring property 'Conifers'. Although the appellant argues that it would not be out of keeping with the area to have a garage in the front, I saw no comparable examples in the immediate area and particularly those properties to the east. The appellants also argue that an alternative siting of the garage to the rear would result in an extensive driveway which would be more intrusive than the currently proposed works. However, I note from the plans that the proposal would in any event result in a large area of space for turning of vehicles in the front garden and I therefore attach little weight to that argument.
8. I find on this issue therefore that there would be some harm arising to the openness or open character of the Green Belt as a result of the proposal, which I attach moderate weight to, and therefore conflict with Policy PMD6 in that

respect, as well as objectives contained within the Framework which defines the essential characteristics of Green Belts as their openness and permanence.

Very special circumstances

9. The Framework makes it clear that very special circumstances will not exist unless the potential harm, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In that respect I sympathise with the fact that the appellants are both blue badge holders and suffer from mobility problems. However it is not clear to me why that necessitates a large garage in the front garden area, as opposed to a parking area which would also allow proximity of access to the front door. Reference is made to a Nissan hut style garage which apparently previously stood on the site. However I saw no evidence of that at my site visit and it has presumably been long removed. I also acknowledge improvement to the building, which was apparently uninhabitable before, but that does not justify other Green Belt policy considerations being set aside.
10. Finally, although there is reference to other examples of garaging in front gardens areas in the local area, they are not in the immediate vicinity as referred to above, and no details are before me as to what considerations or issues might have been relevant for the examples referred to. Consequently they have not been decisive in reaching my findings which I have based on the issues raised by this particular case.

Other Matters

11. The Council raises no objections in respect of amenity considerations for the adjacent property to the west and I see no reason to come to a different conclusion given the separation distances that would exist together with existing boundary vegetation. Although I also note a concern regarding an outbuilding that has been constructed at the end of the garden, that issue is not before me in relation to this appeal.

Overall balance and conclusion

12. The proposed garage would amount to inappropriate development which the Framework makes clear is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition there would also be some additional harm arising from the loss of existing openness. For the reasons set out above, the other considerations raised, do not clearly outweigh the totality of harm, which is necessary for the development to be acceptable. Consequently the very special circumstances needed to justify the proposal do not exist.
13. Accordingly, the development would conflict with the Policies referred to above and the appeal should therefore be dismissed.

Kim Bennett

INSPECTOR