

Appeal Decision

Site visit made on 7 July 2017

by S Poole BA(Hons) DipArch MPhil MRTPI

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

Decision date: 24 July 2017

Appeal Ref: APP/B5480/D/17/3172216

Upweys, Fen Lane, North Ockendon, Upminster, Essex RM14 3PR

- 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 John Goss against the decision of the Council of the London Borough of Havering
 - The application Ref P2077.16, dated 28 December 2016, was refused by notice dated 17 February 2017.
 - The development proposed is a first floor rear extension above the existing single storey rear extension and a new single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:

- (i) whether the proposal would be inappropriate development for the purposes of section 9 of the National Planning Policy Framework (2012) (the Framework) and development plan policy;
- (ii) the effect of the proposal on the openness of the Green Belt;
- (iii) if it 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 necessary to justify the development.

Reasons

Whether the proposal would be inappropriate development

3. Paragraph 89 of the Framework states that the construction of new buildings in the Green Belt is inappropriate. A number of exceptions to this are identified including proposals comprising 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. Policy DC45 of the Council's Core Strategy and Development Control Policies Development Plan Document (2008) states that extensions, alterations and replacement of existing dwellings will be allowed in the Green Belt provided that the cubic capacity of the resultant building is not more than 50% greater than that of the original dwelling.
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4. The appeal property is a 2-storey detached house which is located in a small rural settlement comprising houses of varied size, age and appearance. It has been extended in the past with a 2-storey extension added to one side and a full-width single storey addition to the rear. The proposal would comprise a full-width first floor extension above the existing single-storey rear extension and a new full-width single-storey extension. Calculations provided by the Council, which have not been disputed by the appellant, indicate that the volume of the property has already been increased by more than 50% and the existing and proposed additions would result in a building more than double the volume of the original house.
5. I therefore conclude that the increase in volume resulting from the proposal, combined with the earlier additions, would result in disproportionate additions over and above the size of the original building. The proposal is therefore contrary to paragraph 89 of the Framework and Policy DC45. It would be inappropriate development that is, by definition, harmful to the Green Belt. I attribute substantial weight to this.

Openness of the Green Belt

6. Paragraph 79 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. The proposal would increase the overall volume, bulk and amount of development on the site reducing, and therefore causing harm to, the openness of the Green Belt. The proposal therefore also conflicts with the Framework in this respect, a matter to which I also attribute substantial weight.

Other considerations

7. I turn now to consider whether there are any considerations sufficient to clearly outweigh the harm identified above in respect of inappropriateness and openness. Very special circumstances to justify inappropriate development will not exist unless the harm is clearly outweighed by other considerations.
8. I note there were no objections to the proposal from neighbours and that it would not unacceptably impact upon their living conditions or on levels of local road traffic. I also recognise that the proposal would provide employment for construction workers. However the lack of harm and small economic benefits are matters to which I attribute limited weight.

Green Belt balancing exercise

9. The other considerations do not amount to matters that clearly outweigh the substantial harm to the Green Belt which I have identified in respect of the proposal's inappropriateness and effect on openness. Very special circumstances to justify inappropriate development do not therefore exist. The proposal is therefore contrary to the Framework and the aims of Policy DC45.
10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole INSPECTOR