

Appeal Decision

Site visit made on 11 July 2017

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 28 July 2017

Appeal Ref: APP/J1535/D/17/3175362

Rose Cottage, Gainsthorpe Road, Bobbingworth, Ongar, Essex, CM5 0NG

- 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 Richard Harris against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/3000/16 dated 10 November 2016 was refused by notice dated 9 March 2017.
 - The development proposed is a single storey extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site lies within the Green Belt and I therefore consider the main issues are:
 - Whether or not the development subject of this appeal represents inappropriate development in the Green Belt;
 - The effect of the development on the openness of the Green Belt;
 - If it does amount to inappropriate development, whether the harm by way 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

Inappropriateness

3. Paragraphs 89-90 of the National Planning Policy Framework (Framework) define those categories of development, which may be regarded as inappropriate, subject to certain exceptions. One of those exceptions states that the extension or alteration of a building is not inappropriate in the Green Belt provided it does not result in disproportionate additions over and above the size of the original building. Policy GB2A of the Council's Local Plan Alterations (Local Plan), although referring to 'limited' rather than 'disproportionate', is broadly consistent with the Framework in this regard.
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4. The appeal proposal is to construct a single storey extension to the dwelling. The Council state that the original floor area of Rose Cottage was approximately 76sqm with previous additions having added 51sqm or an increase of 67% above the original building. These figures are not disputed by the appellant and whilst I recognise the current proposal would only add around 11sqm, cumulatively, with the size of the previous extensions, the development would result in an 81% increase. There is no definition of 'disproportionate' within the Framework or Local Plan but the overall scale of the proposal, with previous extensions, would amount to a disproportionate addition to the original building.
5. I therefore conclude that the proposed extension amounts to inappropriate development, which is, by definition, harmful to the Green Belt. As such, it would conflict with Policies GB2A and GB7A of the Local Plan, and with Paragraph 87 of the Framework, which specifies that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Openness

6. Paragraph 79 of the Framework notes that the Government attaches great importance to Green Belts and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. The proposal would, by its very nature as an additional form of built development, erode the openness of the Green Belt.
7. I therefore consider that the proposed development is detrimental to the openness of the Green Belt and is contrary to the Framework on this matter.

Other Considerations

8. The proposed development constitutes inappropriate development, harmful to the Green Belt. The presumption against inappropriate development means that this harm alone attracts substantial weight. The development would also reduce the openness of the Green Belt. The Framework makes it clear that substantial weight should be given to any harm to the Green Belt.
9. I have taken into account the appellant's reason for seeking the extension to address problems of damp. Whilst I sympathise with the appellant, this matter does not however outweigh the identified harm to the Green Belt so as to amount to the very special circumstances necessary to justify the development.
10. I also note that pre-application advice was sought following a previous refusal which indicated that revised proposals would be acceptable. This appeal however follows the Council's decision on the planning application and I can confirm that I have dealt with the appeal accordingly on its own merits.
11. Consequently the very special circumstances necessary to justify the development do not exist and the development would be contrary to the Framework.

Conclusion

12. Having had regard to all the matters before me, including representations made on the effect on the setting of a heritage asset, I find nothing to materially affect my findings above. The appeal must therefore fail.

F Rafiq

INSPECTOR