



Appeal Decision

Site visit made on 4 October 2017

by L Fleming BSc (Hons) MRTPI

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

Decision date: 13th October 2017

Appeal Ref: APP/H1515/D/17/3180184

Great Oaks Barn, Chelmsford Road, Blackmore CM4 0SD

- 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 D Wade against the decision of Brentwood Borough Council.
 - The application Ref 17/00605/FUL, dated 14 April 2017, was refused by notice dated 9 June 2017.
 - The development proposed is two storey front, single storey side and first floor rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for two storey front, single storey side and first floor rear extensions at Great Oaks Barn, Chelmsford Road, Blackmore CM4 0SD in accordance with the terms of the application, Ref 17/00605/FUL, dated 14 April 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with approved plans: Location Plan Scheme 6 Drawing No S6-001, Site Plan Scheme 6 Drawing No S6-002, Plans & Elevations as Existing Scheme 6 Drawing No S6-003, Elevations as Proposed Scheme 6 Drawing No S6-004, Ground Floor Plan as Proposed Scheme 6 Drawing No S6-005, First Floor Plan as Proposed Scheme 6 Drawing No S6-006, Section A-A as Proposed Scheme 6 Drawing No S6-007 and Section B-B & C-C as Proposed Scheme 6 Drawing No S6-008.
 - 3) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.
 - 4) No development shall take place until details showing the root protection area, an arboricultural impact assessment and arboricultural method statement have been submitted to and approved in writing by the local planning authority. The development shall be undertaken in strict accordance with the approved details.

Procedural Matter

2. I have taken the development description from the appeal form and the Council's decision notice as this more accurately describes the proposal.

Main Issues

3. The main issues are:

- the effect of the proposal on the character and appearance of the area;
- whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy.

Reasons

Inappropriate development

4. The proposed development would be within the Green Belt. Paragraph 89 of the Framework makes clear that the construction of new buildings should be regarded as inappropriate in the Green Belt except where, among other things, they comprise the extension or alteration of a building and does not result in disproportionate additions over and above the size of the original building.
5. Moreover, saved Policies GB1 and GB2 of the Brentwood Replacement Local Plan (2005) (LP) makes clear that planning permission for new development will not be given, except in very special circumstances, for the construction of new buildings or extensions of existing buildings for purposes other than those appropriate to the Green Belt. Thus, although they do not set out a detailed methodology for assessing whether additions to buildings are proportionate, insofar as is relevant to the appeal saved Policies GB1 and GB2 of the LP are broadly consistent with the Framework.
6. I note the original dwelling constructed under planning permission granted in 2006¹ had a floor space of some 170 square metres. I also note it was permitted subject to a condition which restricted the conversion of the roof space to living space which was subsequently removed² resulting in an additional living floor space of some 71 square metres.
7. However, the Framework is concerned with additions over and above the size of the original building. As well as floor space, matters such as the building footprint, height and volume are therefore also relevant. The conversion of the original roof space to floor space did not increase the footprint, height or of volume of the original dwelling. Thus with the absence of any substantive evidence to the contrary, I find its use as living space does not result in any significant increase in the size of the original building.
8. That said, I note the appeal proposal would involve combined additions of some 42 square metres of additional floor space, thus an increase in the order of 25%. I am also told that that the additions to the original building would amount to an increase in footprint of the original building by some 7%. There are no detailed volume calculations before me.
9. However, even though the proposed first floor rear extension would be of a significant bulk, it would be above an original single storey rear projection and set down from the ridge of the roof of the original dwelling appearing subordinate to it.

¹ Council reference 06/00704/FUL

² Council reference 14/01264/FUL

10. Overall, when comparing the size of the original dwelling with the dwelling with the proposed extensions in place, I find the proposal would not result in disproportionate additions over and above the size of the original building.
11. Therefore the proposed development would not be inappropriate development in the Green Belt and would accord with paragraph 89 of the Framework and saved Policies GB1 and GB2 of the LP. In reaching these conclusions I have noted the Council's concerns with regard to the effect of the proposed development on openness and the purposes of including land within the Green Belt. However, as I have found the proposed development would not be inappropriate development in the Green Belt it is implicit that it would not harm either the openness of the Green Belt or the purposes of including land in the Green Belt, thus I have not considered these matters any further.

Character and appearance

12. The Council's concerns relate to the proposed dormer windows on the rear roof slope and the first floor rear extension which would be significantly visible from only the rear gardens of the appeal property and the rear gardens of the neighbouring dwellings, which have a varied character.
13. Both the dormer windows and the first floor rear extension would be set down from the ridge of the main roof. The dormer windows would be set up from the eaves and both the dormer windows and the first floor rear extension would not be particularly wide such that they would take up a relatively small proportion of the main roof slope. Both would have pitched roofs and would be finished in materials which would match the existing dwelling.
14. For these reasons the proposed extensions would not dominate the appearance of the host building and would not harm the varied character and appearance of the area. The proposal would therefore accord with Policies CP1 and H17 of the LP which seek to ensure good design.

Conditions

15. The conditions imposed are those which have been suggested by the Council. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty. I have also imposed a condition which requires materials to match the existing dwelling in the interests of safeguarding the character and appearance of the area. For the same reason and to safeguard trees I have imposed a condition which requires tree protection measures to be agreed and put in place during construction.

Conclusion

16. I have found the proposal would not represent inappropriate development in the Green Belt and found no harm to the character and appearance of the area thus, the proposed development would accord with the development plan and the Framework. Therefore with regard to all other matters raised I conclude that the appeal should be allowed.

L Fleming

INSPECTOR