
Appeal Decision

Site visit made on 31 October 2017

by Mr Kim Bennett DipTP MRTPI

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

Decision date: 13 November 2017

Appeal Ref: APP/V1505/D/17/3181739

Basketworks, Ramsden Park Road, Ramsden Bellhouse, Billericay CM11 1NS

- 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 Mrs M Ward against the decision of Basildon Council.
 - The application Ref 17/00364/FULL, dated 20 March 2017, was refused by notice dated 16 May 2017.
 - The development proposed is side and rear ground and first floor extension.
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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; and the effect of the proposal on the living conditions of the occupiers of the adjacent properties 'Greenway' and 'Benlui'.

Reasons

Whether inappropriate development

3. The appeal property comprises a detached house set back to the rear of properties fronting the north side of Ramsden Park road. It is approached via a private access to the east of the property known as 'Benlui' and stands on a large plot of land which extends to the north. The Council advises the property was formerly an office and permission to convert it to a dwelling was allowed on appeal in 1996. Subsequently the property was demolished and permission granted for a replacement bungalow in 1998. That has since been extended with the conversion of the roof area to form additional living space which was allowed on appeal in 2002. The site lies within the Green Belt.
4. The Council's approach towards residential extensions in the Green Belt, is set out in Saved Policy BAS GB4 of the Basildon District Local Plan. That policy allows for dwellings to be extended to 90 sq. m or 35 sq. m over and above the original floor area of the dwelling, whichever is the greater. The policy also

makes it clear that for the purposes of calculations, extensions include rooms in the roof. The policy is generally consistent with the National Planning Policy Framework (the Framework) which also refers in paragraph 89 to extensions being regarded as acceptable in policy terms provided they do not result in disproportionate additions over and above the size of the original building.

5. The Council advises that the original bungalow constructed in 1998 had a gross floorspace of 104 sq. m. An additional 53 sq. m of floorspace was then approved in the 2002 permission. Coupled with a small lean to addition the current gross floorspace is in the order of 163 sq. m. The Council also advises that the proposed additions would result in a gross floorspace of 315 sq. m. In these respects I note that the appellant has not questioned the figures. The overall increase in size of floorspace over the original dwelling would therefore amount to a 203% increase.
6. Apart from the increase in floorspace, which is clearly substantial compared to the original dwelling, the proposed development would involve a two storey extension across the whole of the rear of the property, together with further ground floor infill extensions to both sides. This would result in a significant increase to the overall massing and bulk of the dwelling compared to the existing. In my view a combination of these issues and cumulative impact of all existing and proposed extensions would amount to a disproportionate addition over the original dwelling and therefore inappropriate development as a result. In that regard, 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.

Effect on openness

7. Because of its backland location, the property occupies a relatively secluded position in the street scene. However, its side elevation is visible from the West between the properties known as 'Greenway' and 'The Haven', a point which the appellant acknowledges. Given the two storey nature of the proposed development, it would become more apparent from that viewpoint. The greater part of the extension would also be clearly visible from the large and open rear garden of 'Greenway'. As a result, there would be some small scale loss of openness to the Green Belt setting, which I attach a limited weight to.

Living conditions

8. The Council is concerned that owing to the proximity of the proposed extensions to the adjoining properties 'Greenway' and 'Benlui', there would be loss of amenity to the occupiers of both properties. As far as 'Benlui' is concerned, I noted that there is a substantial evergreen tree screen at the rear of that property which effectively screens the appeal property from view. I therefore do not consider amenity would be affected in that respect as a result of the proposed extensions. With regard to 'Greenway' the extension would be close to the boundary of that property's garden but the latter is of extensive size and the extension would be well away from the house itself. Although a dormer window is proposed which would directly face the garden, I note that it would serve an ensuite bathroom. Had I been minded to allow the appeal, a condition could have been imposed for the window to be obscure glazed and if necessary non-openable, in order to safeguard privacy.

9. For the above reasons, I do not consider that living conditions would be adversely affected for the occupiers of either property and therefore the proposal would be consistent with Saved Policy BAS BE12 of the Council's Local Plan in that there would be no overlooking or over dominance. Although it would conflict with the Council's Development Control Guidelines which require dormer windows not to be less than 10.8 metres from the boundary, such requirements are not necessary in this instance given the particular site conditions as set out above.

Other considerations

10. 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 note that there is reference to the appellant's medical condition and that the open plan nature of the proposed development would ease mobility around the house. However, I also note that the appellant acknowledges that it is not the principle reason for the extension, and no reason is advanced as to why existing internal accommodation could not be adapted to increase mobility if that became necessary.
11. The appellant refers to other large dwellings in backland locations nearby and I noted these at my site visit. However I am not aware of the details of those examples and there may be a number of historical reasons why they are there, as indeed there were for the existing appeal property. Consequently, they have not been decisive in my findings.
12. I also note that the extensions would be well designed and would not detract from the character or appearance of the existing dwelling. However, I give greater weight to the wider conflict with Green Belt policy, given the cumulative increase in size, were this proposal to go ahead. Although I acknowledge that the property is well screened and there would only be a limited loss of openness, such an argument could be made in many situations, the cumulative effect of which would be to undermine the strong Green Belt policy approach to limit the extent of new built development within such areas.

Overall balance and conclusion

13. The proposed extension 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 limited harm arising from the loss of existing openness as a result of the increased visual impact of the extensions. In my view, 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.
14. Accordingly, for the reasons and conflict with Development Plan policies and the Framework as referred to above, the appeal is dismissed.

Kim Bennett

INSPECTOR