
Appeal Decision

Site visit made on 23 January 2018

by J A B Gresty MA MRICS

an Inspector appointed by the Secretary of State

Decision date: 01 February 2018

Appeal Ref: APP/B1550/D/17/3181876
10 Mill Lane, Stambridge, Rochford SS4 2AA

- 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 Deacon against the decision of Rochford District Council.
 - The application Ref 17/00432/FUL, dated 29 April 2017, was refused by notice dated 20 July 2017.
 - The development proposed is a two-storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - Whether the proposal constitutes inappropriate development in the Green Belt,
 - Its effect on the openness of the Green Belt,
 - The effect of the proposed extension on the character and appearance of the area, and
 - If it would be inappropriate development, whether the harm by reason of inappropriateness, and any other harm to the Green Belt, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Inappropriate Development

3. The appeal property is a semi-detached, two-storey house situated within the Metropolitan Green Belt. The appeal proposal is for a two-storey side extension to the house. The National Planning Policy Framework (the Framework) states that a local planning authority should regard construction of new buildings as inappropriate in the Green Belt. This is subject to exceptions listed in the Framework which include extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The Framework does not define what a disproportionate addition would be but Policy DM17 of the Rochford District Council Local Development Framework Management Plan (LDFMP) indicates that extensions

to dwellings in the Green Belt should not result in a cumulative increase in the internal floor area of the original dwelling of more than 25%.

4. The proposed extension would have an internal floor space which would represent an increase in the internal floor space of the original dwelling of about 36%. Further, the house has been extended in the past and the proposed extension would result in a cumulative increase in the size of the original dwelling of some 56%, significantly greater than permitted by LDFMP Policy DM17. Therefore, I conclude that the proposed development would represent a disproportionate addition over and above the size of the original building and it would be inappropriate development in the Green Belt as defined by the Framework.

Openness

5. The Framework confirms that inappropriate development is by definition harmful to the Green Belt. The essential characteristics of Green Belts are their openness and permanence. As a consequence its size and bulk, the development would inevitably lead to a reduction in the openness of the Green Belt, harming one of the Green Belt's essential characteristics.

Character & Appearance

6. The extension would reflect the design of the host dwelling and it would be subordinate in size to the host dwelling and its plot. The appeal property forms part of a small cluster of similar scale semi-detached dwellings on Mill Lane and I concur with the Council that the extended house would be in keeping with the character and appearance of the nearby dwellings and local area as a whole. In this respect the proposed development would accord with the aims of good design as sought by the Framework.

Very Special Circumstances

7. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The proposed development would be inappropriate and it would reduce the openness of the Green Belt.
8. The appeal proposal would provide useful additional living space for the appellants and it would be in keeping with the character and appearance of the host property and local area. However, this absence of harm is not sufficient to outweigh the harm the proposed development would do to the essential characteristics of the Green Belt. Therefore, I conclude that evidence has not been presented to demonstrate that very special circumstances exist to clearly outweigh the harm to the Green Belt.

Conclusion

9. On balance and for the above reasons, I conclude that the appeal should be dismissed.

J A B Gresty

INSPECTOR