



Appeal Decision

Site visit made on 16 July 2019

by M Savage BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 August 2019

Appeal Ref: APP/M1595/D/19/3227119

Endlebury, Kirkham Road, Horndon on the Hill SS17 8QE

- 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 Fred Stevens against the decision of Thurrock Borough Council.
 - The application Ref 19/00125/FUL, dated 27 January 2019, was refused by notice dated 4 April 2019.
 - The development proposed is to build a single storey brickwork extension to an existing annex.
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Decision

1. The appeal is dismissed.

Main Issues

2. The site falls within an area of Green Belt. Accordingly, the main issues are:
 - Whether the proposal is inappropriate development within the Green Belt for the purposes of the Framework and development plan policy; and
 - Its effect on openness and the purposes of including land within it; and
 - If the development is inappropriate, 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 inappropriate Development in the Green Belt

3. The National Planning Policy Framework (the 'Framework')(2019) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. In addition, the construction of new buildings should be regarded as inappropriate in the Green Belt subject to a number of exceptions as set out in paragraph 145. One of the exceptions is c) 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.
4. Policy PMD6 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development Focussed Review (Core Strategy)(2015) deals with development in the Green Belt and in respect of

extensions, states that the extension of a building must not result in disproportionate additions over and above the size of the original building.

5. Although the Council considered the proposal as a new dwelling on the site, the Council has not provided any substantive evidence that the proposed extension would be used as a separate dwelling. Furthermore, the appellant submitted the proposal on the basis that it would be an extension to an existing annexe. Although the annexe is physically detached, it is sited at a modest distance from the host dwelling and is located within the grounds of Endlebury. The proposed extension to the annexe would be closer to the host dwelling than the existing annexe. Consequently, taking account of its use and close proximity to the host property, it is my view that the development can reasonably be treated as an extension when applying Green Belt Policy.
6. The Framework defines original building as a building as it existing on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. The dwelling has previously been extended and whilst I do not have substantive details of this, from my observations on site, and in particular the use of contrasting brick and design, the extension appears to have significantly increased the floor space of the property. The annexe, which is constructed in similar brick to the extension, also appears to be a later addition to the original dwelling. Thus, on the evidence before me, the appeal scheme, together with other extensions within the site would result in disproportionate additions over and above the size of the original building.
7. Even if I were to consider the appeal scheme as a new dwelling on the site, the proposed extension would be physically attached to the existing annexe and would therefore constitute an extension of a building. The appeal scheme would more than double the overall size of the annexe. This in itself is a significant increase in size and would, in my view, result in an addition to the original building that would be disproportionate.
8. I have also considered the appeal scheme against exception (e) '*limited infilling in villages*' of the Framework. However, the appeal site is divorced from the settlement of Horndon on the Hill, and, although there are other dwellings in close proximity, there is no clear centre such that it does not have the characteristics of a village. In addition, and from what I could see on my site visit, there were very few amenities and facilities in the immediate area.
9. Thus, for the reasons given above, the appeal scheme would be inappropriate development in the Green Belt and would conflict with Policy PMD6 of the Core Strategy.

Openness

10. The Framework makes clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
11. Endlebury is located towards the end of an unmade track and is bound by mature vegetation, limiting views from outside of the site. Whilst there would be limited views of the extension from outside of the site, there would still be a spatial impact on openness arising from the physical presence of the extension. The footprint of the extension would inevitably lead to a loss of openness.

12. Therefore, whilst the appeal scheme would be located entirely within the existing garden, there would be a modest loss of openness which would harm the openness of the Green Belt, undermining the fundamental aim of keeping land permanently open and have a limited but adverse impact on the related Green Belt purpose to assist in safeguarding the countryside from encroachment, contrary to the Framework.

Other Considerations

13. The appellant advises that the annexe is needed to house his elderly mother who is in need of care and requires suitable wheelchair friendly accommodation close to the family, whilst still retaining some independence. I have been given no substantive details relating to these matters and without further information, I cannot be sure that the appeal scheme would be the only way of meeting the needs of the family. Furthermore, personal circumstances will seldom outweigh general planning considerations.
14. The appellant has drawn my attention to a number of other developments in the area, including an extension to the neighbouring property, which, it is asserted, would be more intrusive than the appeal scheme. However, I have no substantive details of these before me. Moreover, I am obliged to consider the appeal on its own merits.

Conclusion

15. The Framework sets out the general presumption against inappropriate development within the Green Belt. It states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances to justify inappropriate development 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.
16. The proposal would be inappropriate development in the terms set out in the Framework and lead to a limited loss of openness to the Green Belt. The Framework establishes that substantial weight should be given to any harm to the Green Belt.
17. The other considerations which arise do not clearly outweigh the totality of the harm. Consequently, very special circumstances do not exist and the proposal would conflict with the Framework and with Policy PMD6 of the Core Strategy. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

M Savage

INSPECTOR