
Appeal Decision

Site visit made on 16 October 2019

by I A Dyer BSc (Eng) MIHT

an Inspector appointed by the Secretary of State

Decision date: 4 November 2019

Appeal Ref: APP/W1525/D/19/3233206

Wakeford, Southend Road, Sandon, Chelmsford CM2 7TN

- 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 Paul Volckman against the decision of Chelmsford City Council.
 - The application Ref 19/00733/FUL, dated 24 April 2019, was refused by notice dated 20 June 2019.
 - The development proposed is a two storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant has provided an extensive description of the development. The Council amended this to "Two storey rear extension". I have therefore used the amended description provided by the Council as this describes the development more succinctly. and I have determined the appeal on this basis.

Main Issues

3. The main issues are: -
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies, including any relevant effects on the openness of the Green Belt, and: -
 - Whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

4. The appeal site lies on the south side of Southend Road and is currently a chalet bungalow with two large dormer extensions to the roof.
 5. There is no dispute between the parties that the land is within the Metropolitan Green Belt. Paragraph 145 of the Framework establishes that the construction of new buildings in the Green Belt is inappropriate subject to a number of
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- exceptions. These exceptions include 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.
6. In this regard the 'original building' is the building as it existed on 1 July 1948, or, if built later, as it was originally built. Previous development has substantially added to the building, resulting in the structure that is the subject of this appeal.
 7. Policy DC1 of the Core Strategy and Development Control Policies Development Plan Document -2008- (the DCP) identifies forms of development that are not inappropriate development in the Green Belt. Extensions to existing buildings are not inappropriate development providing they do not result in disproportionate additions over and above the size of the original building, do not conflict with the purposes of including land in the Green Belt and comply with Policy DC47. Policy DC47 part B states that planning permission will be granted for the extension of a house provided that the proposed extension, together with any previous additions to the original buildings are acceptable in size, scale and are in keeping with its context and surroundings.
 8. These policies are broadly consistent with the aims of those parts of the Framework which seek to protect the Green Belt from inappropriate development and encourage good design.
 9. The proposal would extend the dwelling on both floors to the rear, resulting in extended dormers on both faces of the roof, together with alterations to the internal layout of the dwelling.
 10. The Framework does not explain what is meant by 'disproportionate'. However, the additional floor area would result in a very significant increase in floor area over that of the original building, roughly trebling it in size. Further, the extended roof would present a bulkier, more massive roof when compared to that of the original building. Taken together the proposed extension would be a disproportionate addition to the building.
 11. The openness of the Green Belt has both a visual and spatial dimension. The roof form would be visible from the public realm and the wider countryside. It would be readily apparent, and therefore obvious, to observers. In visual terms therefore, the increased bulkiness of the enlarged built form of the building would result in a reduction in the visual openness of the Green Belt.
 12. Whilst there is no dispute that the plot could accommodate a building of the scale proposed, the proposed roof form of the dwelling, with its extended dormers, would increase the bulk of the upper storey and the overall length and volume of the dwelling would also significantly increase. Given that the proposed development would increase the size of the dwelling significantly over the original, both in cumulative footprint and volume terms, the development would undoubtedly lead to a loss of openness in spatial terms.
 13. The Green Belt serves five purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

14. Given that the development would be contained within the existing plot boundary I find that it would not encroach further into the countryside and so would not be contrary to the purposes of the Green Belt.
15. Although the proposal would not conflict with the purposes of including land within the Green Belt, it would decrease the openness of the Green Belt and would be a disproportionate extension to the original dwelling. For these reasons, I conclude that the proposal would amount to inappropriate development in the Green Belt having regard to the Framework and relevant development plan policies, including any relevant effects on the openness of the Green Belt. The proposal would therefore be contrary to Policies DC1 and DC47 of the DCP and Section 13 of the Framework, the aims of which I have set out above.

Other Considerations

16. The proposal would provide additional internal space within the dwelling and the appellant argues that the extension of the dwelling is necessary to provide the basic layout requirements of a family home. However, the dwelling, although modest, already provides what I would consider the basic requirements of a family home.
17. It is argued that levels of natural light within the existing dwelling are inadequate and that this would be remedied by the proposal. However, I have limited information before me to demonstrate that the existing levels of lighting fall below minimum acceptable levels and I am not convinced that there are no alternative options for increasing the levels of natural light within habitable rooms that would avoid the harm to the Green Belt that I have identified.
18. The proposal would provide limited benefits to the local economy in terms of short term employment in the construction industry. Taken together, and given the limited scale of the development, these benefits carry limited weight.

Conclusion

19. The Framework establishes that substantial weight should be given to any harm to the Green Belt and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. I am also mindful that the proposed development would be contrary to the development plan in these respects.
20. Against this, I attach little weight to the contention of the appellants that the dwelling, in its current form, does not provide the basic layout requirements of a family home. Similarly, I attach limited weight to the benefits that would accrue to the local economy from the proposal for the reasons I have given.
21. Consequently, I conclude that the harm by reason of inappropriateness is not clearly outweighed by other considerations, such that the very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist. Accordingly, I conclude that this appeal should be dismissed.

I Dyer

INSPECTOR