
Appeal Decision

Site visit made on 3 December 2019 by Emma Worby BSc (Hons)

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2020

Appeal Ref: APP/M1595/D/19/3236496

Windy Corner, 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 James Collinson against the decision of Thurrock Borough Council.
 - The application Ref 19/00603/HHA, dated 17 April 2019, was refused by notice dated 13 June 2019.
 - The development proposed is a two-storey side extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues in the appeal are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the revised National Planning Policy Framework (the 'Framework') and relevant development plan policies;
 - The effect on the openness of the Green Belt;
 - The effect on the character and appearance of the area; and
 - Would the harm by reason of inappropriateness be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons for the Recommendation

Whether it would be inappropriate

4. The appeal site, containing the two-storey detached dwelling, is located within a small collection of houses washed over by the Green Belt. The proposal would extend the existing property with a two-storey extension including a dormer window on the front elevation and two roof lights on the rear elevation. The dwelling has previously been extended with a two-storey extension to the rear. Paragraph 145 (c) of the Framework states that extensions are not

inappropriate development within the Green Belt if they do not result in disproportionate additions over and above the size of the original building. Policy PMD6 (Paragraph 1) of the Core Strategy (2015) is generally consistent with Paragraph 145 of the Framework and states that in the case of residential extensions this means no larger than two reasonably size rooms or any equivalent amount. This includes any extensions which have been previously undertaken to the property.

5. The proposed extension would be substantial in size with, as shown on the plans, an internal width of 4.5 metres, an internal depth of 7.628 metres and a height the same as the current dwelling. The Council state that the proposed extension, when added to previous extensions, would result in the original property, which measured around 126m², being extended by 134m². These figures are not disputed by the appellant. This means the proposal would result in the original dwelling being extended by over 100%. I consider these additions would be disproportionate, would amount to more than two reasonably sized rooms, and therefore would be inappropriate development within the Green Belt.
6. The appellant has stated that the proposal would only be a small increase to the footprint of the building and it would only be about 20% wider. However, the plans submitted suggest it would in fact be significantly wider than this.
7. The proposed inappropriate development would be harmful to the Green Belt which, in accordance with paragraph 144 of the Framework, should be given substantial weight.

Openness

8. As the proposed development would create an extended dwelling which is larger than the existing building, there would be a significant spatial impact on the openness of the Green Belt due to the increase in floorspace that the extension would occupy. In addition, the positioning of the host dwelling, in close proximity to the road, and the location of the proposed extension, which would be visible from both Kirkham Road to the front of the appeal side and Kirkham Avenue to the side of the appeal site, means that the extension would visually reduce openness. Therefore, there would be both a spatial and visual impact on the openness of the Green Belt from the proposed extension.
9. Substantial weight should be given to any harm to the Green Belt. Development should not be approved unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations, which will be considered below.

Character and Appearance

10. The Council have stated that the proposal would be acceptable in design terms however, as it is located within the Green Belt, its size would impact upon the open character of the area. The openness of the area is a positive characteristic.
11. Although, as previously discussed, the extension would reduce the openness of the Green Belt, it is not considered that the effect on openness would harm the character of the area. Indeed a significant gap would be retained to the next dwelling to this side.

12. For the reasons above I consider that the proposal would not be harmful to the character and appearance of the area and therefore would be in accordance with Policies PMD2 and CSTP22 of the Core Strategy and Policies for Management of Development (2015) which seek to promote high quality design which contributes positively to the character of the area, along with the design objectives of the National Planning Policy Framework.

Other Considerations

13. The appellant has outlined the personal circumstances relating to the proposed development and has provided a GP letter to support the requirement for additional space within the dwelling. I give this moderate weight.
14. Two other cases have been brought to my attention which detail approved development within the Green Belt, in close proximity to the appeal site. One involves the construction of an annexe at The Hive, Lower Dunton Road. However, although the decision notice has been provided, the specific details of the case are unknown and therefore this example can only be given very minimal weight. Another development for 80 dwellings within the Green Belt has also been highlighted by the appellant. Again, the full details of the planning application and decision-making process are unknown and, as this development is very different to the appeal before me, it has no bearing on my considerations.

Green Belt Balance, Conclusion and Recommendation

15. I find that the other considerations in this case do not clearly outweigh the harm that I have identified. The lack of harm to the character and appearance of the area carries neutral weight. Consequently, the very special circumstances necessary to justify the development in the Green Belt do not exist.
16. Therefore the development in the Green Belt would fail to accord with policy PMD6 of the Core Strategy and Policies for Management of Development (2015) which seeks to protect the Green Belt, along with the Green Belt objectives of the National Planning Policy Framework.
17. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR