



Appeal Decision

Site visit made on 10 February 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2020

Appeal Ref: APP/M1520/D/19/3242000

157 Chesterfield Avenue, Thundersley, Benfleet SS7 3HW

- 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 Lynn Jackson against the decision of Castle Point Borough Council.
 - The application Ref 19/0596/FUL, dated 7 August 2019, was refused by notice dated 4 October 2019.
 - The development proposed is described as first floor rear extension with hipped roofs over.
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Decision

1. The appeal is dismissed.

Main Issues

2. The appeal site is within the Green Belt, and so the main issues are:
 - whether the appeal development is inappropriate development for the purposes of the National Planning Policy Framework;
 - the effect of the proposal on the openness of the Green Belt and on the character and appearance of the area; and,
 - if the appeal proposal 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 it.

Reasons

Whether Inappropriate Development

3. The National Planning Policy Framework (the Framework) states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the Framework states that the extensions or alteration of a building is not inappropriate where it does not result in disproportionate additions over and above the size of the original building. Annex 2 of the Framework confirms that the 'original building' is as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
4. Policy GB5 and Appendix 2 of the Castle Point Borough Council Local Plan November 1998 (the LP) states that a proportionate addition to the original building would be the property's Permitted Development allowance plus 25

cubic metres. While this policy predates the most recent revision of the Town and Country Planning (General Permitted Development) (England) Order in 2015, I am satisfied that a volumetric assessment of the original and proposed dwelling is an acceptable approach to determining whether the development proposed would be a proportionate addition.

5. It is not contested that the volume of the original building was approximately 370 cubic metres, nor that the existing dwelling has a volume of approximately 750 cubic metres and that the development proposed would add a further 100 cubic metres.
6. The Council suggests that an extension of up to 95 cubic metres would be a proportionate addition to the original building in accordance with LP Policy GB5. The existing house already significantly exceeds this, and the proposed extension would further increase the size of the building. The appellant suggests that this would not be a disproportionate or inappropriate enlargement of the existing dwelling. However, I consider that the cumulative volume of existing and proposed extensions would amount to a disproportionate enlargement of the original building.
7. Having considered the above matters I therefore conclude that the development proposed would be inappropriate development in the Green Belt. It would conflict with Policy GB5 of the LP, which among other things requires that extensions to dwellings in the Green Belt not impair the scale, character and original form of the existing dwellinghouse.

Openness and Character

8. The Framework recognises that one of the essential characteristics of the Green Belt is its openness. The proposed extension would be visible in views from Downer Road North. While existing planting would provide some screening in longer views, I consider that there would be a loss of openness resulting from the appeal proposal.
9. The appellant states that the development would not increase the footprint of the building, and the roof of the extension has been designed to respect the ridge height of the existing house. The Council has not raised any objection to the effect on the character and appearance of the wider area, and I see no reason to disagree with this conclusion as the extent of visual impact would be restricted to the immediate vicinity of the appeal site. However, it would result in harm through a loss of openness of the Green Belt, to which I must give substantial weight in accordance with paragraph 144 of the Framework.

Whether Very Special Circumstances Exist

10. The appellant does not consider that the appeal proposal is inappropriate development and has not advanced any argument that very special circumstances exist. No other considerations have been put forward in favour of the proposal.

Conclusion

11. For the reasons given above I conclude that the appeal should be dismissed.

M Chalk

INSPECTOR