



Appeal Decision

Site visit made on 18 February 2020

by M Heron BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th March 2020

Appeal Ref: APP/M1595/W/19/3242140

Water Tower, 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 Miller against the decision of Thurrock Borough Council.
 - The application Ref 18/00649/FUL, dated 9 May 2018, was refused by notice dated 25 June 2019.
 - The development proposed is described as 'the conversion of former water tower to residential. Erection of single and two storey extension'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether or not the proposal would be inappropriate development in the Green Belt;
 - the effect of the proposal on the openness of the Green Belt; and
 - if the proposal is inappropriate, whether any 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 or not the proposal would be inappropriate development in the Green Belt

3. The appeal site is within the Green Belt and accommodates a former concrete water tower surrounded by maintained lawn. This proposal seeks to construct a part single/part two storey extension to this building to facilitate its conversion to a residential dwelling.
4. The National Planning Policy Framework (the Framework) states that the construction of new buildings and certain other types of development in the Green Belt should be regarded as inappropriate, unless for one of a limited number of specified exceptions. Policy PMD6 of the Thurrock Local Development Framework Core Strategy and Policies for Management of Development (CS) states that permission will only be granted in the Green Belt where developments meet, as appropriate, the requirements of the

Framework. The appellant does not contest that the proposal would be inappropriate development in the Green Belt.

Openness of the Green Belt

5. The Framework states that the most important characteristics of Green Belts are their openness and their permanence. Openness has both spatial and visual aspects. The existing water tower and surrounding residential properties have already affected the openness of this area to a degree. Nevertheless, large, predominately undeveloped, fields bound the eastern side of the appeal site. These can be appreciated from nearby vantage points along Kirkham Road. This gives the immediate area an open feel. The undeveloped space about the water tower contributes positively to this.
6. I appreciate that the proposal would be proportionate in terms of volume and footprint to surrounding properties. However, it would significantly increase the built physical presence of development at the site. This would erode its openness in a spatial sense. In addition, the proposal would spread urban form throughout the appeal site through the introduction of features such as hardstanding for the parking of vehicles and residential paraphernalia within its garden. This urbanisation would be perceptible from Kirkham Road. Consequently, the scheme would also erode the openness of the site in a visual sense.
7. In my view, the proposal would not result in the unrestricted sprawl of a large built-up area. Neither would it encroach urban form into the open countryside beyond the eastern boundary of the appeal site. However, taking the above into account, the scheme would give rise to a modest loss of openness of the Green Belt in both a spatial and visual sense. There is therefore conflict with Policies CSSP4 and PMD6 of the CS insofar as they seek to maintain, protect and enhance the open character of the Green Belt.

Other Considerations

8. The proposed extensions would be subservient in scale and the alterations have been designed to provide a simple, modern, contrast to the more industrial form of the water tower. However, such a juxtaposition is not a novel design concept. In addition, I have nothing to suggest that the overall design of the dwelling, including its external materials palette and fenestration detailing, would be of exceptional quality. This proposal would create a bespoke property. However, taking the above into account, I am not persuaded that this would be a truly innovative, 'landmark', feature that reflects the highest standards in architecture.
9. I note that the amount of hardstanding would be kept to a minimum and that additional landscaping could soften the proposed development and result in a small ecological benefit. In my view, the urbanisation of the appeal site would not disrupt the semi-rural character and appearance of the immediate area or the wider surrounding open countryside. However, I am not persuaded that the proposal would significantly enhance its setting.
10. Furthermore, I acknowledge that the proposal could arrest the decline of the water tower, which provides some historical context to the site. However, this structure is not a designated heritage asset. In my view, the restoration of this feature should not be achieved at the expense of Green Belt policy, which is

the primary consideration for this development. Neither do I have any substantive evidence to show that it would be removed in the absence of this scheme.

Other Matter

11. Paragraph 146 of the Framework states that certain forms of development are not inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purposes of including land within it. One such development is shown at paragraph 146 (d) of the Framework which is for the re-use of buildings provided that the buildings are of permanent and substantial construction.
12. The water tower is of a permanent and substantial construction. However, this scheme also includes extensions to it. Consequently, the above mentioned exception is not wholly applicable. In addition, the scheme would not preserve the openness of the Green Belt and would therefore fail to meet this exception in any event.

Planning Balance and Conclusion

13. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It goes on to advise that substantial weight should be given to any harm to the Green Belt and that 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.
14. The other considerations put forward do not clearly outweigh the substantial weight that I give to the harm to the Green Belt, by reason of inappropriateness and harm to openness. Consequently, the very special circumstances necessary to justify the development do not exist.
15. For the reasons given above, the proposal would conflict with the development plan and the Framework, when taken as a whole. There are no material considerations that indicate that a decision should be made other than in accordance with the development plan. Having considered all other relevant matters raised, I therefore conclude that the appeal should be dismissed.

M Heron

INSPECTOR