
Appeal Decision

Site visit made on 21 July 2020 by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August

Appeal Ref: APP/M1595/D/20/3246221

Ladysons Farmhouse, Prince Charles Avenue, Orsett, Essex RM16 3HS

- 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 William Taylor against the decision of Thurrock Borough Council.
 - The application Ref 19/01163/HHA, dated 16 July 2019, was refused by notice dated 8 November 2019.
 - The development proposed is the removal of existing conservatory and two-storey rear 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; 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 in a rural area which is within the Green Belt. The proposal would extend the existing property with a two-storey rear extension to replace an existing conservatory. The dwelling has previously been extended with a single storey side extension and the conservatory to the rear.

5. Paragraph 145 of the Framework indicates that the construction of new buildings in the Green Belt are inappropriate subject to a number of 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. Policy PMD6 of the Core Strategy and Policies for Management of Development (2015) is similarly worded and is consistent with the Framework's approach.
6. There is no definition of disproportionate development within the Framework. Policy PMD6 indicates that, in the case of residential extensions, any extensions to the original dwelling which would be larger than two reasonably sized rooms or any equivalent amount would be disproportionate development.
7. The proposed extension would be substantial in size with, as shown on the plans, a width of over 7 metres, a depth of 5 metres and a ridge height which is only 0.2 metres lower than the main dwelling. It would provide a large kitchen with breakfast area at ground floor with a large en-suite master bedroom at first floor level. The dwelling is relatively modest in size and these two spacious rooms, in addition to the existing dining room extension, would exceed the two reasonably sized rooms definition set out in PMD6. Therefore, although the appellant states that the proposal would be subordinate to the host dwelling, the proposed addition would be disproportionate in size and would be inappropriate development within the Green Belt.
8. Therefore, 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

9. Due the distance of the dwelling from the road, the proposal would have limited visibility from the public realm and therefore limited visual impact on the openness of the Green Belt. However, as indicated above, the proposed development would create an extended dwelling which is larger in volume than the original building. Therefore there would be a spatial impact on the openness of the Green Belt.
10. The appellant has stated that the proposal would not disturb long-range views of the site, that the landscape features influence the short-range views, and that additional landscaping could be provided which would maintain the openness. However, although landscaping may protect views into the site, the proposal would still result in an increase in the volume and bulk of the dwelling and would result in a harmful spatial impact on the openness of the Green Belt. Overall, the loss of openness would be moderately harmful.
11. 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.

Other Considerations

12. The appellant states that the materials would match the host dwelling and that it would be attached to the main dwelling and not a stand-alone structure. The Council have agreed that the design of the proposal would not impact upon the

character and appearance of the surrounding area. Therefore, this lack of harm to character and appearance is given neutral weight.

13. The Council's report highlights that that a single storey rear extension could be completed under permitted development rights and has been granted prior approval. However, the proposed two-storey extension would be larger and a more imposing structure than a single storey addition. Therefore, this is given limited weight. Personal circumstances have also been identified by the Council regarding the need for a ground floor bedroom and the resultant internal rearrangement of the rooms. However, this would not justify the scale of the proposal and hence this can be given limited weight.

Green Belt Balance, Conclusion and Recommendation

14. I find that the other considerations in this case do not clearly outweigh the harms to openness and by virtue of its inappropriateness that I have identified. Consequently, the very special circumstances necessary to justify the development in the Green Belt do not exist.
15. Therefore the development in the Green Belt would fail to accord with policy PMD6 which seeks to protect the Green Belt, along with the Green Belt objectives of the National Planning Policy Framework.
16. 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

17. 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