



Appeal Decision

Site visit made on 6 October 2020

by J L Cheesley BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2020.

Appeal Ref: APP/V1505/D/20/3252005

Woodbridge Cottage, Branksome Avenue, Wickford SS12 0JD

- 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 Ms Lisa Read against the decision of Basildon Borough Council.
 - The application Ref 20/00222/FUL was refused by notice dated 17 April 2020.
 - The development proposed is a single-storey extension.
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Decision

1. The appeal is dismissed.

Main issues

2. I consider the main issues to be:

whether the proposal would amount to inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies, and if so, 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 the proposal;

the effect of the proposal on the openness of the Green Belt; and

the effect of the proposal on the character of the Green Belt

Reasons

3. The Framework explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. The construction of new buildings in the Green Belt is inappropriate unless in accordance with exceptions in the Framework. One exception is the extension or alteration to a building providing it does not result in disproportionate additions over and above the size of the original building.
4. A proposal should be determined in accordance with the development plan unless material considerations indicate otherwise. Saved Policy BAS GB4 in the Basildon District Local Plan Saved Policies (2007) allows dwellings in the Green

Belt to extend to 90 square metres or by 35 square metres over and above the original floor area of the dwelling (or the area as at July 1948), whichever is the greater, subject to a list of criteria including the criteria set out in saved Policy BAS GB5. That policy states, with regard to the definition of a dwelling: *the dwelling has the benefit of planning permission or existed prior to 1 July 1948. Unauthorised dwellings made lawful by virtue of the granting of a Lawful Development Certificate do not fulfil this criterion.* I consider that saved Policies BAS GB4 and BAS GB5 are broadly consistent with the Framework where they seek to protect the Green Belt.

5. The appeal property is a single-storey dwelling. The proposal is to demolish the existing garage and extend the living accommodation forward. On 17 January 2020 the Council issued a Certificate of Lawful Use or Development, Ref: 19/01543/LDC, with regard to the lawful use of the building as a dwelling incidental to 'Woodbridge'. On this basis, the appeal property does not come under the definition of a dwelling for the purposes of saved Policy BAS GB4.
6. The proposed forward extension would provide two further bedrooms to this one bedroom property. It would extend further forward than the garage, would be wider than the existing garage to be demolished and would extend out the main ridge of the existing property. From my observations, due to the scale of the proposed extension in comparison to the scale of the existing property, I consider that it would be a disproportionate addition. This would constitute inappropriate development in the Green Belt.
7. Added to the harm of being inappropriate development is the impact that the proposal would have in diminishing the sense of openness of this part of the Green Belt. The frontage is currently dominated by the garage, which has the appearance of an ancillary outbuilding of lightweight design situated between dwellings. As such, it has little impact on the openness of the Green Belt. Whereas, the proposed extension to the property, due to its design and scale would exacerbate the presence of the residential property in the streetscene.
8. Whilst the existing garage is of poor design, the proposed extension would appear as a more dominant addition. It would clearly have a frontage that would have the appearance of a dwelling. In this context, it would appear as a cramped addition of domestic build form in the streetscene. It would have a significantly greater impact on the openness of the Green Belt than the existing garage. Thus, I consider that the proposed addition of domestic built form to this setting would diminish the sense of openness of this part of the Green Belt.
9. In addition, for the same reasons, the proposal would not be in keeping with the character of the surrounding area where a strong characteristic is the spaces between larger dwellings. I consider that these spaces make a positive contribution to the character of the area. The surrounding dwellings are of various design and scale. The proposal would appear as a cramped overdevelopment of the frontage, to the detriment of the character of this part of the Green Belt.

Other Considerations

10. I realise that the existing property has a bedroom and a bathroom of limited size and the proposed extension would provide a larger area of living accommodation. However, this should not be at the expense of good design. I have found that the proposal would have an adverse effect on the character of

the surrounding Green Belt. Thus, I have attributed limited weight to the benefits of the additional accommodation to my determination of this appeal.

Conclusion

11. In reaching my conclusion, I have had regard to all matters raised. It is necessary to determine whether there are other considerations which clearly outweigh the harm to the Green Belt, and any other harm, hereby justifying the proposal on the basis of very special circumstances. For the reasons stated above, in my opinion the considerations advanced in support of the proposal do not clearly outweigh the harm it would cause to the Green Belt. In conclusion, I am of the opinion that there are no material factors that would amount to the very special circumstances needed to clearly outweigh the presumption against inappropriate development in the Green Belt. Thus, the proposal would be contrary to policy outlined in the Framework and saved Local Plan Policies BAS GB4 and BAS GB5. In addition, it would be contrary to saved Local Plan Policy BAS BE12 where it seeks to ensure that new development does not harm the character of the surrounding area. I consider saved Policy BAS BE12 to be broadly in accordance with the Framework, particularly where the Framework seeks to ensure good design that is sympathetic to local character.

J L Cheesley

INSPECTOR