



Appeal Decision

Site visit made on 25 November 2020

by K Winnard LL.B (Hons) Solicitor

an Inspector appointed by the Secretary of State

Decision date: 07/01/2021

Appeal Ref: APP/B5480/D/20/3255426
121 Shepherds Hill Romford RM3 0NP

- 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 Peter Goodfellow against the decision of the Council of the London Borough of Havering.
 - The application Ref P1236.19, dated 12 August 2019, was refused by notice dated 3 June 2020.
 - The development proposed is a rear extension and alterations to subject dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

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

Procedural Matters

3. I have adopted the Council's description of the development as this describes the development more accurately.
4. On my site visit I noted that building works are taking place on the site. For the avoidance of doubt, I have dealt with the appeal on the basis of the application as submitted.

Reasons

Inappropriate Development

5. 121 Shepherds Hill (No 121) is within the Green Belt. The Framework states that the construction of new buildings is inappropriate development within the Green Belt unless the development falls within one of a number of specified exceptions. These exceptions include the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building. The Framework requires that the assessment of whether an addition is disproportionate is made with reference to the original building. The Havering Core Strategy and Development Control Policies Development Plan Document (LDF) Policy DC45, whilst it predates the Framework, aims to restrict inappropriate development in the Green Belt in line with National Planning Policy. The Policy quantifies matters further by, amongst other matters, permitting extensions provided that the cubic capacity of the resultant building is not more than 50% greater than that of the original building.
6. No 121 has been previously extended, and the Council calculates that the present proposal would equate to a 56% volume increase in the size of the appeal property over the original building. The appellant has not provided me with corresponding calculations and considers that the increase in size is proportionate to the size of the current dwelling. National Policy does not specify specific percentage increases or specific extension sizes where an extension might be considered disproportionate. Nor does it specify that comparisons are to be made with reference to the scale and context of the current building. In this instance the proposed extension would be a large addition to the size of the original building and in my view its scale would be disproportionate. As such the proposed development would amount to inappropriate development within the Green Belt which is by definition harmful.
7. The proposal would also conflict with Policies CP14 and DC45 contained within the LDF. Whilst Policy DC45 allows for limited extensions within the Green Belt, for the reasons outlined above, the proposed extension would not accord with the exception provided within the Policy. The proposal would also conflict with Policy 7.16 of the London Local Plan which seeks to protect inappropriate development within the Green Belt.

Openness

8. The essential characteristics of the Green Belt are their openness and permanence. Whilst the proposal does not increase the footprint of the existing dwelling, there would be an increase in the level of built development in this location. The proposed extension would result in a considerably greater visual bulk exacerbated by the raising of the roof height and the ridge line of the extension projecting above this. As such, the proposed development would have an adverse effect on the openness of the Green Belt, such that there would be an inevitable reduction in the openness in this location, which would represent harm to one of the Green Belt's essential characteristics as outlined in the Framework.
9. There is a visual aspect to openness. I take account of the fact that the extension is at the rear of the property, but note that the appeal site is particularly prominent due to its elevation when approaching in a westerly

direction along Shepherds Hill. The visual intrusion would further harm openness in the Green Belt.

Character and Appearance

10. The appeal site is located in a predominantly residential area where there is a variety of house designs and styles. No 121 is a detached property set back from the road with lower level development and an access road to the east making it prominent within the street scene. The proposed extensions, and in particular the size and height of the first floor extension (incorporating a gable end), would not complement the proportions of the existing dwelling, adding to the overall bulk and scale of No 121. The increase in height of the rear ground floor extension would also add to the sense of discordance to the rear elevation of the property. Additionally, the presence of the ridge of the extension visible over the roof of the main dwelling would draw the eye when viewing from the front and the east side and be an incongruous feature.
11. I acknowledge that the design has sought to address the visual impact of the previous flat roof addition and to avoid a continuation of the shallowness of the existing roof. However, the height of the roof as designed would be a dominant feature of the proposed extension and would be an incongruous addition to the property. Due to the prominent elevation of No 121 on Shepherds Hill it would be particularly prominent when approaching from the east.
12. I appreciate that the appellant has sought to design additions to the property to comply with the Council's Residential Extensions and Alterations Supplemental Planning Document (SPD), and that the extension would be behind that of the neighbouring property. Whilst No 121 is situated within a large plot, for the reasons set out above, I do not believe the additions to be subservient to nor that they integrate into the design and character of No 121 and wider street scene in accordance with the SPD. My attention has been drawn to other requirements of the SPD in relation to the roof design but for the reasons given above I do not believe that the roof design is in keeping with the design of the existing roof.
13. My attention has been drawn to other developments in close proximity to the appeal property where approval has been given for higher ridge lines than the current proposal. It would appear that two of these properties are new built developments, and not extensions to existing properties and as such they are not directly comparable with the appeal proposal before me which limits the weight I attach to them. Nor I do have the details before me of the circumstances in which these and the other developments referred to were approved. In any event I am determining the appeal proposal on its own merits.
14. Accordingly, the proposal would result in unacceptable harm to the character and appearance of No 121 and the surrounding area. As such, the proposed development would be contrary to Policies CP17 and DC61 of the LDF which promotes good design and provides amongst other things, that development should maintain, enhance or improve the character and appearance of the local area. It would also conflict with the advice within the SPD which requires extensions to properties not to be dominant or detract from the character of the original dwelling and the surrounding houses. Local character and architectural quality would not be duly respected as set out in Policies 7.4 and 7.6 of the London Plan (2016).

Other considerations

15. I note that the extension would be in matching materials, but this is not a factor which weights positively in favour of the proposal.
16. I note the appellant's concern as to the Council's handling of the application, but this is not a matter before me nor does it alter my findings.

Conclusion

17. The proposal would constitute inappropriate development in the Green Belt, which is by definition harmful to the Green Belt and should not be approved except in very special circumstances. In addition, there would be harm to the openness to the Green Belt and harm to the character and appearance of the host dwelling and the area. In line with the Framework I afford substantial weight to the harm caused by reason of inappropriateness and other harm. There are no other considerations which clearly outweigh the totality of the harm I have identified. Consequently, the very special circumstances needed to justify the development do not exist.
18. For the reasons above, I conclude that the appeal should be dismissed.

K Winnard

INSPECTOR