



Appeal Decision

Site visit made on 11 January 2021

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th January 2021

Appeal Ref: APP/V1505/D/20/3262532

Meadow View, Cranfield Park Road, Wickford SS12 9ES

- 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 and Mrs Glenn Welland against the decision of Basildon Borough Council.
 - The application Ref 20/00550/FULL, dated 19 May 2020, was refused by notice dated 25 August 2020.
 - The proposed development is an extension to existing double garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The site is within the Green Belt and so the main issues are:
 - whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy,
 - the effect of the proposal on the openness of the Green Belt; and
 - if the proposal would be inappropriate development, 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.

Procedural Matters

3. As the description of development varies between the documents submitted for the purpose of this appeal, I have used the description of the development from Basildon Borough Council's Decision Notice and the appellant's Appeal Statement, as it has been used by both parties and accurately describes the garage development.

Reasons

Inappropriateness

4. The appeal site is an extended chalet style house with detached garage on a large plot within a rural area of Wickford and the Green Belt. The existing

- garage sits at right angles to the dwelling house and the proposal involves an extension to the garage on the side nearest to the house.
5. Policy GB5 of the Basildon Borough Publication Local Plan (the BPPL) refers to the Framework in defining what constitutes inappropriate development in the Green Belt. Section 13 of the Framework sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It states that construction of new buildings should be regarded as inappropriate in the Green Belt, except for listed exceptions. This includes extensions or alterations of a building provided that it does not result in disproportionate additions over and above the size of the original building. Given the stage that the BPPL has reached in the plan process and the degree to which it relates to the Framework, I have given it moderate weight in my considerations.
 6. The Framework states that the extension of an existing building is not inappropriate development in the Green Belt provided that it does not result in disproportionate additions over and above the size of the original building. There is no definition of 'disproportionate additions' in the Framework but mathematical calculations as to the size of any additions relative to the original, as well as their visual relationship, are relevant factors when considering this matter.
 7. Saved policy BAS GB4 of the Basildon District Local Plan District Plan Saved Policies Document (2007) (the BDLP) sets out that dwellings in the Green Belt will be allowed to extend to 90 square metres or by 35 square meters over and above the floor area of the original building (or the area as at 1 July 1948), whichever is the greater.
 8. The garage as existing is located over 7m from the nearest part of the detached chalet style house to which its use relates and within whose curtilage it sits. Given this separating distance, the garage as existing is not so close as to be considered part of the dwelling house but is, rather, a separate outbuilding. However, the closest part of the proposed garage extension would be 1.75 metres from the dwelling, resulting in the extended garage no longer being separated to such an extent from the dwelling house that it could be considered a separate outbuilding.
 9. Although the proposed extension to the garage would not result in an increase in the habitable space of the dwelling, the Framework concerns itself with size of original building rather than their use. This is an important difference in the context of what could be regarded as inappropriate development in the Green Belt.
 10. The Council's floorspace figures indicate that the existing floor area of the already extended dwelling, not including the garage as existing, is approximately 218 square metres, with 135 square metres provided at ground floor level and 83 square metres at first floor level. The Council's floorspace figures also indicate that the proposal would extend the floor area of the garage from 33 to 64 Square Metres. The appellant has, however, indicated that the floor area of the proposed extension would be 33 square metres.
 11. I have not been provided with any volumetric measurements. However, without any specific national or local guidance on the matter, the floor space figures provided, notwithstanding the slight difference in the size of extension

indicated by the parties to the appeal, point to a situation where the increase in floorspace would clearly result in the cumulative extension of the original dwelling significantly in excess of that allowed in policy BAS GB4 of the BDLP. An increase of this order would increase the size of the house as a building to the extent that it would be a disproportionate addition to the size of the original building.

12. I find for the reasons set out above the proposal would involve a disproportionate addition over and above that of the original dwelling. I therefore conclude that this proposal would be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt.

Openness

13. Section 13 of the Framework makes it clear that an essential characteristic of Green Belts is their openness.
14. The proposed extension would result in an inappropriate development, due to it being a disproportionate addition over and above that of the original dwelling. Whilst the extension of the existing garage as proposed would reflect the architectural form of the existing garage and retain its detached relationship with the dwelling house, the separating distance between the two as proposed would be substantially reduced. This would result in an apparent visual merging between these buildings when viewed from surrounding available viewing points.
15. Although the appellant has suggested an increase in soft landscaping, this would not compensate for the additional bulk and scale of the proposed development, and the slight harm it would cause to the openness of the Green Belt.
16. Accordingly, the proposal would result in a loss of openness and, therefore, slight harm to the openness of the Green Belt.

Other Considerations

17. The appellant has stated that their reasons for proposing to extend the property relate to their family need for additional secure parking space, however, this would not constitute a public benefit and I can therefore give this little weight for the purposes of my consideration of this appeal.
18. The appellant has drawn my attention to planning approvals for extensions in the local area, however no further material on these has been provided. As these appeals would have been considered on their own merits, I have, therefore, only given little weight to these in my considerations.
19. Whilst I appreciate that the appellant has sought to respond to comments raised in previous appeal decisions related to the appeal property, I have considered the development as proposed on its own merits, which is a fundamental principle that underpins the planning system.

Whether there are Very Special Circumstances

20. Policy GB5 of the BPPL and Paragraph 143 of the Framework, set out the general presumption against inappropriate development within the Green Belt. They state that such development should not be approved except in very special circumstances. Very special circumstances to justify inappropriate

development 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.

21. I have concluded that the proposal is inappropriate development that, by definition, would harm the Green Belt. Paragraph 144 of the Framework requires substantial weight to be given to any harm to the Green Belt. I have also found slight harm to the openness of the Green Belt.
22. On the other hand, the other considerations I have already discussed are matters of very limited weight in favour of the development. As such, the other considerations would not clearly outweigh the totality of harm that I have identified and therefore the very special circumstances necessary to justify the proposal do not exist. Consequently, the appeal scheme would be in conflict with policy GB5 of the BPPL, policy BAS GB4 of the BDLP and the Framework.

Conclusion

23. For the reasons given above, the proposed development would not accord with the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

Victor Callister

INSPECTOR