



Appeal Decision

Site visit made on 20 May 2021

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th May 2021

Appeal Ref: APP/H1515/D/20/3258570

171 Chelmsford Road, Shenfield, Brentwood, CM15 8SA

- 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 Mrs Ruksana Ahad against the decision of Brentwood Borough Council.
 - The application Ref 20/00842/HHA, dated 22 June 2020, was refused by notice dated 14 August 2020.
 - The development proposed is construction of single storey rear/infill extension and construction of garage.
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Decision

1. The appeal is allowed and planning permission is granted for construction of single storey rear/infill extension and construction of garage at 171 Chelmsford Road, Shenfield, Brentwood, CM15 8SA in accordance with the terms of the application, Ref 20/00842/HHA, dated 22 June 2020, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: ZAAVIA/171CR/601/A, ZAAVIA/171CR/602/A, ZAAVIA/171CR/603/A, ZAAVIA/171CR/604/A, ZAAVIA/171CR/605/A, ZAAVIA/171CR/606/A, ZAAVIA/171CR/607/A and 1:1250 location plan.
 - 2) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the host dwelling.

Preliminary Matters

2. At the time of my visit the work had commenced on the extension and the garage was substantially complete. This has had no bearing on my decision.

Main Issue

3. The main issue is whether or not the infill and garage extensions would amount to inappropriate development in the Green Belt.

Reasons

4. Paragraph 143 of the National Planning Policy Framework (the Framework) makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. There are exceptions to this general restriction and paragraph 145 provides,

- amongst other things, that the extension or alteration of a building should not be regarded as inappropriate development in the Green Belt provided it does not result in disproportionate additions over and above the size of the original building. Saved policies GB1 and GB2 of the Brentwood Replacement Local Plan 2005 (the Local Plan) are generally consistent with the Framework.
5. Neither the Framework nor the Local Plan define the term 'disproportionate additions' or set out any maximum restrictions with regards to floor space or volume increase.
 6. The appeal property comprises a 1960's detached bungalow with vehicular access and parking to the front, a driveway and garage to the side and a generous garden to the rear. The original bungalow has been extended to the side and rear under permitted development rights and an additional bay window has been added to the front, with planning permission. The original detached garage has been replaced with a new garage on the same footprint.
 7. As the replacement garage would not increase the size of the original dwelling and garage, in terms of volume or appearance, it is not relevant to my assessment of the disproportionate additions test. Moreover, had the replacement garage been set further back in the site and detached from the bungalow, it could have been constructed under permitted development rights.
 8. The other part of the proposal would infill approximately half of a small corner, created by the permitted development side and rear extensions. The design of the extension would respect that of the original dwelling and would make use of this narrow strip of enclosed land. Due to its modest scale, siting and close relationship with existing development, it would not appear disproportionate and it would not encroach into the surrounding countryside.
 9. Neighbouring properties appear to have been extended in a similar manner and to a greater extent. No. 169 has been doubled in width, extended to the rear and has a substantial outbuilding to the side. No. 173 has been extended in length, width and height. Nos 175 -183 have also been extended into the roof, to the rear and some have large outbuildings. It appears that the appeal site, even upon completion of the appeal proposals, would continue to be one of the least extended properties in this row of once similar, if not identical, bungalows.
 10. According to the council's report, the proposal, when taken with previous extensions, would result in a volume increase of approximately 65% and a floor space increase of approximately 75%. These figures have not been disputed by the Appellant. Although the cumulative increase in size over and above the original dwelling does, in purely mathematical terms, sound potentially disproportionate, the scale, bulk, massing and built form of this modest and well designed infill extension and replacement garage would not, in visual terms, result in disproportionate additions. The resulting dwelling would continue to be of comparable footprint to neighbouring properties.
 11. Given my findings above, I conclude that the development would not be inappropriate in the Green Belt and would not therefore conflict with paragraph 145 of the Framework or Policies GB1 and GB2 of the Local Plan. Where development is not inappropriate, it goes without saying that it would not be harmful to the openness of the Green Belt and would not conflict with any of the purposes for including land within it.

Conclusion and Conditions

12. For the reasons given above I conclude that the appeal should be allowed.
13. As the development has already commenced there is no need for me to condition a time limit. I have imposed a condition listing the approved drawings for the avoidance of doubt as to what has been approved. In the interests of the character and appearance of the area it is also necessary to impose a condition to ensure the external materials of the extension match the existing dwelling.

Rachael Bartlett

INSPECTOR