
Appeal Decision

Site visit made on 8 July 2021

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2021

Appeal Ref: APP/M1595/D/21/3266628

Fairlawn, Lower Dunton Road, Horndon on the Hill, SS17 8QD

- 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 Philip Ward against the decision of Thurrock Borough Council.
 - The application Ref 20/01472/HHA, dated 27 October 2020, was refused by notice dated 16 December 2020.
 - The development proposed is described as '*Proposed single storey, detached garage to front of existing house to replace existing storage unit*'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: -
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework 2019 (the Framework) and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposal on the character and appearance of the area;
 - 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 development.

Reasons

3. The appeal property is a detached bungalow set well back from its frontage and amongst a scattered ribbon of dwellings along this side of Lower Dunton Road and within the Green Belt. The plot has a deep and fairly heavily vegetated frontage, including a significant number of young trees, and with a curved driveway running through it leading to a circular turning area. To one side of the plot, adjacent to the boundary with The Hive to the north, is a metal

shipping container. The proposal is to remove the container and to erect a double width, detached garage.

Whether the proposal would be inappropriate development in the Green Belt

4. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but for 7 listed exceptions. Policy PMD6 of the Council's Core Strategy and Policies for Management of Development (as amended) January 2015 (CSPMD) deals with development in the Green Belt and is broadly consistent with the Framework.
5. The Council has pointed out that the proposal would introduce a new building within the Green Belt, outside of any of the exceptions listed within paragraph 145 of the Framework. This specific assertion is unchallenged by the appellant and I have no reason to disagree with the Council's findings on this matter. The proposal would therefore amount to inappropriate development in the Green Belt for the purposes of the Framework and development plan policy. By definition this would be harmful to the Green Belt and I attach substantial weight to this harm.

The effect of the proposal on the openness of the Green Belt

6. The Framework states that an essential characteristic of Green Belts is their openness and that a fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land within them permanently open.
7. The proposed garage would occupy space that is currently free from development and open. As such, the erection of the new building would impact upon the openness of this part of the Green Belt. This must be regarded as further harm to add to the harm by reason of inappropriateness.

The effect of the proposal on the character and appearance of the area

8. The properties along this side of Lower Dunton Road are all set back from the roadside. There are many examples where the intervening space between the road and the dwelling is occupied by garage buildings, some of reasonably significant proportions. Furthermore, the proposed garage would sit adjacent to a similar building to the front of The Hive. The garage would not appear as an alien structure in the context of the surrounding residential environment. It would be residential in scale and appearance, and to my mind would complement the host dwelling through the sensitive use of matching materials and form.
9. The proposal would reconfigure the access drive and turning area but I am not persuaded that there would be any noticeable extent of hardstanding that would impact the visual qualities of the appeal site.
10. Overall, notwithstanding my findings as they relate to the first two main issues, I am satisfied that there would be no harm to the character or appearance of the area. As such, I find no conflict with CSPMD Policies PMD2 and CSTP22 insofar as they relate to the quality of design within the local context. Neither

do I find conflict with the Framework's objectives for achieving well-designed places.

Other Matters

11. The appellant has drawn my attention to the density of development on other surrounding plots, and a recent planning permission for 80 new homes near to the appeal site. However, I do not know the planning background to any of the development that has been referred to. I have considered the appeal on the individual merits of the case that is before me.
12. I recognise that the proposal would include removal of the shipping container however that course of action is not dependent upon the grant of planning permission for a new building.

Whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations

13. I have found the proposal to be inappropriate development in the Green Belt for the reasons identified. This, together with the harm I have identified to the openness of the Green Belt amounts to substantial weight against the proposal. The absence of any harm to the residential character and appearance of the immediate area is neutral in the overall planning balance. There are no other considerations that carry weight in favour of the proposal. The very special circumstances necessary to justify the development do not therefore exist.

Conclusion

14. For the reasons given, and having regard to any other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR