
Appeal Decision

Site visit made on 9 July 2021

by J D Westbrook BSc(Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2021

Appeal Ref: APP/J1535/W/20/3261925

Owls Barn, Traceys Farm, 26 London Road, Stanford Rivers, ONGAR, CM5 9QD

- 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 Wayne Marrs against the decision of Epping Forest District Council.
 - The application Ref, PL/EPF/1676/20 dated 6 August 2020, was refused by notice dated 2 October 2020.
 - The development proposed is the construction of an extension to an existing garage.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The Council considers that the proposal will preserve the significance of the setting of the Listed 'Owls Barn' and that of the wider site. I concur with that view and in the light of this, the main issues in this case are:
 - 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.
 - Would the harm by reason of inappropriateness be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

3. Owls Barn is a detached dwelling that forms part of a small complex of buildings known as Traceys Farm. Access to Owls Barn is from London Road via a joint driveway that serves all of the properties associated with Traceys Farm. The appeal property was apparently a barn attached to Traceys Farm that has subsequently been converted to a dwelling following a planning permission in 2014. There is a separate double garage building with an attached store to the front of the dwelling, which is a later addition. To the front of the dwelling there is a driveway and turning area along with lawns, a pool/pond and a separate patio area. The proposed development would involve the construction of an extension to the existing double garage.

4. The existing garage uses design principles and materials to complement the dwelling. It has a high, half-hipped roof, while the attached store has a lower, pitched roof. The proposed extension to the garage would be of a similar scale, design and materials as those of the existing garage, and would be sited on its south-east side.
5. The Council contends that the cumulative extensions to the dwelling would be disproportionate in size to the original dwelling and would, therefore, be inappropriate development in the Green Belt and would be harmful to its openness.
6. Policy DM4 of the Council's Local Plan Submitted Version (LPSV) indicates that the construction of new buildings is inappropriate development in the Green Belt. Exceptions to this include the extension of a building, provided that it does not result in disproportionate additions over and above the size of the original building. Insofar that this policy reflects Green Belt policy as set out in the Framework, I can afford it significant weight.
7. Reference is also made by the council and appellants to Policy GB2A of the Council's adopted Local Plan (LP) and the related GB7A and GB14A of the LP. These do not in all respects follow exactly the latest version of Green Belt policy in the Framework, but they do amplify some aspects of national policy that they still reflect in terms of general principle. In particular, policy GN7A indicates that the council will refuse planning permission for development conspicuous from within or beyond the green belt which would have an excessive adverse impact upon the openness or visual amenities of the Green Belt, while policy GB14A indicates that extensions will be permitted where they will not result in disproportionate additions of more than 40%, up to a maximum of 50m², over and above the total floorspace of the original building.
8. The proposed garage extension at Owl Barn would appear to bring the cumulative size of the subsequent additions to the original building, which in this case is the dwelling as converted, to around 80m² floorspace - the total of the floorspace of the existing garage and store and the proposed garage extension. This is well over the maximum limit set in policy GB14A. I concur with the Council that this proposal represents inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt, and I afford that harm substantial weight, as specified in paragraph 144 of the Framework.
9. The appellant notes that the garage is required for the storage of a number of specialist race cars that he owns, and which are used for outdoor participatory sport, in this case motor racing. On this basis he contends that the proposal is an exception to the general principle that construction of new buildings is inappropriate in the Green Belt. Moreover, he contends that the proposed garage would be an essential small-scale building, as referred to in policy GB14A.
10. However, this element of policy GB14A does not reflect current Green Belt policy in paragraph 145 of the Framework which, in relation to exceptions to the inappropriateness of development, indicates that the provision of appropriate facilities for outdoor sport would not be inappropriate provided that it would be in connection with the existing use of land, and as long as the facilities preserve the openness of the Green Belt. In this case, the land is not used for motor racing, and the building would have an adverse effect on the openness of the Green Belt, as considered further below.

11. The appellant also contends that there are no clear views of the appeal property from outside of the site and that the proposed garage extension would not be readily visible from any meaningful position. I concur with that view. However, the effect of the proposal on the openness of the Green Belt is not restricted to issues of visibility. In this case, the proposal would extend development further south-east away from the dwelling into a part of the site that is currently open. Whilst this would be only a relatively minor incursion into the openness of the area, it is nevertheless harmful to openness and would add to the harm caused by the inappropriateness of the development.
12. The appellant states that the site of the proposed garage extension was previously occupied by outbuildings associated with the barn before it was converted to a dwelling. This may or may not be the case, but I have insufficient detail on this matter, including details of the extent of any outbuildings and when they were removed, for me to form a conclusion. In any case, the current site for the proposed garage extension is flat and, at the time of my visit, was used to park a car - effectively as an open parking space.
13. Finally, the appellant contends that he needs the garage extension to store more of his specialist race cars in a safe and secure location. I have some sympathy with his desires in this matter but, as stated above, the appeal property is not associated with motor racing, and I have no reason to suppose that current storage facilities used by the appellant, whilst perhaps less convenient, are not safe and secure.
14. In conclusion, I find that the considerations put forward by the appellant do not clearly outweigh the harm to the Green Belt that would be caused by the proposal, and that there are, therefore, no very special circumstances to justify this inappropriate development. It would conflict with Green Belt policy in the Framework and with policies DM4 of the LPSV and GB2A and GB14A of the LP.

J D Westbrook

INSPECTOR