



Appeal Decision

Site Visit made on 13 July 2021 by Emma Grierson BSc (Hons) MSc MRPTI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 August 2021

Appeal Ref: APP/J1535/D/21/3271395

Paddocks, Little Laver Road, Little Laver, Harlow CM17 0RH

- 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 & Mrs Hanifin against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/2901/20, dated 3 December 2020, was refused by notice dated 2 February 2021.
 - The development proposed is the raising of the roof to match the existing main roof.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Whilst I have had regard to the revised national policy as a material consideration in my decision-making, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issues

4. The main issues in the appeal are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the revised National Planning Policy Framework (the 'Framework') and relevant development plan policies;
 - The effect on the openness of the Green Belt;
 - The effect of the proposed development on the character and appearance of the host dwelling and the surrounding area; and

- Would the harm by reason of inappropriateness and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons for the Recommendation

Whether it is inappropriate development

5. The appeal site, containing a two storey detached dwelling is located in a rural area within the Green Belt. The proposed development would raise the height of the lower part of the existing roof to match the height of the main part of the dwelling, creating additional accommodation in the roof space, and would include two dormer windows to the rear.
6. Paragraph 149 of the Framework indicates that the construction of new buildings in the Green Belt are inappropriate subject to a number of exceptions. These exceptions include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Policy GB2A of the Epping Forest District Local Plan (1998) is similarly worded and generally consistent with the Framework's approach.
7. Although only increasing the height of part of the dwelling by approximately 1 metre, the proposed roof extension would increase the overall size of the dwelling, providing additional rooms in the roof, and would significantly increase the bulk and massing of the building. Neither party have provided figures of either the floor area or volumetric increase of the proposal. However, the Council have stated that the proposal, along with previous extensions to the property, would amount to more than 50% of the volume of the original house, and I have no reason to disagree with this conclusion.
8. Although it is noted that the footprint of the dwelling would remain as at present, the cumulative impact of the existing extensions along with the proposed roof extension would result in a significantly larger dwelling than the original. Therefore, it is considered that the previous extensions and the proposed roof extension would result in a dwelling which is disproportionate in size compared to the original building. It would therefore not fall under the exception in paragraph 149 of the Framework, relating to the extension or alteration of a building, and would be inappropriate development within the Green Belt.
9. Therefore, the proposed inappropriate development would be harmful to the Green Belt which, in accordance with paragraph 148 of the Framework, should be given substantial weight.

Openness

10. The proposed development would create an extended dwelling which would be larger than the existing building. Although it would sit within the footprint of the current building and the surrounding site is spacious in nature, the proposal would nevertheless have a significant spatial impact on the openness of the Green Belt due to the increase in its volume and bulk. In addition, due to the position of the dwelling adjacent to the road, it would be highly visible from the public realm, thereby eroding the visual openness of the site. Therefore, there would be both spatial and visual impact to the openness of the Green Belt from the proposed roof extension, in that it would be reduced.

Character and Appearance

11. The existing dwelling is large in size and, although the proposal would increase the bulk of the property, this increase in volume would not be so significant as to diminish the character and appearance of the host dwelling which has already undergone a number of previous extensions. The height, design and materials proposed for the roof extension would be in keeping with the existing property.
12. The proposal would be highly visible from the public realm, however the proposed roof extension would not be a dominant addition and would not appear incongruous in the streetscene. Although, as previously discussed, the proposal would have an impact on the openness of the Green Belt, it is not considered that the effect on the character and appearance of the area would be unacceptably harmful.
13. Therefore, the proposed development would not harm the character and appearance of the host dwelling or the surrounding area and would not conflict with Policies DBE10 of the Epping Forest District Local Plan (1998). This requires residential extensions to complement the appearance of the streetscene and the existing building. Policy DBE4 of the Epping Forest District Local Plan (1998) is not relevant to the appeal before me as it relates to new buildings. The proposal would also accord with the design objectives of the National Planning Policy Framework.
14. Furthermore, the proposal would not conflict with Policies DM9 and DM10 of the Local Plan Submission Version (2017) which require new development to achieve a high specification of design and respect the form of the original building.

Other Considerations

15. The appellant has indicated that the proposal would provide additional space for their family by providing an additional bedroom and bathroom within the loft. However, whilst I have had regard to the personal circumstances of the appellant in this respect, this is a matter which would attract only limited weight in support of the proposal.

Conclusion and Recommendation

16. Although the proposed development would not harm the character and appearance of the host dwelling and surrounding area, this lack of harm is a neutral factor. I find that the other considerations in this case do not clearly outweigh the harm to the Green Belt, in terms of an adverse visual and spatial impact on openness and the inappropriateness of the development that I have identified. Consequently, the very special circumstances necessary to justify the development in the Green Belt do not exist.
17. Therefore, the proposal would fail to accord with policy GB2A of the Epping Forest District Local Plan (1998) and policy DM4 of the Local Plan Submission Version (2007) which seek to protect the Green Belt, along with the Green Belt objectives of the Framework.
18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Emma Grierson

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR