



Appeal Decision

Site Visit made on 24 August 2021

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2021

Appeal Ref: APP/B5480/W/20/3258828

1 Franks Cottages, St. Marys Lane, Upminster RM14 3NU

- 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 Charles Young against the decision of London Borough of Havering.
 - The application Ref P0495.20, dated 31 March 2020, was refused by notice dated 24 June 2020.
 - The development proposed is a rear two storey extension to existing 'granny annexe'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following the submission of this appeal, a revised version of the National Planning Policy Framework (the Framework) has been published. I have considered the proposals in the light of this revised document, having first given the parties an opportunity to comment on its content.

Main Issues

3. The main issues are:
 - whether the proposal represents an inappropriate development in the Green Belt;
 - the effect of the development upon the openness of the Green Belt; and
 - if the development is inappropriate, 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

Whether inappropriate development

4. The appeal site is located in the Green Belt. The Development Plan, at Policy DC45 of the Havering Core Strategy and Development Control Policies Development Plan Document (2008) (the Core Strategy) states that extensions should not result in a building that is more than 50% greater than the original building. This is consistent with the National Planning Policy Framework (the Framework), which regards the erection of new building in the Green Belt as being generally inappropriate.

5. There are some exceptions to this, which are listed in Paragraph 149 of the Framework. Amongst other matters, the Framework allows for 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.
6. The appeal proposal represents an extension to an existing annexe. However, the annexe was approved as an extension to the original dwelling at 1 Franks Cottages, rather than as a separate dwelling, and the existing and proposed plans show that there would be an interlinking door between the dwelling and the annexe. Therefore, I consider that both the annexe and the proposal before me represent extensions to No. 1. In addition, the dwelling has been the subject of previous other extensions.
7. Therefore, whilst the proposed extension would, by itself, be of relatively limited proportions, it would in conjunction with the other extensions result in a dwelling that would be far larger than originally constructed. The development would therefore create a more bulky and elongated dwelling. The resultant dwelling would therefore be more than 50% greater than the original dwelling. Furthermore, the proposed extension would be constructed so as to finish flush with the rear elevation of the original house, adding to its bulk.
8. Therefore, the proposed extension would not be a subordinate addition to the proposed dwelling and would also erode the form of the original dwelling. Taken in conjunction with other extensions at the appeal site, the proposed development would significantly add to the floor space of the dwelling. This means that the proposed development would appear disproportionate.
9. I understand that other extensions have been erected at the site. I am not aware of the planning circumstances of these and, specifically, the policies that they were assessed against. However, in considering the appeal before me, it is necessary to consider the combined effects of the proposed development in conjunction with other extensions. Therefore, the fact that planning permission has previously been granted for previous extensions does not overcome my previous concerns.
10. I therefore conclude that the proposal would be an inappropriate development in the Green Belt. The development, in this regard, would conflict with Core Strategy Policy DC45 and the Framework.

Effect on the openness of the Green Belt

11. The appeal site consists of the existing dwelling, with the attached annexe being located to the side. The building is set back from the road by a relatively small amount. There is a garden to the rear where the boundaries are marked by a combination of fences and planting.
12. The proposed development would result in an increase in the level of built form at the property. In addition to the projection of the rear elevation into the garden, the proposed extension would have a notable height. The extension's mass would be great as it would also include a dormer window on the side elevation.
13. Given that the proposed extension would be in the garden which currently features a relative lack of built structures, the proposed extension would lead to an adverse effect upon the spatial sense of openness that is an intrinsic feature of the Green Belt.

14. Furthermore, the extension would also be visible, in part, from the road. Whilst such views would be of a fleeting nature and occur for a relatively brief period of time only when passing the site, the development would erode the physical sense of openness within the Green Belt to a limited degree.
15. The development would therefore conflict with the purposes of including land within the Green Belt, which is set out in Paragraph 138 of the Framework. In particular, the increased form of development and resultant loss of openness would result in the encroachment into the countryside of a more urban form of development.
16. I therefore conclude that the proposed development would have an adverse effect on the overall level of openness within the Green Belt. The development, in this regard, would conflict with Policy DC45 of the Core Strategy, and the Framework. Amongst other matters, these seek to ensure that developments should have a positive role in fulfilling Green Belt objectives.

Other considerations

17. The proposed development would provide accommodation for the appellant's family whilst working on the adjacent farm. However, the evidence before me is not indicative that there is an essential need for workers of the adjoining farm to live within such geographical proximity. In consequence, this matter carries a limited amount of weight.
18. I also acknowledge the potential difficulties for the appellant in purchasing a dwelling within the locality. However, I have not been provided with detailed evidence regarding dwellings that have been considered and the reasons why they have been discounted. I can therefore only give this point a limited amount of weight.
19. The appellant has undertaken investment in the adjacent organic farm. However, this does not overcome the aforementioned adverse effects and therefore can only be given a limited amount of weight.
20. The proposal would generate some economic benefits during the construction process. However, such benefits would be of a small-scale and likely time limited in duration. This matter therefore carries a limited amount of weight.
21. I therefore find that each of the points cited in favour of the proposal, either individually or in unison, carries a limited amount of weight.

Planning Balance

22. The development plan and the Framework set out the general presumption against inappropriate development within the Green Belt. They explain 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.
23. I have concluded that the appeal scheme would be inappropriate development and would, by definition, harm the Green Belt. In so doing I have found harm to the openness of the Green Belt. Paragraph 144 of the Framework requires substantial weight to be given to any harm to the Green Belt.

24. The other considerations I have identified individually and collectively carry a limited weight in favour of the proposal. As such the harm to the Green Belt is not clearly outweighed by the other considerations identified, and therefore the very special circumstances necessary to justify the development do not exist.

Conclusion

25. The scheme therefore conflicts with the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed

Benjamin Clarke

INSPECTOR