



Appeal Decision

Site visit made on 23 August 2022 by Thomas Courtney BA(Hons) MA

Decision by R Sabu BA(Hons), BArch, MA, PgDip ARB

an Inspector appointed by the Secretary of State

Decision date: 10 October 2022

Appeal Ref: APP/M1595/D/21/3280159

Talford, Horndon Road, Horndon On The Hill SS17 8PD

- 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 Lisa Porter against the decision of Thurrock Borough Council.
 - The application Ref 21/00412/HHA, dated 13 March 2021, was refused by notice dated 27 May 2021.
 - The development proposed is the removal of conservatory and build new single storey rear extension.
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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.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt; and
 - whether any harm by reason of inappropriateness, and any other harm, would 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 the development would be inappropriate development

4. The appeal property comprises a detached one and a half storey dwelling located on Horndon Road within the Green Belt adjacent to the A13 bypass. The property features a rear extension and conservatory as well as a number of outbuildings located within the rear garden. These include a gym building and a group of sheds and garages.
 5. Paragraph 149 of the Framework states that new development is inappropriate in the Green Belt unless it falls within the given list of exceptions. Exception (c) is the extension or alteration of a building provided that it does not result in
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disproportionate additions over and above the size of the original building. Policy PMD6 of the *Core Strategy and Policies for Management of Development 2015* (Core Strategy) is consistent with this in that it states that the extension of a building in the Green Belt must not result in disproportionate additions over and above the size of the original building. It adds that, in the case of residential extensions, this means no larger than two reasonably sized rooms or any equivalent amount. Based on the size of the existing rooms within the building, the Council states that two reasonably sized rooms would represent a floor space of around 32sqm. This is not disputed by the Appellant and from the evidence I see no reason to disagree.

6. The proposal includes the demolition of the conservatory and the erection of a single storey rear extension with a depth of about 5m. The extension would be erected over the footprint of the conservatory and would represent a moderate increase of floor area of around 10sqm.
7. However, whilst the Council has not provided a figure for the size of the original dwelling, it appears that the original dwelling at ground floor only included the kitchen, the diner, the front bedroom, the bathroom and the hall as shown on the floorplans. The evidence also indicates that a rear extension was added between 1999 and 2004. Taken together, the rear extension and conservatory significantly exceed the allowance of two reasonably sized rooms. The existing outbuildings further add to the exceedance of the allowance. This is not disputed by the appellant within the Appeal Statement. Therefore, although the proposed uplift in floorspace would be modest, given the considerable floor area of the existing extension and conservatory as well as the large number of outbuildings within the appeal site, it would not be proportionate to the size of the original dwelling.
8. The appellant also contends that the proposal should be considered as a replacement building. Core Strategy Policy PMD6 and exception (d) of paragraph 149 of the Framework refer to the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. The development would not fall within this exception as it is not a replacement building but clearly an extension to a building. In any event, given the increase in height and depth, the proposed development would also be materially larger than the existing conservatory.
9. Consequently, the proposal would be inappropriate development in the Green Belt and would conflict with Paragraph 149(c) of the Framework, as detailed above, and with Core Strategy Policy PMD6 which together seek to resist inappropriate development in the Green Belt.

Openness

10. Openness is identified in the Framework as one of the Green Belt's essential characteristics. It has a spatial aspect as well as a visual aspect. The additional bulk and volume as a result of the increase in depth and height of the extension would materially impact on openness in a spatial aspect resulting in harm to the Green Belt.
11. Furthermore, the increase in floorspace and volume due to the enlarged depth and height of the extension when compared with the existing conservatory means the proposal would also have an adverse effect on views across the garden and would have a greater visual impact on the openness of the Green

Belt. For these reasons, the proposed development would result in an adverse impact on both the spatial and visual openness of the Green Belt resulting in harm to the Green Belt.

Other considerations

12. The Framework highlights that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, with substantial weight given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
13. In this regard, the appellant states that the development would be appropriately designed and would not constitute a dominant or discordant feature. The design of the proposal would be in keeping with the host building and surrounding buildings from an architectural point of view. However, any lack of harm in this respect does not carry weight in favour of the proposal.
14. My attention has also been drawn to other developments in the vicinity to which I have had regard. I note none of the properties referred to appear to feature a large number of sizeable outbuildings. In light of this, they are not directly comparable to the scheme before me. I therefore attach only very limited weight to this consideration.
15. I note that the proposal may allow for improved living conditions with respect to the temperature inside the existing conservatory. However, I see no reason why improvements could not be achieved without resulting in harm to the openness of the Green Belt. I also note the evidence regarding the efficient use of land. However, the development would replace an existing structure. These considerations therefore only attract very limited weight.
16. The appellant also states that the appeal site is adjacent to the A13 which has recently been widened. The proposal may have less of an impact on the local environment than the A13 widening scheme. However, these developments are not comparable in nature and scale to the appeal scheme and, therefore, I have not attributed any weight to this consideration.

Planning Balance and Overall Conclusion

17. I consider that the development causes harm to the Green Belt by way of its inappropriateness and harm to its openness, and substantial weight must be given to this harm. On balance, the very limited weight attributed to the other considerations in this case do not clearly outweigh the harm I have identified. I conclude therefore there are no very special circumstances to justify the development.

Recommendation

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

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.

R Sabu

INSPECTOR