



Appeal Decision

Site visit made on 22 February 2023

by D Szymanski BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 March 2023

Appeal Ref: APP/M1595/D/22/3300028

Velminster Cottage, Romford Road, Aveley RM15 4XH

- 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 Gary Bearham against the decision of Thurrock Borough Council.
 - The application Ref 22/00382/HHA, dated 22 March 2022, was refused by notice dated 24 May 2022.
 - The development proposed is described as Carport on side with bedroom over.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. There are two wooden outbuildings and raised decking within the appeal site which are not shown on the existing or proposed plans. Their removal is not specified in the description to development. While highlighted in the Council's delegated report, the appellant's evidence does not clarify their status, size and whether any are to be removed as part of this proposal to off-set any effects of the appeal scheme, or if so, that such matters could be a long-term benefit and how this would be secured. Therefore, I have considered the appeal on the basis they not proposed to be removed as part of this proposal.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal upon the character and appearance of the host building; and,
 - if the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Inappropriate development

4. The appeal site is within the Green Belt. Paragraph 137 of the National Planning Policy Framework (2021) (the Framework) identifies the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 147 states that inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
5. The Framework identifies the construction of new buildings should be regarded as inappropriate in the Green Belt, subject to exceptions in paragraphs 149 and 150. An exception in paragraph 149 is the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building. While the Framework does not define what constitutes disproportionate, Annexe 2 defines the original building as being as it existed on 1 July 1948 or, if constructed after, as it was built originally.
6. Policy PMD6 of the Thurrock Core Strategy and Policies for the Management of Development (2015) (the CSMD) states that permission will only be granted for new development in the Green Belt, provided it meets as appropriate, the requirements of the Framework, other policies in the CSMD, and listed policy criteria for certain exceptions. For residential extensions, it states that disproportionate means no larger than two reasonably sized rooms or any equivalent amount. The Residential Extensions and Alterations Supplementary Planning Document (2017) (the RSPD) also seeks to limit extensions to the floor area of the size of two reasonably sized rooms of the original dwelling.
7. The Council calculates the original dwelling would be allowed 27.31 square metres (sqm) of additional floorspace. The calculation is based upon floorspace only and could be considered more restrictive than the Framework. Therefore, I do not consider it should necessarily represent an upper limit for the purpose of determining what constitutes 'disproportionate additions' set out in the Framework.
8. A previously constructed single storey rear extension and a conservatory, significantly increase the footprint of the original dwelling. The Council advises they result in approximately 35.63sqm of floorspace, so the original dwelling has been extended by more than is permitted under PMD6 and the RSPD. The new internal floorspace inside the dwelling would be limited. However, even were I to omit the porch such as due to a view it would be permitted development and previously permitted but not built, given the new floor area, volume, bulk, scale and mass of the side extension in combination the other built extensions, the side extension would result in a disproportionate addition to the original building considered in relation to the development plan and the Framework.
9. Therefore, for the reasons set out above, the proposal would be inappropriate development in the Green Belt, which the Framework confirms is, by definition, harmful to the Green Belt.

Openness

10. The proposal would add a significant amount of additional built development to the original dwelling, of two storey construction with a gable roof design. It

would be constructed on an area occupied by fencing and grassland, markedly increasing the size of the dwelling. Given its overall height, width, depth, scale, and volume, the development, even if I were to omit the previously permitted porch, would have a moderate adverse effect upon the spatial openness of the Green Belt.

11. The surrounding fencing, existing appeal site and other buildings nearby, and mature boundary vegetation, would limit the visibility of the development. However, the two storey pitched roof height would still be likely to be visible from access roads that appear to serve a dwelling and rural businesses, and land, in an easterly direction of the appeal site. Therefore, the proposal would still result in a limited adverse effect upon visual openness of the Green Belt. Were further landscaping and management of the existing and new landscaping secured by suitably worded planning conditions, this would to some degree mitigate the harm, but not overcome all the harm to openness.
12. The proposal, therefore, would have an adverse impact upon the openness of the Green Belt. It would conflict with the Framework, insofar as this aims to ensure the openness of the Green Belt is preserved.

Character and appearance

13. The appeal site dwelling is one of three in a cluster off the Romford Road that appear to include some alterations and additions to their side and rear. Paragraph 4.3.4 of the RSPD advises that an extension should be of a design that does not harm the appearance of the original dwelling. The two storey side extension would integrate a pitched roof and would be lower than the host dwelling. The proposal also includes other alterations and materials similar that approved by 21/00341/HHA. The Council does not object to these aspects of the proposal, and I see no reason to disagree.
14. However, the ground floor car port would have three largely open elevations with a wooden beam frame. From what I could see of the local area and the evidence before me, such carports below a first floor, are not visible or typical of dwellings nearby. Notwithstanding the proposed new wooden cladding and other alterations, the void and cantilevered development when viewed in the context of the dwelling including features such as the flat roofed side extension, conservatory, hipped rear extension, would appear a discordant and jarring feature. It would be harmfully out of keeping with the host dwelling.
15. Retaining the existing boundary hedgerows and treatments would be limited visibility of this, although given the extent of coverage there would still be some limited visibility from a north easterly direction and some visibility from part of the access road approaching the property from the west. Were further landscaping and management secured by suitably worded planning conditions, this would further mitigate its visibility, although it is not demonstrated it could be entirely mitigated.
16. Therefore, for the reasons set out above the proposed development would be harmful to the character and appearance of the host dwelling. It would conflict with Policies CSTP22, CSTP23 and PMD2 of the CSMD. Amongst other things, these require development is of a high quality of design, is sensitive to, and has regard to the character of its context. It would also conflict with the aims of paragraph 130 of the Framework insofar as this expects development is visually attractive as a result of good architecture and is sympathetic to the

surrounding built environment. There would be a conflict with advice in the RSPD, the relevant provisions of which I have set out above.

Other considerations

17. 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 148 explains that substantial weight should be given to any identified harm to the Green Belt.
18. The proposal would result in a small, short-term economic benefit during construction. It might result in some energy efficiency improvements, improve accommodation, provide additional floorspace, internal spaces, sheltered parking, and create an upstairs bathroom which the dwelling does not currently have. While of benefit to the occupiers, it is not demonstrated that the existing accommodation is inherently inadequate for the occupiers such that it results in harmful living conditions for them. Therefore, these matters attract limited weight in favour of the scheme. The limited visibility that could be secured through landscape enhancements that could be secured attracts limited weight in favour of the scheme. The absence of objections is noted, although this is not of itself a benefit that attracts weight in favour of the scheme.
19. There is nothing before me to suggest existing access and parking arrangements are inadequate or the proposals would result in a benefit. Even if I were to be of the view they would, based upon the scheme before me, this would attract limited weight in favour of the scheme. Not harming the living conditions of neighbouring occupiers in compliance with policies of the CSMD is a neutral matter in the balance. Overall, all of the benefits of the development attract limited weight in favour of the scheme.

Green Belt Balance & Conclusion

20. The policy compliance and benefits set out attract limited weight in favour of the scheme. They do not clearly outweigh the harm identified to the Green Belt, which carries substantial weight, and the harm to the character and appearance of the area, so as to amount to the very special circumstances necessary to justify the proposal. Therefore, the proposal conflicts with Policy PMD6 of the CSMD and the Framework.
21. The proposed development would be contrary to the development plan and the National Planning Policy Framework read as a whole, and there are no considerations advanced, including the policies of the Framework, which outweigh this finding. Accordingly, for the reasons given, the appeal should not succeed.

Dan Szymanski

INSPECTOR