



Appeal Decision

Site visit made on 22 August 2023 by Thomas Courtney BA(Hons) MA MRTPI

Decision by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd October 2023

Appeal Ref: APP/H1515/D/22/3308328

North Lodge, Warley Gap, Little Warley, Brentwood CM13 3DP

- 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 P Evans against the decision of Brentwood Borough Council.
 - The application Ref 22/00951/HHA, dated 1 July 2022, was refused by notice dated 12 August 2022.
 - The development proposed is a single storey side extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector 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 proposed development would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the 'Framework') and development plan policy;
 - The effect of the proposal on the openness of the Green Belt;
 - if the development would be inappropriate, whether the harm to the Green Belt by way of inappropriateness and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons for the Recommendation

Whether the development would be inappropriate development

4. The appeal property comprises of a two-storey detached dwelling situated in Little Warley and within the Green Belt. The existing dwelling features a pitched roof with low eaves, two dormers as well as a raised terrace area. The site is enclosed by a brick wall along its western boundary whilst the northern and eastern boundaries are heavily vegetated with mature trees and shrubbery. The southern boundary however remains visually open.
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5. Paragraph 137 of the Framework outlines the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence. The Framework, at paragraphs 149 and 150, set out the categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions.
6. Paragraph 149c) sets out that new buildings within the Green Belt are inappropriate unless any extension or alteration of a building is such that it does not result in disproportionate additions over and above the size of the original building. In this context, original building means the dwelling as originally built or as the building existed on 1 July 1948 (whichever is the later).
7. The officer report indicates that the original dwelling has already been extended by way of a single storey side extension, single storey infill extension, a raised roof over an existing rear projection as well as the addition of two dormer windows. As such, these additions need to be taken into account when considering whether the current proposal would be a disproportionate addition.
8. The Framework does not define what would be classed as a disproportionate addition, but the overall size of the building (either in terms of footprint, floorspace or volume) are clearly important factors.
9. In this case, whilst I have not been provided with exact figures with regards to the increase in floorspace over the original dwelling, I find that the increase in footprint and overall scale and massing of development over the original building would be considerable when the existing extensions are taken into account. Whilst the appellant states that the proposal is sensitively designed and would be visually subservient to the existing property, the additional built form and volume of development would result in significantly greater visual bulk. I therefore find that the scale of the proposed development would be disproportionate.
10. To that end, the proposal would not accord with the exemption outlined at paragraph 149c). Consequently, the proposal would be inappropriate development in the Green Belt as it would not accord with any of the exemptions outlined at paragraphs 149 or 150 of the Framework. It would also be contrary to Policy MG02 of the Brentwood Local Plan 2016- 2033 (LP) which sets out that the Green Belt will be preserved from inappropriate development.

Openness

11. Openness is identified in the Framework as one of the Green Belt's essential characteristics. It has been identified as being formed of a spatial aspect as well as a visual aspect. As I have found above, the proposal would result in an increase in the size of the dwelling when compared to the original building. Given that the size of the resultant dwelling would be larger than the existing (and original) it would inevitably have an adverse impact on the openness of the Green Belt as a result of its greater size and bulk.
12. This impact is as a result of the additional bulk and volume of the proposed extension and additional roof structure which would materially impact the spatial aspect of openness resulting in some limited harm to the Green Belt.

13. Furthermore, the increase in built form and bulk to the southern elevation of the property means the proposal would also have a greater visual impact on the openness of the Green Belt. The proposed extension would be easily visible from the south-east and would thus have an incongruous visual impact.
14. Given the above, the proposal would lead to a loss of Green Belt openness and would impact on the Green Belt purpose of safeguarding the countryside from encroachment contrary to the Framework. It would also conflict with Policy MG02 of the LP which seeks the same.

Green Belt balance

15. 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.
16. In this regard, the appellant has not put forward a case for any very special circumstances. Whilst the extension would have some benefits for the occupiers of the property, this only provides very limited benefit in the overall balance.
17. Therefore, in considering the substantial weight given to the Green Belt, I am of the view that the very special circumstances necessary to justify the development do not exist and the proposal would conflict with the Framework, and Policy MG02 of the LP.

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 my representative's recommendation and on that basis the appeal is dismissed.

Chris Forrett

INSPECTOR