The Planning Inspectorate

Appeal Decision

Site visit made on 13 November 2023

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th November 2023

Appeal Ref: APP/W1525/D/23/3314384
Lenada, Ship Road, West Hanningfield, Chelmsford, Essex, CM2 8UZ

- 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 and Mrs Steve Townsend against the decision of Chelmsford City Council.
- The application Ref 22/01613/FUL, dated 30 August 2022, was refused by notice dated 3 November 2022.
- The development proposed is removal of rear conservatory. First floor roof extension with dormers to front and single dormer to rear. New entrance to side with canopy and ground floor side window to kitchen.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: i) whether or not the proposed extensions, when taken with previous extensions, would amount to inappropriate development in the Green Belt; and ii) the effect of the development on the character and appearance of the area.

Reasons

Inappropriate development

3. Policy S11(A) of the Chelmsford Local Plan (May 2020) (the local plan) states that the openness and permanence of the Green Belt will be protected. Policy DM11(A)(i) of the local plan and paragraph 149(c) of the National Planning Policy Framework (the Framework) confirm that extensions and alterations to existing buildings in the Green Belt will not be inappropriate provided they do not result in disproportionate additions over and above the size of the original building.

4. Neither the local plan nor the Framework set out any detailed guidance on how 'disproportionate' should be assessed. They simply refer to size. Accordingly, it is primarily a consideration of the overall size increase in terms of volume and external dimensions, as well as consideration of floorspace and footprint.

5. The appeal property is a detached bungalow, which contains additional accommodation within the roof space served by roof lights. The Council state that in addition to the conservatory, which would be removed, the dwelling and its roof have previously been extended to the rear and that this has significantly increased the internal floor area. However, not all of the increased floorspace created within the roof space would have increased the volume, external dimensions or footprint of the original building.

6. The single storey flat roof extension proposed across the rear of the dwelling would extend no further out than the existing hipped roof conservatory that it would replace. Whilst it would be wider, it would not exceed the width of the original building. The roof extension and dormers would add to the bulk and width of the roof but would not exceed the original eaves or ridge height of it.

7. The resultant built form of the extensions would not, in my view, appear overly large in comparison with the width, height and overall scale and mass of the original dwelling. Accordingly, the proposals would not result in disproportionate additions over and above the size of the original building.

8. I therefore conclude that the proposal would not amount to inappropriate development in the Green Belt and would not conflict with Policies S11(A) or DM11(A)(i) of the local plan or paragraph 149 of the Framework. As I have found that the development is not inappropriate, it should not be regarded as harmful to the openness of the Green Belt and would not conflict with any of the purposes for including land within it.

Character and appearance

9. The appeal property is situated within a row of predominantly hipped roofed detached bungalows and dormer bungalows that are set back behind front gardens and parking areas, with long gardens and outbuildings to the rear. Although these properties have each been subject to various different alterations and extensions, they remain broadly similar in scale and appearance. The exception to this is Briar Glen, to the east, which has gable elevations in close proximity to both of its side boundaries and front dormer windows.

10. The hipped roofs and the space between the properties, particularly at first floor and roof level, make a positive contribution to the rural character of the area. As Ship Road rises steadily from east to west, Lenada is slightly higher than Briar Glen. This and the wide gap between Lenada and Kenna Quhair to the west, results in both side elevations of Lenada being visually prominent at first floor/roof level.

11. Although the proposal would incorporate partial hips at either side of the roof, the main hip to gable extensions would significantly reduce the open gap between properties at roof level, particularly that between Lenada and Briar Glen. Moreover, the height and massing of the two-storey twin gable walls and the valley roof, which would be visually prominent on both sides of the dwelling, given the topography of the site and the spacing between properties, would appear contrived and incongruous within the prevailing spacious hipped roofscape.

12. For these reasons, whilst I acknowledge that the eaves and ridge heights would not be increased, and that the single storey rear extension and the dormer windows, which are a common feature of the area, would not result in any harm, I consider that the hip to gable alterations to the roof would harmfully detract from the character and appearance of the area.

13. I therefore conclude that the proposal would not accord with Policies DM11A(ii) and DM23 of the local plan or the Framework, which seek to ensure that new development would not be out of keeping with its surroundings having regard to its scale, form and massing.

Other Matters

14. I acknowledge that no objections were raised to the proposal by the Parish Council or local residents, that the development would be completed in materials to match the existing building and would not result in the loss of garden or parking space. These are neutral factors that do not outweigh the conflict with national and local planning policies.

15. Whilst the proposal would provide additional living space for the appellants growing family, the planning system does not exist to benefit private interests.

16. My attention is drawn to Southfork, which is a corner plot occupied by a different property type and which is not viewed in the same context as the row of similar properties that the appeal property sits within. I note the extensions that have been undertaken at neighbouring Briar Glen, but I have not been provided with any details regarding the circumstances that led to their approval.

Conclusion

17. Whilst I have found that the proposal would not be inappropriate development in the Green Belt, it would result in harm to the character and appearance of the area and as such would not accord with the development plan when read as a whole. There are no material considerations before me to indicate that a decision should be taken other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

R Bartlett

INSPECTOR