



Appeal Decision

Site visit made on 12 December 2023

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th December 2023

Appeal Ref: APP/W1525/D/23/3318893

Hicks Farm Lodge, Holliday Hill, West Hanningfield, Essex CM2 8UG

- 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 Liam Wallis against the decision of Chelmsford City Council.
 - The application Ref 22/02105/FUL, dated 15 November 2022, was refused by notice dated 12 January 2023.
 - The development proposed is described as extension of single-storey bedroom on side of existing building, plus a small open porch on the front of the bungalow. Exterior to match the existing building.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - Whether the proposal amounts to inappropriate development in the Green Belt for the purposes of the development plan and the National Planning Policy Framework (the Framework).
 - The effect on the openness of the Green Belt; and
 - If the proposal is inappropriate development, whether any 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 proposal.

Reasons

Inappropriateness

3. The appeal property is a modest single storey, 1-bed dwelling located in the countryside outside the village of West Hanningfield, and is within the Metropolitan Green Belt. To the south is a pair of two-storey, semi-detached cottages. To the north is a farmyard area for storing timber and equipment, with other farm buildings further beyond. To the east and west is equestrian grazing land.
4. The proposal includes a single-storey side extension and front porch. The side extension would measure 4.9m by 5.4m in floor area and would be set back marginally from the main front wall with a corresponding lower ridge height. The front porch would be open-sided with timber supports, measuring 1.45m by 1.89m.

5. Paragraph 149 of the Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt, unless it falls within a number of listed exceptions. One of these exceptions is 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. Policy DM11 of the Chelmsford Local Plan 2020 (the LP) reflects this approach.
6. On the evidence before me, the proposal would increase the floor area of the original building by 40%. The side extension in particular would add significant bulk and massing relative to this modest building, also increasing its length by nearly 5m. Even putting aside a purely numerical assessment, in considering the increase in the size of the original building reasonably and objectively, the proposal would be a significant increase in the size of the original building, and would, in my planning judgement, result in a disproportionate addition.
7. I note the appellant's suggestion that the proposal does not conflict with the purposes of the Green Belt. However, an assessment of the proposal against the purposes of the Green Belt is not a matter that affects the consideration as to whether it is inappropriate or not.
8. Accordingly, I find that the proposal is inappropriate development in the Green Belt, which is, by definition, harmful and therefore contrary to national and local policy to protect the Green Belt.

Openness

9. In visual terms, the screening from the dense roadside hedge means that public views of the site are only briefly obtained from the south and through the driveway. This would help to reduce the visual impact on openness. Nevertheless, the proposal would result in an overall greater volume and spread of built development on the site. This would have the effect of reducing the openness of the site in spatial terms, irrespective of any views.
10. Therefore, some harm to the openness of the Green Belt would occur. The Framework advises that openness is an essential characteristic of the Green Belt, the fundamental aim of which is to keep land permanently open. The loss of openness caused by the proposal would be at odds with this fundamental aim.

Other considerations

11. The private benefits that the proposal would bring to the occupiers of the property are noted, but can only be afforded limited weight in support of the proposal.
12. The appellant states that the adjacent cottages have been significantly extended. However, my assessment is limited to the increase in the size of the appeal building.
13. Separate to the effects on the Green Belt, the Council did not identify any harm in character and appearance terms, and I see no reason to disagree. However, this absence of harm is a neutral matter.

Conclusion

14. I have found that the proposal is inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. I have also found some harm

to the openness of the Green Belt. The Framework is clear that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the harm to the Green Belt is clearly outweighed by other considerations.

15. On analysis of all the above, there are no other considerations in this case that clearly outweigh the Green Belt harm I have identified. Consequently, the very special circumstances necessary to justify the proposal do not exist. The proposal is therefore contrary to the Framework and Policy DM11 of the LP. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR