



Appeal Decision

Site visit made on 5 November 2024

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2024

Appeal Ref: APP/H1515/D/24/3351193

Croft Cottage, Warley Street, Great Warley, Essex CM13 3LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Tanya Belal against the decision of Brentwood Borough Council.
 - The application Ref is 24/00605/HHA.
 - The development proposed is ground and first floor side & rear extensions.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal 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;
 - the effect on the character and appearance of the host dwelling and surrounding area; and
 - 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

Whether inappropriate development

3. Paragraph 154 of the Framework states that new development is inappropriate in the Green Belt unless it falls within the given list of exceptions. Under exception (c) the extension or alteration of a building would not be inappropriate provided it does not result in disproportionate additions over and above the size of the original building.
4. National guidance on measuring 'proportionality' refers to 'size'. This can, quite reasonably, refer to volume, height, external dimensions, footprint, floorspace or visual perception. The proposed increase in volume to the side and rear of the building would be considerable. In particular, the increase of built form at first floor level and the addition of two rear roof gables would result in greater visual bulk. Whilst the appellant considers that the scale of the proposed extensions

would be acceptable, an increase in floor area over the existing dwelling of approximately 61.5% is significant. I therefore find that the scale of the proposed development would be disproportionate.

5. On this basis, the proposal would represent inappropriate development in the Green Belt and would not accord with the exemption outlined at Paragraph 154(c) of the Framework. It would also conflict with Policy MG02 of the Brentwood Local Plan 2016-2033 (LP), which seeks to ensure that the Green Belt is preserved from inappropriate development.

Openness

6. Openness is identified in the Framework as one of the Green Belt's essential characteristics. It has been identified as being formed of both spatial and visual aspects. The increase in floor area would considerably enlarge the building's footprint. This, and the additional bulk and volume as a result of the proposed extensions, would materially impact on openness in a spatial aspect resulting in some limited harm to the Green Belt.
7. In visual terms, the extensions would be partially visible from the open countryside to the east. However, the side and front boundaries of the site are well-screened with mature vegetation. The extensions would therefore not be readily visible from the north and south, or from Warley Street.
8. 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 limited harm to the Green Belt.

Character and appearance

9. The area is mixed in character and there are dwellings in the vicinity of the site that feature side entrances. The principle of relocating the entrance door would be acceptable. However, the windows within the front elevation serving the living room and the first-floor bedroom would be removed, and the front entrance would be replaced with a large window. Consequently, the front elevation of the dwelling would feature a vast amount of blank wall which would give the dwelling a bland and austere look. Furthermore, the size and form of the proposed window would fail to harmonise with the existing windows which are smaller in scale.
10. Whilst the scale and detailed design of the rear and side extensions would not harm the appearance and form of the host dwelling, the front elevation would appear awkward and unbalanced. The alterations to the front elevation would be prominent in the street scene and would thus be read as incongruous features that would harm the visual character of the area.
11. Given the above, the proposed development would have a harmful effect on the character and appearance of the host dwelling and surrounding area. It would therefore conflict with Policy BE14 of the LP which seeks to ensure proposals are well-designed and relate positively to their context.

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 support of the appeal, my attention was drawn to two appeal decisions at 171 Chelmsford Road, Shenfield.¹ Whilst I have not been provided with all the documents and plans relating to these cases, it appears that they differed significantly from the scheme before me as they involved the replacement of an existing garage and the erection of single storey infill extensions. When taken with previous extensions, they amounted to floor area increases that exceeded that proposed as part of this scheme. However, the impact of a single storey infill extension is not comparable to the impact of a two-storey extension which includes the erection of two pitched roof gables. As such, limited weight is afforded to these references.
14. There are buildings of varying sizes in the surrounding area, including a school with a large footprint. The residential properties in the vicinity, however, are relatively small in scale. The existence of large educational facilities in close proximity to the site does not justify the erection of large extensions that harm openness and the character and appearance of the area. I have attached minimal weight to this consideration.
15. Several extensions could be obtained under permitted development. The appellant states that the totality of these extensions could amount to 150 sqm representing an increase of 81.5% in floor area over and above the existing dwelling. Given the scope and scale of these potential extensions, their impact may be greater than the appeal proposal. However, I have no substantive evidence to indicate that there is more than a theoretical prospect that these extensions would be constructed should this appeal be dismissed. This limits the weight that I can attach to them as a fallback position. Moderate weight is therefore attached to this consideration.
16. The proposal would constitute an efficient use of land, and this is supported by the Framework. This consideration lends some limited weight in favour of the appeal.

Planning Balance and Conclusion

17. The proposal would cause harm to the Green Belt by way of inappropriateness, as well as limited harm to openness, and substantial weight must be given cumulatively to this harm. The proposal would also negatively impact the character and appearance of the host dwelling and surrounding area. The other considerations advanced in this case do not clearly outweigh the substantial harm I have identified. Therefore, I conclude there are no very special circumstances to justify the development.
18. The proposed extensions would not accord with the development plan and there are no other material considerations to outweigh that finding. Therefore, for the reasons given, the appeal should be dismissed.

Thomas Courtney

INSPECTOR

¹ Appeals Ref APP/H1515/D/20/3255062 and APP/H1515/D/20/3258570.