
Appeal Decision

Site visit made on 20 November 2024

by **J Bell-Williamson MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5 December 2024

Appeal Ref: APP/V1505/D/24/3347377

Grange Farm, Church Street, Billericay, Essex CM11 2SY

- 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 Mr Edwards against the decision of Basildon Borough Council.
 - The application Ref is 23/01477/FULL.
 - The development proposed is detached two storey outbuilding with conservation rooflights.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed outbuilding would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework);
 - the effect of the proposal on the character and appearance of the host dwelling and the surrounding area; and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

3. Grange Farm comprises a detached dwelling with a number of outbuildings set in generous grounds. The proposed outbuilding would be located on part of the area of hardstanding to the front of the property, adjacent to the boundary with Burstead Grange, the road which provides access to Church Street. Grange Farm is within the setting of the Grade II listed Brick Farm Building to the north-west.
4. The current proposal is a resubmission of a previous unsuccessful application for the same form of outbuilding¹. While I note this earlier proposal and decision, this appeal involves a separate proposal which I have considered on its own merits.

¹ Ref 23/00257/FULL.

Whether the proposal would be inappropriate development

5. I note that the Council does not rely on development plan policies, but instead refers to the Framework's provisions concerning the effects of development in the Green Belt. The main parties take different views in this regard. The Council considers that the proposal does not meet any of the Framework's exceptions concerning the construction of new buildings in the Green Belt and, therefore, should be regarded as inappropriate development.
6. The appellant refers to the judgement in *Sevenoaks District Council v SSE and Dawe* [1997], which established that in principle a detached outbuilding, as a normal domestic adjunct, may be considered to be part of a dwelling. Consequently, a new outbuilding could potentially be considered as an extension to the existing dwelling. In such circumstances, the proposal should be considered against one of the Framework's exceptions to inappropriate development in the Green Belt, which 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 building².
7. My attention is also drawn by the appellant to two appeal decisions where the Inspectors referred to the *Sevenoaks* case and found that the proposed outbuilding in each case should be assessed against the exception in the Framework concerning extensions³. I am mindful that appeal decisions should be consistent and, therefore, in principle there is no reason not to have regard to this established approach to considering the effects of a domestic outbuilding.
8. The question of whether a detached structure would amount to an extension of the existing building in any particular instance is a matter of fact and degree. In this case, the proposed use of the outbuilding would be associated with and incidental to the established residential occupation of the existing dwelling. Moreover, it would be located directly next to the dwelling with limited separation. As such, I consider that the proposed outbuilding in this case is capable of being considered as an extension to the dwelling.
9. The Framework requires consideration of whether the proposal would result in disproportionate additions over and above the size of the original building. The appellant provides evidence of a barn structure, now demolished, in a similar position to the site of the current proposal. This existed on 1 July 1948 and, therefore, formed part of the original building. The footprints of the previous barn and the current proposal are broadly the same at around 105m² and the original building has not been extended.
10. There are different ways of assessing and measuring proportionality. In this case there is no information concerning the volume of the previous barn or its overall external dimensions. Nonetheless, the footprint of the original building would not change and, therefore, based on the available information the proposal would not be a disproportionate addition. Consequently, I conclude that the proposal is not inappropriate development in the Green Belt and there is no conflict with the

² Paragraph 154c).

³ APP/H1515/D/18/3197888 dated 19 June 2018; APP/W1525/D/22/3290751 dated 7 March 2023.

Framework. Moreover, given this conclusion, the building is not harmful to openness or to any of the purposes of the Green Belt.

11. In reaching this conclusion I have had regard to the representations made by interested parties.

Character and appearance

12. The position of the proposed building, in front of and to one side of the host dwelling, is not unusual in a residential setting. It would be built of materials to match the traditional appearance of the host dwelling. However, the generous internal area to accommodate three vehicles and other storage, combined with the useable space in the roof means that this would be a structure of substantive size. This would be apparent from the depth and frontage width, and particularly the height close to the road frontage. The roof pitch to provide the upper floor space would result in a building just under seven metres in height that would be a dominant feature in this location.
13. The host dwelling is a substantial detached property which is taller than the proposed building. Nonetheless, the scale of the proposed building combined with its forward position close to the road frontage means that it would not appear fully subordinate to the host dwelling. This would be particularly apparent from views across the open frontage of the property and passing along Burstead Grange, despite the hedge and trees along the boundary.
14. Consequently, due to its overall size and prominent position the building would appear as an incongruous and uncharacteristic feature, which would compete visually with the host dwelling rather than complement its character and appearance.
15. The appellant refers to the previous barn in this location by way of comparison and justification for the proposed building. However, this building appears to have been demolished some time ago and its overall scale is unclear. As such, it cannot be considered to be directly comparable to the current proposal in terms of the effect in this location, particularly given the absence of a structure in this position for some considerable time.
16. Accordingly, for these reasons, I conclude that the proposed outbuilding would have an unacceptably harmful effect on the character and appearance of the host dwelling and the surrounding area. It is, therefore, contrary to Policy BAS BE12 of the Basildon Local Plan Saved Policies (2007), which requires that extensions should not harm the character of the surrounding area. It is also contrary to the Framework, which advocates good design.

Other Matters

17. The appeal site is within the setting of the Grade II listed Brick Farm Building and, therefore, I am mindful of the statutory requirement for decision makers to have special regard to the desirability of preserving the setting of a listed building⁴. In this regard, I agree with the Council's assessment that the proposal would not have a harmful effect on the setting or significance of the listed building.

⁴ Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion

18. As a result of the conclusion on the second main issue concerning the effect on character and appearance, the proposed outbuilding is contrary to the development plan and there are no other considerations that outweigh this conflict. Accordingly, for the reasons given, it is concluded that the appeal should be dismissed.

J Bell-Williamson

INSPECTOR