



Appeal Decision

Site visit made on 10 December 2024

by **L Francis BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 February 2025

Appeal Ref: APP/B1550/D/24/3348058

Mayfield, Pudsey Hall Lane, Canewdon, Essex SS4 3RY

- 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 James Pratt against the decision of Rochford District Council.
 - The application Ref is 24/00256/FUL.
 - The development proposed is “proposed new roof form over entire bungalow with front and rear dormers to create habitable space at first floor and ground floor infill extension with front door moved to the principle elevation.”
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was updated in December 2024, during the consideration of this appeal. Insofar as is directly relevant to the appeal, there are no substantive changes. Neither main party were asked for their views and no parties have been prejudiced as a result.
3. There is another appeal currently being determined at this site in relation to the removal of a condition restricting permitted development rights attached to a permission for a single storey rear extension¹. Each appeal is considered on its own merits.

Main Issues

4. The main issues are:
 - whether the proposed development would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt; 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.

¹ APP/B1550/W/24/3347587

Reasons

Whether inappropriate development

5. Mayfield is a detached single storey dwelling set in a generous plot with front and rear gardens. The dwelling is located at the end of a row of similar single storey detached houses on a rural lane. There is other sporadic residential development along the lane, interspersed with paddocks and fields. The character of the area is largely rural, with far reaching views across the open landscape visible between the dwellings.
6. Paragraph 154 of the Framework states that development in the Green Belt is inappropriate, but there are a series of exceptions to this. Paragraph 154c allows for 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.
7. Policy DM17 of the Rochford District Council Development Management Plan 2014 (the Local Plan) states that applications for extensions to dwellings in the Green Belt will be considered favourably provided the proposal would result in no more than a 25% increase in internal floorspace of the original dwelling. It also caveats that this is subject to there being no material increase in the overall height of the dwelling, and that the proposal also avoids a negative impact on the character and appearance of the Green Belt.
8. Previous extension and alteration has resulted in a U shape footprint with a gap in the front elevation. The proposals essentially seek to rationalise and improve the awkward layout of the existing dwelling, as well as providing a new first floor within an extended gable roof form with front and rear dormers.
9. Both parties acknowledge that the dwelling has already been extended over the limits set out in Policy DM17. The proposed extensions, taken together, would result in extensive additions to the original house. The extension of the roof to a gable end form with dormers and a ridge spanning the full width of the house, would be a significant addition compared to the existing hipped roof form. The infill extension to the front ground floor area would be relatively small, but nevertheless would contribute to the increase in footprint over and above that of the original dwelling. The Council consider that the proposal would result in a 105% increase in footprint over the original building footprint. There is no substantive evidence before me which would lead me to disagree.
10. The cumulative bulk, mass and scale of the proposed ground floor and roof extensions, together with the extension already added to the property and the consequent significant uplift in floorspace leads me to conclude that the proposal would be a disproportionate addition over and above the size of the original building.
11. The appellant suggests that the central area proposed to be infilled should be considered as brownfield land. As the proposal is for an extension to an existing building, it falls to be considered under paragraph 154c; I do not consider the proposal to be limited infilling or the partial or complete redevelopment of previously developed land as described in paragraph 154g. Even if I were to consider this small section of site as previously developed, it would not change my assessment under paragraph 154c, that the proposal would result in disproportionate additions over and above the size of the original building.

12. In conclusion therefore, for the reasons described above, the proposal would be contrary to the provisions of Policy DM17 of the Local Plan and paragraph 154c of the Framework and would therefore comprise inappropriate development in the Green Belt.

Openness

13. Openness is an essential characteristic of the Green Belt; it can be perceived both spatially and visually. The proposed extensions would result in the intensification of built form over a greater footprint within the site.
14. In spatial terms, the increase in footprint would be marginal due to the location of the infill element of the extension. However, the significant increase in bulk and height of the built form at roof level to one side of the house would result in an already-extended property appearing more prominent in its surroundings. Consequently, it would have a harmful effect on the visual openness of the appeal site.
15. Overall, there would be moderate harm arising to the openness of the Green Belt, largely due to the increase in bulk and height at roof level.

Other considerations

16. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It advises that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
17. I appreciate that the proposed extensions would enable a more legible and useable layout than offered by the existing building. The roof extension would improve the overall symmetry and appearance of the building. In this respect the proposal would not conflict with Local Plan Policy DM1 insofar as it would preserve the character and appearance of the site and surroundings. However, the absence of harm in this respect is a neutral factor which does not weigh for or against the proposal.
18. Given their scale and position relative to the adjacent dwelling, the proposed extensions would not result in any undue effect upon the privacy, light or outlook for occupiers of the neighbouring property. Again, the absence of harm in this respect is a neutral factor.
19. The proposal represents inappropriate development, which by definition, would be harmful to the Green Belt as described in paragraph 153 of the Framework. I have also found that there would be moderate harm to openness. The other considerations do not clearly outweigh the substantial weight that I give to the harm to the Green Belt, by reason of inappropriateness and harm to openness. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

20. The appeal proposal conflicts with policy set out in the Framework and the development plan to protect the Green Belt. There are no other considerations that outweigh that conflict and for this reason the appeal is dismissed.

L Francis

INSPECTOR