



Appeal Decision

Site visit made on 7 March 2025

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd June 2025

Appeal Ref: APP/W1525/D/24/3356111

3 Cherrytree Cottages, Stock Road, Stock, Ingatestone CM4 9QU

- 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 J West against the decision of Chelmsford City Council.
 - The application Ref is 24/01130/FUL.
 - The development proposed is demolish existing extension to build single storey side extension with pitched roof.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the site address from the appeal form as it is more accurate than the one provided on the application form.

Main Issues

3. The main issues are:
 - Whether the proposed development would be inappropriate in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect on the openness of the Green Belt;
 - The effect on the character and appearance of the area, including the Stock Conservation Area; and
 - If the development would be inappropriate, whether the harm by reason of inappropriateness, and any other harm, would clearly be outweighed by any other considerations, amounting to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

4. The appeal site (the site) includes an end of terrace dwelling (the dwelling) with a wide garden beyond. It is in the Green Belt. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, and

that development in the Green Belt is inappropriate unless one of a list of provided exceptions applies.

5. One such exception, at paragraph 154(c), 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. The Framework does not define 'disproportionate additions' and therefore an assessment of whether a proposal would amount to a one is a matter of planning judgement.
6. Policy DM11 of the Chelmsford Local Plan (2020) (the Local Plan) supports extensions or alterations to existing buildings in the Green Belt that would not (firstly) result in disproportionate additions over and above the size and scale of the original building and (secondly) be out of keeping with its context and surroundings or result in any other harm. There is a direct correlation between the Framework and the Local Plan policy, save for the second element in Policy DM11, which is not found in the Framework, and which I therefore discount in assessing inappropriateness.
7. The dwelling was extended, along with the neighbouring cottages, following planning permission granted in 2014¹. I have not been provided with plans to show the original dwelling, or the extensions. That said, the officer report identifies a single storey side element at the dwelling as being an extension and, as that description is not contested by the appellant, I shall treat it as one.
8. The Council states the original dwelling had a floorspace of 46sqm, and that the proposed extension, combined with previous additions, would amount to a total floorspace of approximately 124sqm. This is expressed as a percentage increase from the original dwelling of some 269.6%. The appellant does not contest these figures.
9. It is not clear to me whether 'floorspace' is used by the Council to describe the footprint of a building on the ground, or the total floor area it possesses across more than one level. It is also not clear how the figures provided account for the existing single-storey side extension, which would be replaced by the proposed development.
10. In any event, even if the footprint of the existing dwelling, less the single storey side extension, is comparable to that of the original dwelling, the proposed development would still approximately double that footprint. Even if the total floor area of the dwelling, less the side extension, is comparable to that of the original dwelling, the proposed development would still increase it by around half the original total floor area. The proposed development would approximately double the width of the original dwelling.
11. Even if, as the appellant contends, the extended dwelling would remain modest and not dominate the site or the surrounding Green Belt, the salient matter is the relationship, in terms of size, between the original dwelling and any additions to it. The proposed development would result in a disproportionate addition over and above the size of the original building. It would be inappropriate development in the Green Belt.

¹ Application Ref 14/01381/FUL.

Openness

12. Openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects. The proposed development would include additional built form where it did not previously exist and, as such would have a spatial effect on openness. It would be partially visible from Stock Road, particularly across the open parking area for the cottages, from the gardens of neighbouring cottages, and from the fields east of the site. It would be fully visible from within the site. As such, it would have a visual effect on openness. Given the above, the proposal would result in a harmful loss of openness overall.

Character and appearance

13. The site is in the Stock Conservation Area (the CA). The statutory duty set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
14. The dwelling is one of a terrace of three cottages on the northern outskirts of the village of Stock. They are modest in size and character now, though the visibly original elements of them indicate that they were once even more so. The evidence states that they have a historical relationship to the Greenwoods estate, and I note the presence nearby of an impressive former manor house bearing that name. The cottages are further from the village than the manor house, in a location where the settlement cedes to open fields beyond. This indicates that they were once homes for rural workers on the estate.
15. On the evidence before me, the significance of the CA, insofar as it relates to the appeal, is in the humble nature of the cottages, particularly their original elements, relative to the Manor House, and their appearance as traditional rural workers cottages in an agricultural setting.
16. As set out above, the proposed development would significantly extend the dwelling in terms of footprint and width. It would be of similar depth to the existing dwelling and would align with it at the southern end. It would be wider than the original dwelling. Whilst it would be single storey, its main roof ridge would be all but level with the main eaves of the dwelling. These features would create a relationship in which the extension overpowered the dwelling. This would be exacerbated by the strikingly modern, glazed gable end of the extension being placed directly alongside the simple, traditional, and largely original southern elevation of the dwelling, such that the latter loses much of its prominence.
17. Whilst the use of a timber barn-inspired external finish may not be at odds with a general countryside vernacular, I have no evidence that such barns are typical in the area around the appeal site. I recognise that a development at Ashridge Grange deploys a comparable aesthetic, but that is only one development, a significant distance away from the appeal site. It plays a negligible part in the setting of the cottages. The barn-style design proposed carries little weight in my determination.
18. Whilst the development would be on the far side of the dwelling to the road, it would nevertheless be either partially or wholly visible from several vantage points, as I have described above. Even if the proposed extension would be of a higher quality, or add more visual interest than the existing extensions, the bulk of those

existing extensions would remain in place. I attach minimal weight to the comparison, therefore.

19. In overpowering the dwelling, the proposed development would undermine the existing, humble nature of the cottages, particularly their original elements. This would harm the significance of the CA as described above. That harm would be less than substantial and, as such, must be weighed against any public benefits.
20. The appellant considers that, by improving the living conditions for occupiers of the dwelling, the development would increase the long-term viability of the property, indirectly supporting the Conservation Area's preservation. I have no evidence that, if not for the proposed development, the dwelling would provide inadequate living conditions or lack for viability. This significantly reduces the weight attributable to the cited benefits which do not, in any event, outweigh the great weight that should be given to the asset's conservation.
21. The proposed development would not respect the character and appearance of the area and would cause less than substantial harm to the CA, which is not outweighed by public benefits, contrary to the requirements of Local Plan Policies DM23 and DM13.

Other considerations

22. Whilst I have no reason to doubt that the dwelling retains permitted development rights, or that the appellant is minded to use them if the appeal is dismissed, I have also been provided with no evidence that a scheme relying on those rights would be as harmful as the proposed development. In the absence of any indication as to the likely nature of such a scheme, I attribute minimal weight to the prospect.
23. I do not doubt that some benefits would arise if aging sewage pipes at the site were replaced as part of the proposed development. However, I have no evidence that this type of improvement could only occur as part of the proposed development and could not be undertaken otherwise. This significantly reduces the weight attributable.

Green Belt Balance and Conclusion

24. The proposal would constitute inappropriate development in the Green Belt and would harm openness. As such, the Framework requires that the harm by reason of inappropriateness be given substantial weight, and that inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations. The other considerations in this case are not sufficient to comprise the very special circumstances necessary to justify this development. The development is contrary to Policy DM11 of the Local Plan, and with the Framework, which seeks to protect the Green Belt.
25. I have considered all other matters raised but none outweigh the conclusions I have reached. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is dismissed, therefore.

A Knight

INSPECTOR