



Appeal Decision

Site visit made on 22 May 2025

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2025

Appeal Ref: APP/V1505/D/24/3354989

1 Lawrence Road, Bowers Gifford, Basildon, Essex SS13 2NB

- 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 L Blackholly against the decision of Basildon Borough Council.
 - The application Ref is 24/00653/FUL.
 - The development proposed is described on the application form as 'single storey rear extension, replacement roof to form first floor bedroom space, replacement front porch.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies;
 - if the proposed development is inappropriate, the effect of the proposed development on the openness of the Green Belt; and
 - whether the 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

Whether inappropriate development

3. Paragraph 153 of the National Planning Policy Framework (the Framework) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved 'except in very special circumstances'. There are, however, certain exceptions. One of those, at paragraph 154(c) allows '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'.
4. The Framework does not provide a definition of 'disproportionate additions'. Rather, this is a matter for the decision maker. However, Policy BAS GB4 of the Basildon District Local Plan (LP) specifies that dwellings in the Green Belt will be allowed to extend to 90sqm or by 35 sqm over and above the original floor area of the dwelling, whichever is the greater. In my view, such a metric may only realistically be an approximation for disproportionality, not least because of the

absence of such a metric in the Framework, and as proportionality is inherently context specific.

5. The Council sets out that the original floorspace of the dwelling is approximately 54sqm. This has been extended over time to increase the total floorspace of the property. These extensions measure approximately 80sqm over the original floorspace. There is no evidence before me from the appellant, such as detailed floorspace calculations, that conflict with this. Accordingly, I have no reason to doubt the measurements cited by the Council.
6. The proposed development would involve the demolition of 2.2sqm of existing floorspace (existing front porch) and the addition of extensions measuring approximately 60sqm, including roofspace. Taking the proposed floorspace together with previous extensions, the cumulative extended floorspace would total approximately 138sqm. This would significantly exceed both the original floorspace and the extension allowances under LP Policy BAS GB4.
7. Notwithstanding the precise floorspace measurements, the proposed extensions would result in a building which is perceptively more bulky. This is principally due to the proposed changes to the roof profile, extending over the entire dwelling and resulting in an increased ridge height relative to the current roof. The proposed development, in particular the alterations to the roof profile, would result in disproportionate additions in terms of size.
8. Overall, the proposed development would be inappropriate development in the Green Belt, which is, by definition, harmful to the Green Belt. Substantial weight should be given to this harm. The proposed development would therefore be contrary to the relevant provisions of LP BAS GB4, which in summary seeks to protect the Green Belt from inappropriate development. This is in a similar vein to the provisions of the Framework which seek to protect the Green Belt from inappropriate development.

Openness

9. The Framework indicates that openness is an essential characteristic of the Green Belt and a fundamental aim of Green Belt policy is to keep land permanently open. The openness of the Green Belt has both a physical and visual dimension. 'Open' can mean the absence of development in spatial terms, and it follows that openness can be harmed even when development is not readily visible from the public realm.
10. The appeal property is visible from adjacent roads (principally Lawrence Road but also glimpsed from Pound Lane) and neighbouring properties. Despite the existence of other properties near to the appeal site, the openness of the Green Belt is readily apparent beyond, in part through the existence of mature vegetation.
11. Whilst I accept that the proposed extensions have been designed with sensitivity to prevailing building forms, materials and detailing, the proposed development would nonetheless result in additional built volume and massing where this does not presently exist. The additional bulk of the dwelling would inevitably lead to a loss of openness, both physically and visually. Accordingly, the proposed development would cause some harm to the openness of the Green Belt. This factor weighs somewhat against the proposal.

Other considerations

12. I note the appellant's comment that certain elements of the scheme could be removed. However, an appeal should not be used to evolve a scheme. I am considering the proposed development as it was presented to the Council when it made its decision. I afford this consideration minimal weight.
13. I note the need for maintenance/repair work to the existing roof and that the proposed development would inevitably improve the internal accommodation for the occupiers. However, the improvement of accommodation would be a private benefit. In any case, neither this nor the maintenance of the dwelling are, in my view, inherently reliant on the scheme before me. I therefore afford these considerations limited weight.
14. The appellant has brought to my attention to recent planning permissions in the surrounding area. This includes schemes for larger developments. However, I have only very limited detail before me in respect of these other cases, including the planning balance there. Nevertheless, they are all situated on different sites, appear to relate to different types of development and, ultimately, are not directly comparable with the scheme before me. I have considered this appeal on its own, individual circumstances. I afford this consideration limited weight.

Green Belt Balance

15. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be allowed except in very special circumstances. In addition, there are impacts on openness here. Substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations.
16. Cumulatively, I attach no more than limited weight to the benefits of the proposed development which make up the other considerations. As such, the other considerations do not clearly outweigh the harm to the Green Belt.
17. Consequently, the very special circumstances necessary to justify the development in the Green Belt do not exist. The proposed development would therefore not accord with the Green Belt aims of LP Policy BAS GB4, or the Framework, as set out above.

Conclusion

18. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal should be dismissed.

A Price

INSPECTOR