



Appeal Decision

Site visit made on 10 June 2025

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

an Inspector appointed by the Secretary of State

Decision date: 16th July 2025

Appeal Ref: APP/M1595/D/24/3355342

Tanga, Inglefield Road, Fobbing, Thurrock SS17 9HW

- 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 Curran against the decision of Thurrock Borough Council.
 - The application Ref is 24/00643/HHA.
 - The development proposed is the erection of a single and two-storey rear extensions, BBQ area and swimming pool.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have amended the description of development above to remove the reference to the address of the site, since this duplicates information already contained in the banner heading.

Main Issues

3. 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.

Reasons

Whether Inappropriate Development

4. Inglefield Road is a narrow, unmade semi-rural lane lined with low-density residential development. Tanga is a 2-storey detached chalet-style dwelling set in a substantial site including gardens to the front, side and rear. To the front, there are 2 gated entrances and a forecourt, with a single storey garage and shed to one side. The low-density development within a semi-rural context gives the area a spacious and verdant character.
5. The proposal involves a 2-storey side extension and a single storey rear extension, which would effectively wrap around the west side and rear of the existing dwelling.

I noted on my site visit that a single storey rear extension had recently been completed, but no extensions had been constructed to the side. However, I have necessarily assessed the appeal on the drawings submitted. The drawings show the rear extension would enlarge the kitchen/dining area, whilst the side extension would accommodate a gym and utility/WC at ground floor with a bedroom and ensuite above. The drawings also show outbuildings to the rear to accommodate a pool and BBQ area.

6. Paragraph 154 of the Framework states that the construction of new buildings is inappropriate in the Green Belt, 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. In the Thurrock Core Strategy and Policies for Management of Development (as amended) adopted 2015 (Core Strategy), Policy CSSP4 states that the Council will maintain the purpose, function and open character of the Green Belt. Policy PMD6 states that development will only be approved where it meets as appropriate the requirements of the Framework and other development plan policies. The extension of a building must not result in disproportionate additions over and above the size of the original building. In the case of residential extensions, a 'disproportionate addition' is taken to mean no larger than 2 reasonably sized rooms or equivalent amount. There is nothing in the policy or supporting text to indicate what the Council would consider to be a reasonably sized room.
8. The Council consider the original building should be the house as it existed prior to the current dwelling which was constructed pursuant to a planning permission granted in 1995 for a replacement dwelling with detached garage (reference 94/00646/FUL). In relation to buildings constructed after 1 July 1948, the definition of 'original building' in the Glossary to the Framework does not expressly deal with replacements. I note Core Strategy Policy PMD6 requires replacement dwellings to be no materially larger than the original dwelling, but this development plan would not have been in place when the permission for the replacement dwelling was granted.
9. I have been referred to an allowed appeal which removed a condition restricting permitted development rights for the replacement house (reference APP/M1595/W/21/3286568). The Inspector found that there was no substantive evidence that the 1995 dwelling was materially larger than the original dwelling. Given the findings of the Inspector and that the Framework does not expressly deal with replacement dwellings, I consider in this case it would be reasonable to treat the current dwelling as the benchmark against which to measure the proposed extension.
10. Nevertheless, the proposals would introduce significant additional bulk and mass to the side and rear of the existing house. The side addition would be highly visible from the street. There is a degree of screening from the front boundary treatment but it would not be sufficient to obscure the bulk, mass and scale of the proposed extension from street views.
11. The bulk, mass and scale of the proposed extensions which would wrap around the house on 2 sides, along with the consequent significant uplift in floorspace over and above the existing house lead me to conclude that the extension would be a

disproportionate addition. This would run contrary to the provisions of paragraph 154c of the Framework and Core Strategy Policies CSSP4 and PMD6, which amongst other things, state that extensions and alterations to buildings in the Green Belt should not be disproportionate to the original building.

Openness

12. 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 than existing.
13. Due to its height and bulk the side extension would be highly visible when passing along the lane. It would have the effect of 'infilling' a significant proportion of the currently open side garden adjacent, and as such would harmfully reduce the existing visual openness.
14. Spatial openness would be reduced as a result of the increased footprint of built form covering the site as a whole, both through the proposed side and rear extension and the additional outbuildings to the rear.
15. Overall, the harm to spatial and visual openness would be moderate due to the footprint and scale of the proposed extensions.

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. The appellant has presented various fallback positions with the purpose of highlighting what would be achievable solely using permitted development rights. I accept that given the planning history set out by the main parties, along with the series of fallback positions presented by the appellant, there is a clear intention to develop the site and the fallback options are material considerations.
18. The 'permitted development scheme 1' as outlined in the design and access statement shows a single storey side and rear extension and a further single storey side outbuilding, along with the rear pool and BBQ areas proposed in the appeal scheme. The effect would be to produce a much larger footprint than the appeal scheme, with a consequent loss of spatial openness, particularly to the side. If this option were to be built out, although there would be a loss of spatial and visual openness, this would be confined to ground floor level.
19. The appeal scheme itself would introduce additional bulk at first floor. Although it would maintain a greater sense of spatial openness to the side, there would be a greater loss of visual openness through the height and bulk of the proposed side extension than that contained in the fallback due to its height and front gabled roof, which would have the effect of making it very visible from the street. I therefore consider that there would be less harm to visual openness in the fallback position when compared to the appeal proposal, although conversely the fallback would cause greater harm to spatial openness due to its footprint.

20. 'Permitted development scheme 2' as presented in the design and access statement shows a single storey upwards extension to the main house, along with a single storey side extension. No floorplans for this option were shown in the design and access statement. This fallback scenario would maintain a sense of openness to the side. However, it would increase the scale and bulk of the main house and would consequently have a greater effect upon visual openness than the appeal scheme. It would also be more visible from the lane in front of the house. However, a greater sense of spatial openness to the side would be maintained through this fallback position.
21. The appellant's statement of case also attached some 3D images of other potential permitted development options including a large single storey rear extension and additional single storey outbuildings or extension to the side. I have no further detail of dimensions or scale for these potential options, but I accept that they would cause greater harm to spatial openness than the appeal scheme before me.
22. The Council do not consider that the proposals would be harmful to the character and appearance of the area, or that any harm would arise to the living conditions of nearby residents. The evidence does not lead me to disagree with these conclusions. The absence of harm in these respects is a neutral factor which does not weigh for or against the proposal.

Green Belt Balance and Conclusion

23. 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.
24. The Framework 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. Whilst the fallback options presented would in some cases have a more harmful effect on spatial openness than the appeal scheme, they would generally be less visible from the street due to their restricted height. Conversely, the 'permitted development scheme 2' would have a lesser effect on spatial openness than the appeal scheme but would be more visually dominant.
25. I do not consider that any of the fallback schemes presented would result in a more harmful effect upon openness, such that it would be sufficient to clearly outweigh the substantial weight I am required to give to the appeal scheme's harm to the Green Belt by reason of inappropriateness.
26. The other considerations in this case do not clearly outweigh the harm identified. Consequently, the very special circumstances necessary to justify the appeal scheme do not exist.
27. 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. For the reasons given above, the appeal should be dismissed.

L Francis

INSPECTOR