



Appeal Decision

Site visit made on 6 October 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15th October 2025

Appeal Ref: APP/B1550/D/25/3371985

Hambro Lodge, Chelmsford Road, Rawreth, Essex SS11 8SY

- 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 D Finch against the decision of Rochford District Council.
 - The application Ref is 25/00225/FUL.
 - The development proposed is front porch and bay alteration and rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application form refers to the property as Hambro House. The appellant has confirmed that this is an error, and the correct address is Hambro Lodge. I have proceeded with the appeal on this basis. I note that the revised address is on the decision notice and therefore I do not consider that either of the main parties have been prejudiced by me taking this approach.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (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. The appeal site comprises the existing residential dwelling known as Hambro Lodge, a single storey bungalow set broadly centrally within the plot. The site, which sits to the east of the A1245, is within the Green Belt. The Government attaches great importance to Green Belts, with paragraph 153 of the Framework stating that substantial weight should be given to any harm to the Green Belt, including harm to its openness.

5. Policy DM17 of the Rochford District Council Development Management Plan (DMP) (2014) relates to extensions to dwellings in the Green Belt. The policy states that applications for extensions to dwellings in the Green Belt will be considered favourably provided that the proposal would result in no more than a 25% increase in internal floorspace of the original dwelling, and provided that it would not involve a material increase in overall height and has been designed to avoid a negative impact on the character and appearance of the Green Belt through its scale, mass and orientation.
6. The Framework outlines several exceptions to inappropriate development at paragraphs 154 and 155. Within these exceptions there is an allowance under paragraph 154 c) that the extension or alteration of a building would not be inappropriate development, provided that it does not result in disproportionate additions over and above the size of the original building.
7. It is not disputed between the main parties that the existing dwelling, at some 78m², forms the original building for the purposes of assessment against the relevant Green Belt policy. It is also not disputed that the proposed development, of a porch and rear extension, would exceed the 25% threshold set through Policy DM17 of the DMP and represent a 40% increase in habitable floorspace. Based on the evidence before me, I see no reason to take a different view on these matters.
8. The Framework does not set a numerical threshold in the same way that Policy DM17 of the DMP does. The appellant has brought an appeal decision to my attention in Hertfordshire¹, where St Albans City & District Council has planning guidance outlining that an increase in floorspace of 20-40% may be acceptable, thus over the 25% threshold referred to in Policy DM17 of the DMP. The appellant is not seeking to present that the appeal scheme in Hertfordshire is otherwise directly related to the appeal scheme before me.
9. Whilst the setting of mathematical figures can provide a useful tool in assessment, they do not override the planning judgement which must be undertaken in the determination as to whether an extension or alteration to a building is disproportionate in the context of the Framework.
10. The proposed extension to the rear of the dwelling would span the entire width of the dwelling. Whilst it would not increase the overall height, it would significantly increase the volume through the additional roof massing proposed at the rear. This would be considerably greater than the existing modestly proportioned roof form which features a pitched roof projection at a lower height than the main hipped roof.
11. The exceedance of a 25% increase in internal floorspace represents a clear conflict with Policy DM17 of the DMP. However, irrespective of this, when assessed against the provisions of the Framework which refer more broadly to the size of the original building, I find that the proposal, through its floorspace, footprint and volume, would represent a disproportionate addition over and above the size of the original building.

¹ APP/B1930/D/24/3355310

Openness

12. Paragraph 142 of the Framework outlines that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Openness can have both spatial and visual aspects.
13. Most of the proposal would be to the rear of the dwelling, extending the footprint and leading to a greater proportion of the appeal site being occupied by built form. Visually, whilst the proposal would not increase the overall height of the dwelling, it would add considerably to its massing through the increased bulk of the roof of the rear projection.
14. Noting that the extensions would be self-contained within the curtilage of the existing dwelling, I consider that the effects on both the spatial and visual openness of the Green Belt would be limited. Nevertheless, the proposal would erode the openness of the Green Belt, which is one of its essential characteristics. I therefore conclude that the proposal would not preserve and therefore would have a harmful effect on the openness of the Green Belt. This carries substantial weight as per paragraph 153 of the Framework.

Other considerations

15. The supporting text for Policy DM17 of the DMP acknowledges that permitted development (PD) rights enable some development to be undertaken without the need to obtain planning permission, and that in some cases this allows greater flexibility for extensions to dwellings in the Green Belt.
16. I understand that the appellant has already exercised their PD rights through the construction of outbuildings within the appeal site. It is stated that the appellant has a particular desire to extend to the rear of the property. In this respect, two potential fall-back positions have been presented in the form of two alternative developments which could be delivered through PD rights.
17. The first of these relates to the provision of two separate single storey extensions to the rear, both of which would extend 4 metres from the existing rear elevation. The combined footprint of these would be 32.3m². Nevertheless, I do not have details of the proposed elevations which would facilitate such extensions and therefore I cannot be satisfied that they would be more harmful in Green Belt terms, given that I have not been presented with the resultant massing or roof forms.
18. The second option refers to extensions which would amount to 51.7m², therefore notably above the footprint proposed through the appeal scheme. During the appeal proceedings, the appellant has confirmed that the Council has determined that prior approval is not required for an 8m rear extension which would form part of this development.
19. Elevational details have been provided of part of this scheme which show a much lower roof height to the additional rear projection when compared to the appeal scheme. Rather than representing a credit to the appeal scheme, I have found that the proposed roof massing would be harmful to the Green Belt. On this basis, I do not consider that the development of the dwelling in the manner proposed in the second potential fall-back position would be more harmful to the Green Belt than

the appeal proposal before me. I have therefore given limited weight to both of the potential fall-back schemes presented.

20. My attention has been drawn to the context of the site area, with the appellant stating that the appeal site lies within the centre of a clearly defined village. Specifically, details of a commercial development at Hambro Nursery to the rear have been provided, which represent an extant permission for the construction of new buildings for storage and distribution or light industry. I acknowledge that users of this site would drive past the appeal site given the presence of the access road to the south. In addition to this, I have been provided with details of a permission relating to an established industrial estate for 12 new compounds at Clovelly Works.
21. I am not aware of the circumstances which led to the approval of these developments. They are clearly not directly comparable to the appeal scheme before me which relates to the extension of an existing dwelling and therefore I have given them minimal weight in my decision.
22. The appellant has also made reference to an existing dwelling to the north of the appeal site which they present as being of a much larger scale than the appeal building. Based on the evidence before me it appears that the dwelling to the north has been extended through PD rights. Whilst again I do not have the full details, it is not comparable to the appeal scheme before me which relates to development beyond the scope of PD. The size of the dwelling to the north does not justify the appeal proposal before me and therefore I have given it minimal weight in my decision.
23. The appellant has highlighted that there are no single storey bungalows in their truest sense within the vicinity. The relevance of this in terms of the reasoning as to why it would lead me to conclude the appeal scheme is acceptable has not been advanced. I therefore cannot conclude that it represents a reason to justify the appeal scheme and have given this point minimal weight.
24. Policy DM17 of the DMP states that any grant of planning permission will be conditioned to remove PD rights which would allow the dwelling to be extended in order to control their scale, appearance and impact. The appellant has suggested that they would be happy with the imposition of such a condition.
25. However, paragraph 57 of the Framework states that planning conditions should not be used to restrict national PD rights unless there is clear justification to do so. The Planning Practice Guidance (PPG) reinforces this, stating that, "*area-wide or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity.*"
26. I do not consider that the removal of PD rights would be a reasonable condition for me to impose if I were otherwise minded to allow the appeal. I have therefore given this point limited weight.

Green Belt Balance

27. The proposal constitutes inappropriate development in the Green Belt which would also cause harm to the openness of the Green Belt. I attach substantial weight to the associated Green Belt harm. The Framework indicates that inappropriate

development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

28. 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. Taken together, the other considerations put forward carry at most limited weight. It follows that the substantial weight to be given to Green Belt harm is not clearly outweighed by other considerations in this case. Therefore, the very special circumstances required to justify the proposed development do not exist. The proposed development would not accord with the Green Belt aims of Policy DM17 of the DMP or the Framework.

Other Matters

29. I note that the Council has raised no issues from a purely design perspective and that the proposed use of materials would be acceptable. No concerns have been raised in relation to the effects of the proposal on the living conditions of neighbouring properties. Whilst I find no reason to take a different view in relation to these matters, they do not weigh in favour of the proposal.

Conclusion

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

L Gardner

INSPECTOR