
Appeal Decision

Site visit made on 7 July 2021

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 July 2021

Appeal Ref: APP/M1595/D/21/3274420

16 Birch Close, South Ockenden, RM15 6XD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Tetzlaff against the decision of Thurrock Borough Council.
 - The application Ref 21/00037/HHA, dated 12 January 2021, was refused by notice dated 18 March 2021.
 - The development proposed is the erection of a double storey side extension and front porch.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a double storey side extension and front porch at 16 Birch Close, South Ockenden, RM15 6XD in accordance with the terms of the application, Ref 21/00037/HHA, dated 12 January 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos 200804 L 010 Rev A, 200804 L 011 Rev A, 200804 L 012 Rev B, 200804 L 013 Rev A, 200804 L 014 Rev A and 200804 L 015 Rev A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. I have simultaneously dealt with another appeal (Ref: APP/M1595/D/21/3269316) on this site. The two proposals are independent of each other and the second appeal is the subject of a separate decision.

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; and
- The effect of the proposal on the character and appearance of 16 Birch Close and the surrounding area.

Reasons

4. The appeal property is a detached, two-storey dwelling located at the terminal end of a short stretch of an access driveway that serves just a handful of properties. It lies within the Green Belt on the fringe edge of a contemporary housing estate, adjacent to and facing a large area of public open space. The proposal would add a two-storey extension to the side of the existing dwelling.

Whether the proposal would be inappropriate development in the Green Belt

5. Paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 states, amongst other things, that the extension of an existing building is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building.
6. Policy PMD6 of the Council's Core Strategy and Policies for Management of Development (as amended) January 2015 (CSPMD) deals with development in the Green Belt and is consistent with the Framework, adding that in the case of residential extensions a disproportionate addition means no larger than two reasonably sized rooms or any equivalent amount. Paragraph 4.3.4 of the CSPMD states where an extension in the Green Belt is considered acceptable, it should be proportionate in size to the original dwelling and that they will be limited in size to the floor area of two reasonably sized rooms of the original dwelling.
7. The Council has stated that the appeal proposal would add around 34.6sqm of floorspace to the original building. They state that the floorspace of the original building is 87sqm and calculate that two reasonable sized rooms would represent a floorspace of 24sqm. There is no methodology given within the Council's officer's report for how the figure of 24sqm has been derived and, in the absence of me being directed to any clear principles for such a mathematical calculation within either the development plan or any adopted Supplementary Planning Documents, I take it as a guiding figure rather than a strict upper limit.
8. The extension would project the existing ground floor Living/Dining/Family room sideways to create a single, enlarged space, with an additional bedroom and en-suite facility at first floor. Due to the splayed angle of the extension's side elevation, which would follow the alignment of the plot's side boundary, the width of the addition would taper significantly to the rear making the additional space at this point limited in terms of its functionality. With this in mind, I find that the new floorspace that would be created would provide nothing more than the equivalent of two reasonably sized rooms. The additions, including a very modest sized front porch, would be subordinate to the scale of the original dwelling in terms of their height, depth and width, and

would be appropriately residential in scale. Therefore, and despite the proposed floorspace exceeding the Council's calculated limit, I find that the appeal proposal would be in scale with the original building and not disproportionate in size. For this reason, I find that the proposal would not amount to inappropriate development within the Green Belt. Implicit within this conclusion is that the proposal would not be harmful to the openness of the Green Belt. There would therefore be no conflict with CSPMD Policy PMD6 or the Framework in this regard.

Character and Appearance

9. The flank wall of the extension would follow the angled alignment of the site's side boundary. As a result, the extension would be 'wedge-shaped'. Although unusual, when seen head on, the tapering width of the extension would go unnoticed. Angled views of the property's frontage would be limited due to the recessed position of No 16 relative to the publicly accessible expanse of open space to the north of the appeal site. Additionally, sight of the angled side elevation would be further obscured by the proximity of the adjacent pair of semi-detached dwellings at Nos 38 and 40 Cherry Tree Drive, which are not shown on the Location and Site Plans that accompanied the application.
10. Any limited sight that could be had of the extension would give the impression of a conventionally configured sideways addition that would be proportionate and complementary to the original. In my assessment, the Council's suggestion that the proposal would appear awkward or incongruous would not be realised due to the enclosed and inconspicuous position of the extension which I find overall would reasonably respect the character and appearance of the existing dwelling and wider area.

Other Matters

11. I have noted concern expressed by a nearby occupier over the modest sized porch extension that is also proposed but I find this to be a sensitive addition that would comfortably relate to the appearance of the existing dwelling. Neither do I consider that the orientation of the porch would impact upon the living conditions at 17 Birch Close. I note that the Council had no concern over this aspect of the proposal.

Conditions

12. A condition specifying the relevant plans is necessary as this provides certainty. In the interests of maintaining the character and appearance of the area a condition is required to control the external materials to be used.

Conclusion

13. For the reasons given, I conclude that the proposal would not amount to inappropriate development in the Green Belt and neither would it harm the character or appearance of the appeal property or the surrounding area. As such, I can find no conflict with the aims and objectives of the Council's *Residential Alterations & Extensions SPD* (2017), or with CSPMD Policies PMD2, CSTP22 or CST23 insofar as they relate to the quality of design within the local context. Neither do I find conflict with the Framework's objectives for

achieving well-designed places. Therefore, and in the absence of any other conflict with the development plan, the appeal is allowed.

John D Allan

INSPECTOR