



PLANNING STATEMENT

November 2023 // GRANGE FARM, CHURCH STREET, BILLERICAY

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1 INTRODUCTION

- 1.1 This Application for Householder Planning Permission follows a refused application for the same development on 18th April 2023 under reference 23/00257/FULL. The proposed works were/are as follows:

Proposed detached two storey outbuilding with conservation rooflights

- 1.2 The Application was refused for two reasons:

1 The application site is in the Green Belt. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt and '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. A Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt.

The proposal for a two storey outbuilding comprising a cartlodge at ground floor and games/room office at first floor does not fall within any of the Green Belt exceptions for new buildings identified in paragraph 149 of the NPPF, and as such would represent inappropriate development in the Green Belt. No very special circumstances have been evidenced to outweigh the resulting harm to the openness of the Green Belt. The construction of an outbuilding would substantially increase the presence of the built environment, result in a reduction in the openness of the Green Belt visually and spatially and thereby impinge on the openness and character of the Green Belt, contrary to paragraphs 147 and 148 of the NPPF.

2 The proposed two storey outbuilding by reason of its siting, excessive size and height would result in a prominent and uncharacteristic feature appearing over-dominant within the site's frontage to the detriment of the character of the application site. It is not considered that the screening of the site by green landscaping is sufficient to override the harm caused as landscaping can be reduced however, the outbuilding would be permanent. As such it is considered detrimental to the character and appearance of the host dwelling and surrounding area contrary to Saved Policy BAS BE12.

- 1.3 This Application does not seek to amend the scheme as proposed, but instead provides additional information to seek to overcome those previous reasons for refusal and that should be considered material in the determination of this application.

THE APPLICATION SITE

- 1.4 Grange Farm is a large detached dwelling located on the eastern side of Burstead Grange, located south of Church Street in Great Burstead. The property is sited on a large plot, with several outbuildings, pond, menage area, hardstanding and parking areas spread throughout the site. The Green Belt application site has direct vehicle access onto Burstead Grange where there is also an extensive parking and turning area within the site frontage.

- 1.5 The Site, in the context of its surroundings can be seen in the Site Location Plan, drawing no. RO1.

MATERIAL CONSIDERATIONS

The National Planning Policy Framework (2023)

- 1.6 The following section sets out the relevant national and local planning policies and supporting guidance for the Appeal Scheme.
- 1.7 The Government published the National Planning Policy Framework (NPPF) in September 2023 (originally published in March 2012 and updated in July 2018, February 2019 and February 2021) and sets out the overarching national policy framework for planning.
- 1.8 The following NPPF principles are considered particularly relevant to the Application Scheme, and duly the development has been prepared to respond to such principles fully.
- 1.9 The role of the planning system is to deliver sustainable development, which is formed of the three overarching objectives: Economic, Social and Environmental (Para 8). The NPPF also applies a ‘presumption in favour of sustainable development (Para 11) whereby Local Planning Authorities should plan positively to meet the development needs of an area, and planning decisions must consider proposals’ in accordance with the development plan.
- 1.10 The application is considered to fully respond to the requirement of sustainable development by delivering a scheme that will make effective use of an existing property, which shall meet the current and future needs of the occupier, in turn maintaining a competitive economy. Furthermore, the development will provide high quality and sustainable scheme.
- 1.11 The NPPF will be considered within Section 8 of this Statement regarding Green Belt policy.
- 1.12 Other material considerations include the following National and Local Planning Guidance:

National Planning Practice Guidance (NPPG)

1.13 The National Planning Practice Guidance (NPPG) documents were published from March 2014 and is regularly updated, reflecting the revised NPPF (2019), providing contextual support for the Framework. The following NPPG documents are considered relevant to the Application Scheme:

- Design (2014);
- Making an application (2018);

2 PLANNING CONSIDERATIONS

INAPPROPRIATE DEVELOPMENT OR EXCEPTIONS

2.1 Paragraph 149 of the National Planning Policy Framework (NPPF 2021) states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include:

- Buildings for agriculture and forestry
- Facilities for outdoor sport and recreation
- The extension to an existing building provided it does not result in disproportionate additions over and above the original building.
- The replacement of an existing building
- Limited infilling in villages
- Partial or complete redevelopment of previously developed land.

2.2 The NPPF, does not define the circumstances in which an outbuilding might form part of the dwelling. In *Sevenoaks District Council v SSE and Dawe* [1997], the courts found that an existing detached domestic outbuilding could be regarded as part of the dwelling. Logically, therefore, a proposed new outbuilding could, potentially, be considered as an extension to a dwelling, in some circumstances. The decision found that an extension to a dwelling need not necessarily be physically attached to the dwelling and that it could include 'normal domestic adjuncts'. While normal domestic adjuncts are not defined, they should have a close physical relationship with the main house such that visually they would appear grouped with the main house. The Inspector for Appeal Reference APP/H1515/D/18/3197888 (see **Appendix 1**) for the erection of a 2-bay cart lodge at Burnside, Blackmore, Essex, which was some 8 meters from the house and located in the corner of the plot, made this conclusion, following a similar conclusion by the Planning Officer. The Officer Report for that application (see **Appendix 2**) stated:

The proposal would consist of the construction of a detached garage within the curtilage of the dwelling, however case law (see Sevenoaks District Council v Secretary of State

for the Environment and Dawe (1997) has determined that the Inspector was fully entitled to hold that the garage was part of the dwelling, in the sense that it was a normal domestic adjunct, and thus to treat the appeal proposal as an extension to it. The mere fact that the garage is physically separated from the main house does not prevent it from being part of the dwelling.

As such in this case, the proposed garage, given its close proximity to the main dwelling, for the purposes of the determination of this application, can be considered as an extension to the dwelling. The NPPF does not define how proportionality should be measured, however it is reasonable to assess increases in footprint, floor space, volume, bulk and mass and their relation to the original dwelling as a consideration.

- 2.3 In a recent appeal decision at Templeton House, Stock, for a car port, the Inspector allowed the appeal under APP/W1525/D/22/3290751, confirming that the car port, 7.5m from the main dwellinghouse could be considered an extension. This decision is attached in **Appendix 3**.
- 2.4 In the case of this Application, we would consider it appropriate to determine the Application on the basis that this is an extension to the dwelling, taking into consideration its distance from (just 1m), and relationship with, the original dwelling.
- 2.5 The proposed outbuilding is considerably closer than the buildings referred to above and would clearly be considered a 'normal domestic adjunct'. It is considered to be in close association with the dwelling and its proposed use, as a 3 bay garage with games room above, is of an incidental use to the main dwellinghouse.
- 2.6 It is therefore considered that Paragraph 149(c) of the NPPF is an applicable exception for the proposed outbuilding and that the assessment should be whether the proposal results in disproportionate additions to the main house.

DISPROPORTIONATE ADDITIONS

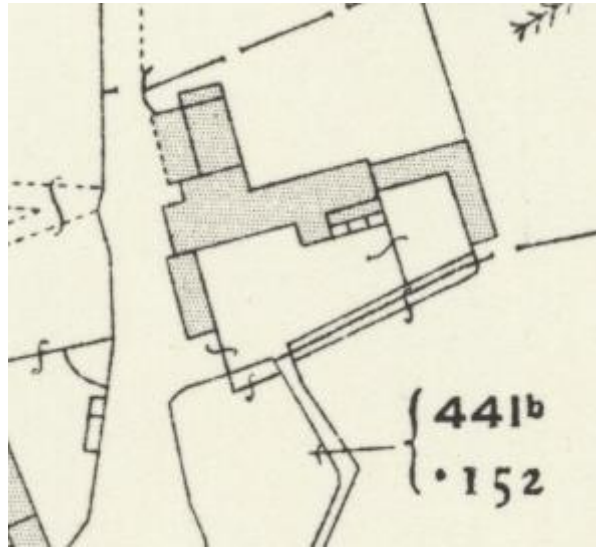
- 2.7 As highlighted above, it is considered that the proposed outbuilding should be regarded as an extension to the existing building; thus Paragraph 149(c) of the NPPF needs to be considered.
- 2.8 Paragraph 149(c) states that the extension or alteration of a building is an exception to inappropriate development, "*provided that it does not result in disproportionate additions over and above the size of the original building*". However, there is no definition within the NPPF to disproportionate, although it is considered that this can be calculated through floorspace and GIA in relation to the original dwelling.
- 2.9 The wording of the NPPF does also not state the original dwelling as the exception. Paragraph 149(c) reads:

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

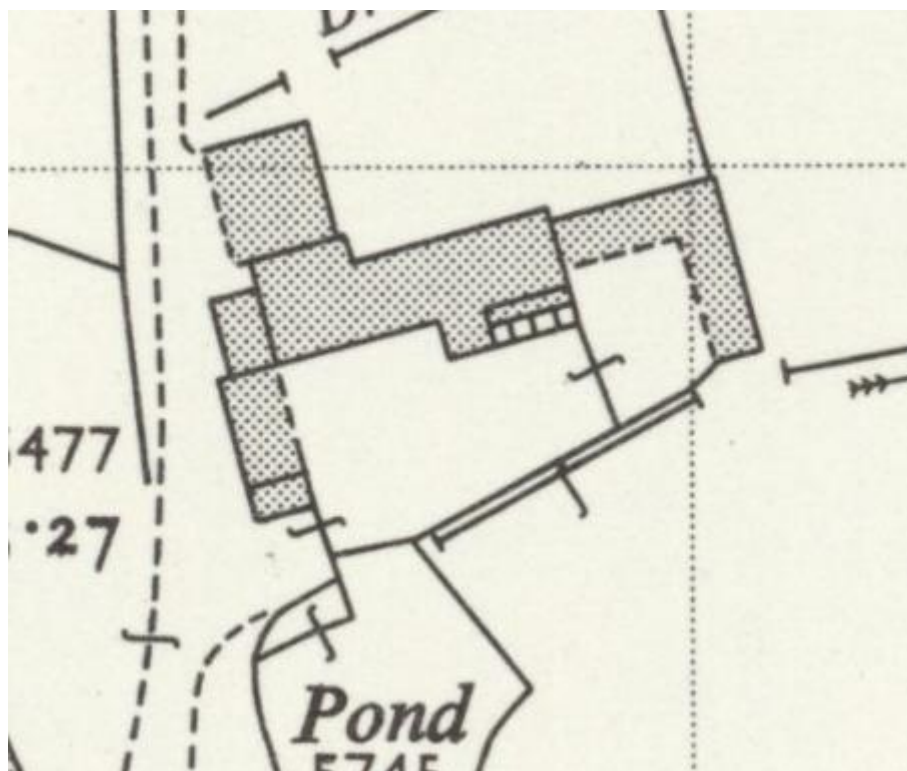
*(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the **original building**;*

2.10 The original building is defined within the Annex 2 of the NPPF as “A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally”.

2.11 The below image is the building as shown on OS maps in 1922.



2.12 While the below is from 1954



- 2.13 When compared with the current layout and buildings, it is reasonable to conclude that the existing buildings on site are the original (i.e., existing in 1948).
- 2.14 We also draw the Council's attention to the building located to the north of the existing dwellings, in a similar location to the proposed car port building. While this has been demolished, some time between 1965 and 1998, the NPPF defines original building as "a building as it existed on 1 July 1948, or if constructed after 1 July 1948, as it was built originally". It makes no reference to whether that building has been demolished. As a result, in the context of 149(c), the requirement is that the additions are not disproportionate over and above the size of the original building – in this case, the building as it existed on 1 July 1948, which includes the former barn to the north of the existing buildings.
- 2.15 The Existing Building comprises the following areas:



- 2.16 Measuring the ordnance survey plan, which has gridlines at 100m centres, the demolished barn had a footprint of 105 sqm. The GIA cannot be measured.
- 2.17 The proposed building comprises a footprint of 105 sqm and a GIA of 83 sqm (GF) + 50 sqm (FF) = 133 sqm.

	Height	GIA	Footprint
Existing Building	8.1	485	422.3
Original Building with demolished Barn			527.3
Proposed Car Port	6.85	133	105
% increase over Existing Building		27.40%	24.90%
% increase over Original Building			0%

- 2.18 When considered against the existing house, which has not been extended since 1948, the addition of the the increase in GIA is 27.4%, while the increase in footprint is 24.9%. When the original footprint from 1948 is taken into account, which includes the demolished barn, the total increase in footprint would be 0%, i.e. there is no increase in footprint over that existing in 1948. None of these calculations could be regarded as disproportionate to the original dwelling. Furthermore, the external dimensions, despite comprising a first floor element, are smaller than the existing dwelling, but following a similar design aesthetic. It would appear subordinate to the main dwelling.
- 2.19 Given the substantial volume and GIA of the original dwelling and the comparatively modest volume and GIA provided by the car port, it is considered that the proposed building would not result in a disproportionate addition over and above the size of the original dwelling.
- 2.20 Under Paragraph 149(c) there is no requirement to consider the development’s impact on openness and this has been established in previous appeal decisions and case law (Paragraph 149(b) and 149(g) both state that the impact on openness is a consideration – this wording is not replicated for paragraph 149(c)).
- 2.21 As a result, the proposed outbuilding, as an extension to the dwelling, would be proportionate in size and scale to the host dwelling, as well as being of an appropriate design and would meet the exception test of paragraph 149(c) and should be considered as appropriate development.

IMPACT ON VISUAL AMENITY

- 2.22 The second reason for refusal for 23/00257/FULL was that proposed outbuilding “would result in a prominent and uncharacteristic feature appearing over-dominant within the site’s frontage to the detriment of the character of the application site”.
- 2.23 The Officer Report to the Application refers to Policy BAS BE12(i) of the Basildon District Local Plan Saved Policies (2007). The Council considered that it’s location,

floor area and height could result in a prominent and uncharacteristic feature, appearing over dominant in the site's frontage.

- 2.24 We would disagree with this conclusion. The Ordnance Survey mapping shown earlier in this report clearly indicate a much larger footprint of a building present in this location. While it may have been demolished sometime between 1965 and 1998, it is evident that a substantial building was previously located at this site and would have been seen in the same context as the proposed building.



- 2.25 The Aerial Image above, taken in 1947, clearly identifies the previous building in the context of the site and in a similar location to the proposed car port building, as confirmed by the Ordnance Survey mapping. The depth of the demolished barn also means that it will have been of a height not dissimilar to that of the proposed car port building. It is therefore considered that the proposal, which is designed in traditional form and materials to the existing buildings, is entirely within the character and

appearance of the area. It cannot be argued to be an uncharacteristic feature, given the existence of previous buildings in this location, together with other buildings further along Burstead Grange that have now been demolished.

- 2.26 Consideration is also given to the impact of the proposed building on the setting of local heritage assets. In this case, The Stables, known as 'Brick Farm Building about 50 metres north north west of The Grange' is Grade II listed.
- 2.27 The Stables have some architectural interest for an early use of decorative brick detailing for this type of structure and for the scale of the original farmyard. The key element that contributes to the significance of the Stables is the external brickwork.
- 2.28 The proposed building, to the northwest of Grange Farm, is separated from the listed building by Burstead Grange, a 2m boundary wall and a large detached garage to The Stables. In this context, the proposed building will not result in harm to the significance of the listed building.

3 SUMMARY AND CONCLUSIONS

- 3.1 In reviewing the test of whether the proposal would create a disproportionate addition to the original building (as at 1948), it is concluded that, the proposed outbuilding would be proportionate in size and scale to the host building, as well as being of an appropriate design and would meet the exception test of paragraph 149(c). It should not, therefore, be considered as inappropriate development.
- 3.2 There is no test of openness required for Paragraph 149(c) where it is concluded that the proposal would be proportionate.
- 3.3 The proposed building is also considered appropriate and entirely within the character of this area, replacing a barn that was previously located on the same footprint.
- 3.4 It is, therefore, requested that the Application is granted on this basis.