
Appeal Decision

Site visit made on 26 November 2019

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 December 2019

Appeal Ref: APP/J1535/D/19/3236585

The Farmhouse, Warlies Park Farm, Woodgreen Road, Waltham Abbey EN9 3SD

- 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 R Sideras against the decision of Epping Forest District Council.
 - The application Ref EPF/1424/19, dated 4 June 2019, was refused by notice dated 31 July 2019.
 - The development proposed is the erection of an orangery extension (7m square).
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Decision

1. The appeal is allowed and planning permission is granted for the erection of an orangery extension (7m square) at The Farmhouse, Warlies Park Farm, Woodgreen Road, Waltham Abbey EN9 3SD, in accordance with the terms of the application, Ref: EPF/1424/19, dated 4 June 2019, 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: 16006/1; 16006/5.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall accord with the details of external finishes annotated upon approved plan 16006/5.

Procedural Matter

2. The Epping Forest District Local Plan Submission Version 2017 (the EFDLPSV) has been submitted for examination and hearings have occurred. Nonetheless, it is my understanding that the examination process has yet to conclude. The EFDLP is at a stage that attracts limited weight. This is because the content of its policies may yet change prior to it being formally adopted.

Main Issues

3. The main issues are:
 - Whether or not the proposal is inappropriate in the Green Belt;
 - The effect on the openness of the Green Belt; and

- The effect of the proposal upon the character and appearance of the existing building, including the effect upon the significance of a non-designated heritage asset.

Reasons

Whether inappropriate development

4. The National Planning Policy Framework (February 2019) (the Framework) sets out that the construction of new buildings in the Green Belt shall be regarded as inappropriate development unless, amongst other exceptions, they represent an extension or alteration to a building that does not result in disproportionate additions over and above the size of the original building. Policy GB2A of the Epping Forest District Local Plan Alterations (July 2006) (the Local Plan Alterations) states that, amongst other provisions, planning permission will not be granted for extensions to existing dwellings in the Green Belt unless it is appropriate in that it is a limited extension.
5. The appeal property is substantial, and it is apparent that it has been previously extended on a number of occasions. It is common ground between the main parties that some of these previous extensions took place before 1948 and thus should be regarded as part of the original building for the purposes of Green Belt policy.
6. Both main parties to this appeal have referred to previous extensions that were permitted in 2006 and 2015. The appellant has provided a breakdown, in floorspace terms, of the size of the original dwelling and the size of these previous extensions. The figures given are consistent with those submitted in respect of a previous 2016 appeal¹ at the site relating to a similar form of development. In the absence of any clear evidence to the contrary, I am suitably satisfied that the figures given are accurate. It has been calculated that the additional floorspace that is proposed here, when added to the additional floorspace already provided, translates to an overall increase of 50% (rounded to the nearest percent) when compared to the original dwelling.
7. What constitutes disproportionate additions or a limited extension to a building is open to interpretation and must be considered on a case-by-case basis. Nevertheless, when considered in isolation, the proposed orangery would represent a subordinate addition to what is a large dwelling. I also note that planning permission² was granted in March 2017 for an orangery extension in the same location at a not dissimilar form and size, measuring 6m by 6m.
8. Whilst the scheme pushes the upper limit of the building's capacity to be extended, I am satisfied that, when factoring in the floorspace calculations set out above, the proposal would not result in disproportionate additions over and above the size of the original building.
9. For the above reasons, the proposal would not be inappropriate development in the Green Belt and, in this regard, it would accord with the Framework and with Policy GB2A of the Local Plan Alterations and emerging Policy DM4 of the EFDLPSV. Very special circumstances do not therefore need to be demonstrated in order to justify the proposal.

¹ APP/J1535/D/16/3158393

² EPF/0224/17

Effect on the openness of the Green Belt

10. A discreetly sited and low-scale form of development is proposed that would read as a subordinate addition to the main dwelling on-site. Any publicly accessible views of it would be limited. For these reasons, the proposal would not cause harm to the openness of the Green Belt. The proposal accords with Policy GB7A of the Local Plan Alterations and with the Framework in so far as these policies confirm that openness is an essential characteristic of Green Belts.

Character and appearance

11. The appeal property is locally listed and, for the purposes of the Framework, represents a non-designated heritage asset. Its significance as a heritage asset is drawn in part from its relevance to the historic evolution and rural history of the area.
12. The proposal would be discreetly sited to the rear of the property and away from its oldest parts. The orangery's full height would sit beneath that of an existing single storey extension that it would be positioned alongside and its projections beyond the building's existing side and rear elevations would be limited. The proposed development would not appear unduly dominant or bulky and would not undermine original parts of the building being understood and appreciated. The asset's significance, including where contributed to by its setting, would not be adversely impacted upon. Indeed, these findings are consistent with those of a previous Inspector with respect to the very similarly designed 2016 scheme that I have referred to above. I am also satisfied that, by virtue of the proposal's scale and positioning, the character and appearance of the Upshire Conservation Area, which the site is within, would be preserved.
13. For the above reasons, the proposal would not cause harm to the character and appearance of the existing building and would not, with respect to a non-designated heritage asset, lead to a loss of historic significance. The proposal accords with saved Policies HC6 and HC7 of the Epping Forest District Local Plan (January 1998), Policy HC13A of the Local Plan Alterations and emerging Policy DM7 of the EFDLPSV in so far as these policies require that locally listed buildings will receive special consideration and that, within conservation areas, all development and materials will be required to be of a particularly high standard to reflect the quality of the environment.

Conditions

14. In the interests of certainty, a condition specifying the approved plans is required. To protect the character and appearance of the appeal site and its surroundings, a condition is required to ensure that the external surfaces of the development accord with the supplied details of external finishes.

Conclusion

15. The proposed development accords with the development plan, and material considerations do not lead me to a decision otherwise. The appeal is allowed subject to conditions.

Andrew Smith

INSPECTOR