



Appeal Decision

Site visit made on 28 February 2022

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 06 APRIL 2022

Appeal Ref: APP/J1535/D/21/3278103

Brook House Farm, Epping Lane, Stapleford Tawney, Romford RM4 1ST

- 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 Lee Davies against the decision of Epping Forest District Council.
 - The application Ref PL/EPF/0416/21, dated 16 February 2021, was refused by notice dated 13 April 2021.
 - The development proposed is single storey rear extension and associated site works.
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Decision

1. The appeal is allowed, and planning permission is granted for single storey rear extension and associated site works at Brook House Farm, Epping Lane, Stapleford Tawney, Romford RM4 1ST in accordance with the terms of the application, Ref PL/EPF/0416/21, dated 16 February 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Sections and Elevations as existing and as proposed 201 Rev B; Site Location Map 20-35-01; Proposed Layout and Site Plan 20-35-02; Proposed Elevations 20-35-03.
 - 3) No works other than survey or site investigation shall take place until samples of the types and details of colours of all the external finishes have been submitted for approval in writing and approved by the Local Planning Authority. The development shall be implemented in accordance with such approved detail.
 - 4) No works other than survey or site investigation shall take place until additional drawings that show details of proposed new windows, doors, rooflights, eaves, verges, fascias, cills, structural openings and junctions with the existing building, by section and elevation at scales between 1:20 and 1:1 as appropriate, have been submitted to and approved by the Local Planning Authority in writing. The development shall be implemented in accordance with such approved detail.

Procedural Matter

2. The appeal before me is an appeal made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission. The

property subject to the appeal is a listed building, however the works to the listed building are not before me to determine as part of this appeal.

Main Issue

3. The appeal site is within the Green Belt and relevant Green Belt policies therefore apply. The National Planning Policy Framework (the Framework) identifies those new buildings within the Green Belt will be inappropriate, save for a number of exceptions, including paragraph 149(c) which relates to the extension or alteration of buildings. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved unless very special circumstances exist to justify a proposal.
4. As such, the main issue is whether the proposal would be inappropriate development in the Green Belt for the purposes of development plan policy and the Framework.

Reasons

5. The Framework establishes that new buildings in the Green Belt are inappropriate except in certain circumstances, including where they involve the extension of an existing building, providing that the extension would not result in a disproportionate addition over and above the size of the original building.
6. Policy GB2A(vii) of the Epping Forest District Council Combined Local Plan and Local Plan Alterations (1998 and 2006 respectively) (the Local Plan) identifies that planning permission will not be granted for the use of land or the construction of new buildings or the change of use or extension of existing buildings in the Green Belt unless it is appropriate in that it is a limited extension to an existing dwelling that is in accordance with policy GB14A.
7. Policy GB14A of the Local Plan states that within the Green Belt limited extensions to dwellings may be permitted where they will not result in disproportionate additions of more than 40%, up to a maximum of 50m², over and above the total floorspace of the original building. The Framework 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.' However, the term 'disproportionate' is not defined.
8. The Appellant's calculations, which have not been challenged by the Council, show that the proposed extension would result in an overall increase of 37.5% to the original dwelling. This figure includes the previous permitted extension to the dwellinghouse and to the garage. Size is more than a function of floorspace, volume and footprint and includes bulk, mass, and height. The proposed extension has been designed to be subservient to the original dwelling, extending slightly beyond the previously permitted extension in the same style. The extension would be set down slightly in comparison to the wider garden and would be largely enclosed from view by the amended landscaping proposed as part of the scheme. Overall, taking account of the percentage increases identified above and the subservient nature of the design, I am satisfied, as a matter of judgement, that the addition to the original building would not be disproportionate to the original property.
9. Consequently, the proposal would meet the exception in the Framework for an extension or alteration to a building and would not be inappropriate development within the Green Belt. For these reasons, the proposal would

satisfy Paragraph 149 of the Framework, and Policies GB2A and GB14 of the Local Plan.

Other matters

10. The property is a 17th century timber framed house which historically had a collection of outbuildings in a generally linear formation. The special interest of the listed building lies in its vernacular character, and what remains of its historic fabric.
11. The extension proposed would extend from the fabric of the previously approved extension. At single-storey and designed to appear as modern addition it would clearly defer to the main building, which would remain the dominant element in the composition. Its form and appearance, and use of materials, would set it apart from the farmhouse as an obvious modern addition. Moreover, there would be no loss of any historic fabric. On that overall basis, subject to a condition to give the Council some control over the palette of external materials, I find that, in respect of the section 78 appeal, the proposal would have no harmful impact on the special architectural or historic interest of the listed building.
12. In respect of setting, the extension proposed would sit within the cluster of the original buildings, subsequently broken into different ownerships. It would be read as a subtly linked, subservient addition and as a result, I do not consider that the union between the contemporary extension and the vernacular farmhouse would be an unhappy one.

Conclusion and conditions

13. I find that the proposal would comply with the development plan and Framework, accordingly the appeal should succeed.
14. Further to the statutory commencement condition, having regard to the property being a listed building it is necessary to include conditions relating to materials and to ensure that the development is completed in accordance with the approved plans.
15. For the reasons above I conclude that the appeal is allowed.

J Ayres

INSPECTOR