



Appeal Decision

Site visit made on 16 January 2024

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2024

Appeal Ref: APP/J1535/D/23/3328487

Hillside House, Draper's Corner, Ongar, Essex CM5 9LS

- 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 Alfie Cressey against the decision of Epping Forest District Council.
 - The application Ref EPF/0635/23, dated 15 March 2023, was refused by notice dated 7 June 2023.
 - The development proposed is roof alterations/extensions to include a front dormer window, 2 front gable ends, 2 rear gable ends with Juliet balconies, and single storey front extensions.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the development provided on the planning application form has been replaced by an amended version on the decision notice and in subsequent appeal documents. I consider that subsequent description to accurately represent the proposal and I have therefore used it within this decision.
3. The government published a revised National Planning Policy Framework (the Framework) in December 2023. This does not materially change the planning policy context in respect of the main issues and I have determined the appeal on the basis of the new Framework.

Main Issues

4. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt; and
 - Would any harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

5. The appeal site is located within the Green Belt. The Framework states that new buildings within the Green Belt are inappropriate subject to a number of exceptions.
6. Paragraph 154(c) of the Framework sets out that one of these exceptions is 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.
7. The appellant submits that the proposal would not represent a disproportionate addition to the host dwelling. However, paragraph 154(c) refers to the 'original building' rather than the host dwelling. The original building is defined in the Framework's glossary as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
8. The Council's Officer report refers to the planning history of the site including a previous extension, and it sets out that the original building was 2/3 of the current size. Although the proposal would not increase the height of the building, the increase in the bulk and massing of built development at roof level would be readily apparent, even allowing for a degree of screening from trees and other landscaping features. Given the planning history, the proposal would represent a significant cumulative increase compared to the size of the original building. The assessment of the size of the proposal compared to the original building is not purely a mathematical exercise, but considered objectively and in context it is clear that the proposed extensions would cumulatively represent a significant increase.
9. Based on the evidence before me and my observations on site, the proposal would contribute to a substantial increase in the volume and bulk of built development compared to the original building, and this would represent a disproportionate increase in the size of the original building. Therefore, the proposal would be inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt.

Other Considerations

10. The appeal proposal would be of an attractive design that would be subordinate to the host dwelling. However, a lack of harm in respect of character and appearance is not a benefit, and the relationship with the host dwelling does not negate my conclusions in respect of the original building and the inappropriateness of the proposal within the Green Belt.
11. The appellant refers to the replacement of flat roofed dormers. However, although the existing dormers are of no particular architectural merit, they are not obtrusive or unattractive features on the building. Their removal and replacement would therefore be a neutral consideration.
12. The appellant refers to a fallback scheme of a planning permission including extensions to connect a garage to the house, a new roof over with dormer, replacement garage and new chimney stack. However, based on the evidence before me, the proposals which form the basis of this appeal are of a materially greater scale than the fallback scheme. The potential to implement the fallback scheme does not therefore negate the harm that would arise to the Green Belt from the appeal proposal.

Planning Balance and Conclusion

13. The weight to be given to any other considerations in respect of the proposal would be far outweighed by the substantial weight that must be given to the harm arising from inappropriate development in the Green Belt. Very special circumstances to justify the proposal do not therefore exist. The proposal would therefore be contrary to Policies SP5 and DM4 of the Epping Forest District Local Plan 2023 and the Framework with regards to protecting Green Belt land.
14. I therefore conclude that the appeal should be dismissed.

David Cross

INSPECTOR