



Appeal Decision

Site visit made on 13 February 2024

by Nick Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 March 2024

Appeal Ref: APP/J1535/W/23/3329863

Nazeing Golf Club, Middle Street, Nazeing, Waltham Abbey, Essex EN9 2LW

- 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 James Speller (Nazeing Golf Club Ltd) against the decision of Epping Forest District Council.
 - The application Ref EPF/1118/23, dated 16 May 2023, was refused by notice dated 31 July 2023.
 - The development proposed is extension to storage and maintenance building.
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Decision

1. The appeal is allowed and planning permission is granted for a proposed extension to storage and maintenance building at Nazeing Golf Club, Middle Street, Nazeing, Waltham Abbey, Essex EN9 2LW in accordance with the terms of the application, Ref EPF/1118/23, dated 16 May 2023, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was revised in December 2023. As the changes do not materially affect the main issues in this case, the parties have not been invited to make further comments. Where reference is made to the Framework in this decision, the paragraph numbers are those that appear in the latest version.

Main Issue

3. The main issue is whether the proposal would be inappropriate development in the Green Belt having regard to development plan policies and the Framework.

Reasons

4. The appeal site is set within the Green Belt wherein policy DM4 of the Epping Forest District Local Plan Part One 2023 (EFLP) applies. This policy states that within the Green Belt planning permission will not be granted for inappropriate development, except in very special circumstances; and that the construction of new buildings is inappropriate development in the Green Belt. These requirements are in accordance with the Framework. Listed exceptions to this include 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. I am mindful that the Council, in its assessment, did not refer to any specific exception. However, they have made reference to the proposal's size in relation to the existing building. Therefore, it is logical in this case to assess the scheme in the context of the exception I have referred to.

5. The site comprises a storage and maintenance building that is used by the golf club for the upkeep of the grounds. The building was granted permission in 2004 and has not been extended since its original construction. The proposed extension would span approximately three quarters of the length of the building along one side and increase the width by less than half the width of the original building. The maximum height of the roof of the proposed extension would sit under the eaves of the existing building. The appellant nominates an increase in floor area of 37% over the original building.
6. The scale of the proposed extension is limited. It has a lesser length, limited width and subordinate height to the original building. As such it would not constitute a disproportionate addition over and above the size of the original building. Therefore, the appeal proposal would conform with the exception identified in policy DM4C(iii) in that it would not result in disproportionate additions over and above the size of the original building.
7. Where a development is not inappropriate in the Green Belt, and applying the exceptions identified in the EFLP, it should not be regarded as harmful to the openness of the Green Belt. As the proposed development is not inappropriate development, as per policy DM4 and paragraph 154(c) of the Framework, an assessment on the effect of the proposed development on the openness is not required. Likewise, very special circumstances do not need to be demonstrated in order for the proposal to be considered acceptable in Green Belt terms.
8. The proposal would not be inappropriate development in the Green Belt and the development thus complies with policy DM4 of the EFLP and provisions of the Framework.

Other Matters

9. The wider golf course is within the Nazeing and South Roydon Conservation Area (CA) although the application site is to the immediate north and west of the CA boundary. S72(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 places a duty on me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. In making this assessment I have also had regard to policy DM7 of the EFLP and paragraph 205 the Framework. In this case, the modest scale and functional character and appearance of the proposed extension would have a neutral effect and would, therefore, preserve or enhance the setting of the CA.

Conditions

10. I have imposed the recommended conditions of the Council, with modifications and corrections to accord with Planning Practice Guidance advice and guidance on conditions. The parties have been consulted on the amended conditions.
11. Condition 1 is a general time limit condition to comply with the Town and Country Planning Act 1990 whilst condition 2 is to accord with the approved plans for certainty. Condition 3 is imposed to ensure a satisfactory external appearance and to ensure the development is not detrimental to the appearance of this rural area or the adjacent CA. Condition 4 is imposed to provide satisfactory disposal of surface water and comply with Policies DM16 & DM18 of the EFLP.
12. I have modified condition 5 to equate with the restrictions of the planning permission on the original building. This is to ensure the building remains in

use for its intended purpose in connection with the golf club. I have further removed a reference to 'Nazeing Golf Club' as this may infer a personal permission which is not necessary given my reasoning above.

Conclusion

13. For the reasons given above, I conclude that the proposed development would not be inappropriate development in the Green Belt, nor would it cause harm to the CA. The development therefore complies with the provisions of the development plan, read as a whole, and the appeal should succeed.

Nick Bowden

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin no 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: 23030606.02A; 23030606.03; 23030606.04A; 23030606.05; 23030606.06.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match the colour, style, bonding & texture those of the existing building.
4. Prior to preliminary ground works taking place, details of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details and shall be provided on site prior to the first occupation and thereafter retained.
5. The extension shall be used only in connection with the maintenance of the adjacent golf course, for storage of materials and machinery and for the maintenance of machinery used on the golf course and for no other purposes.

End of Schedule