
Appeal Decision

Site visit made on 12 March 2024

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 APRIL 2023

Appeal Ref: APP/J1535/D/23/3332595

Fancy Free, 67 Hoe Lane, Lambourne, Romford, Essex RM4 1AU

- 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 Paul Gershon against the decision of Epping Forest District Council.
 - The application Ref EPF/1959/23, dated 30 August 2023, was refused by notice dated 25 October 2023.
 - The development proposed is single-storey flat-roof rear extension at ground floor, set in from the existing structure, to contain workshop and w.c. Simultaneous application also submitted for roof works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The roof works referred to in the description of development above are the subject of a separate appeal¹.

Main Issues

3. The main issues are:
 - whether the proposed extension would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies; and
 - whether any harm by reason of inappropriateness would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal would be inappropriate development

4. The appeal property is a detached two storey dwelling within a rural setting, located at the end of a short row of properties on the north-eastern side of Hoe Lane.

¹ Ref APP/J1535/D/23/3332604

5. Policy DM4 of the Epping Forest District Local Plan 2011-2033 Part One (2023) (DLP Part One) states that an exception to inappropriate development in the Green Belt 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. As such, the policy fully reflects the Framework in this regard².
6. I have had regard to the appellant's contention that the proposal meets the criterion in Policy DM4 and the Framework regarding the limited infilling of previously-developed land. However, as the proposal involves the extension of a building, the principal consideration is whether or not previous extensions and the current proposal result in disproportionate additions over and above the size of the original building.
7. The appeal property was originally a bungalow and has been extended both in its original form and following conversion to a two storey dwelling. The Council indicates that these changes have resulted cumulatively in a 119% increase in floorspace from that of the original building. Further additional extensions in the form of two conservatories and outbuildings have subsequently been approved, which add to the cumulative increase in floorspace, although no specific figures are provided. These facts are not disputed and there is no other evidence with regard to the changes by other measures, such as volume.
8. The proposed extension would represent a further material addition to the dwelling, which has more than doubled in size by floor area from the size of the original building. Therefore, by any reasonable assessment the cumulative level of change resulting from the previous and proposed changes represents a disproportionate increase, judged against both Policy DM4 of the DLP Part One and the Framework. As such, I conclude that the proposal would be inappropriate development in the Green Belt.
9. The proposed extension in this location would not conflict with any of the Green Belt purposes included in the Framework and the single storey addition would not extend beyond the existing side and rear building lines. Consequently, the effect on the openness of the Green Belt would be limited.

Other considerations and whether very special circumstances exist

10. I acknowledge that additional space is required for home working and other uses, and that the proposal would use land within an existing residential curtilage. These considerations attract moderate weight, but the fact that there were no objections to the proposal from neighbouring occupiers or other interested parties cannot weigh in its favour as this is a neutral factor.
11. The proposal would represent inappropriate development, which is, by definition, harmful to the Green Belt. The Framework requires that substantial weight should be given to any harm to the Green Belt. There are no other considerations raised in support of the development that would outweigh the harm identified to the Green Belt. Therefore, very special circumstances do not exist.

² Paragraph 154c).

Conclusion

12. The proposed extension is contrary to the development plan and there are no other considerations that outweigh this conflict. Accordingly, for the reasons given, it is concluded that the appeal should be dismissed.

J Bell-Williamson

INSPECTOR