



Appeal Decision

Site visit made on 28 April 2025

by J Pearce MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2025

Appeal Ref: APP/J1535/D/24/3352047

Elm Lodge, Wellington Hill, Loughton, Essex IG10 4AG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Chris Campbell against the decision of Epping Forest District Council.
 - The application Ref is EPF/1032/24.
 - The development proposed is a first floor rear extension with hip to gable conversion to provide 2 new bedrooms, and incorporate en-suite, new bathroom window, new en-suite window and enlargement of existing front bedroom window.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal is inappropriate development in the Green Belt for the purposes of development plan policy and the National Planning Policy Framework (the Framework);
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the area; and
 - if it is inappropriate, whether the harm to the Green Belt by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the proposal is inappropriate development

3. The Framework explains that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence.
4. The appeal site comprises a detached dwelling within a row of buildings set back from Wellington Hill. The dwelling is two-storey in scale with single-storey elements to the side and rear. Within the roof slope of the side element is a dormer window set back from the front elevation. The proposal is for a first floor extension above the existing single-storey rear element and a hip-to-gable enlargement to the side of the dwelling.

5. Paragraph 154 of the Framework states that development in the Green Belt is inappropriate. An exception to this 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. The Framework defines “original building” as being a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
6. The policy approach in the Framework is reflected within Policy DM4 of the Epping Forest District Local Plan 2011-2033 Part One 2023 (LP). Paragraph 4.30 of the supporting text to Policy DM4 says the Council does not define what is ‘disproportionate’ as it considers that this would depend on the characteristics of the site locality, and existing buildings themselves in relation to the specific proposals. An assessment of whether a proposal would amount to a disproportionate addition over and above the size of the original building is therefore a matter of planning judgement.
7. The appellant has not disputed the Council's figures, which indicate that the original dwelling had a gross internal area (GIA) of 96 square metres. The original building has subsequently been enlarged following construction of a single-storey rear extension in the 1980s. A first floor dormer window comprises a further, albeit limited, enlargement of the original building. These extensions increased the scale and massing of the dwelling as well as the GIA.
8. While the proposal would not increase the footprint of the existing dwelling, the enlargement of the GIA to 170 square metres would be considerably in excess of the GIA of the original dwelling. Moreover, the scale and massing of the proposal, in combination with the existing additions, would overwhelm the form of the original building and would add significant volume to the dwelling, particularly to the rear. Consequently, the totality of the enlargements would result in disproportionate additions over and above the size of the original building.
9. I find that the proposal would result in disproportionate additions over and above the size of the original building. Therefore, the proposal would be inappropriate development which is, by definition, harmful to the Green Belt. Consequently, the proposal would conflict with Policy DM4 of the LP and the Framework, which seeks to protect the Green Belt from harm.

Openness

10. The Framework identifies the essential characteristics of Green Belts as being their openness and their permanence. The dwelling is set back from Wellington Hill and is partially screened by mature trees. In addition, existing development to the side and rear of the site would limit the potential for views of the development.
11. The substantial additional bulk at first floor level would result in a limited increase in the visual openness of the Green Belt given the discreet siting of the proposal. However, whilst the footprint is unaltered, the increased scale and massing of the development would lead to a harmful reduction in the spatial openness of the Green Belt.
12. For these reasons, the proposal would harm the openness of the Green Belt. The development would therefore conflict with Policy DM4 of the LP and the Framework.

Character and appearance

13. The existing dwelling is within a row of primarily two-storey dwellings. Development is typically set back from Wellington Hill, with only limited views of the rear of properties. The architecture varies in the area, but predominantly includes side facing gable ends and dormer windows within the front roof slopes. The dormer window within the side roof slope appears as an unsympathetic, ad hoc addition that unbalances the appearance of the dwelling. Consequently, the existing dwelling does not contribute positively to the character and appearance of the area.
14. The enlarged roof to the rear would have an unusual roof form in comparison to the surrounding development. Whilst uncommon, the proposed side elevations would not be prominent due to the proximity of the appeal property to its neighbours and its set back position from the road frontage. Moreover, the existing intervening features, including trees and buildings, would obscure views of the proposed roof form where it is glimpsed from Wellington Hill and Rats Lane. The alterations would therefore not have a detrimental effect on the street scene.
15. The proposal includes a hip-to-gable enlargement at first floor level to the side of the dwelling. While the ridge height of the extension would not be subservient to the existing dwelling, the gable end would improve the overall appearance of the dwelling through the removal of the incongruous side dormer addition. The proposed hip-to-gable extension would therefore lead to a modest enhancement of the character and appearance of the area through the visual improvement of the front elevation.
16. I conclude that the proposal would not harm the character and appearance of the area. The development therefore accords with Policy DM9 of the LP, which states that development proposals for extensions or alterations to residential buildings will be required to respect and complement the form, setting, period and detailing of the original buildings.

Other considerations

17. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt by reasons of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
18. The existing dwelling is unsympathetic and does not contribute positively to the character and appearance of the area. Although the proposal would improve the appearance of the front elevation, the discreet position of the existing dwelling would limit the enhancement on the character and appearance of the area. Accordingly, I attribute moderate weight to this consideration.
19. The proposal would provide additional first floor accommodation to provide greater living space and useability for the appellants' family. The development would also improve the internal layout for occupants, and future occupants, of the property and I apportion moderate weight to this consideration.

20. The appellants have referred to other properties in the area, including a development at Forest Drive. Only limited information has been presented in respect of the circumstances relating to the development at Forest Drive and I am unable to ascertain whether the circumstances are comparable to the proposal before me. In any event, each proposal should be considered on its individual merits and with appropriate regard to the development plan and any material considerations, which is what I have done in this case. Consequently, this consideration carries minimal weight.
21. For these reasons I find that the other considerations in this case, as set out above, do not clearly outweigh the totality of the harm to the Green Belt that I have identified. Consequently, the very special circumstances necessary to justify the appeal development do not exist. The appeal development therefore conflicts with Policy DM4 of the LP and with Paragraph 154 c) of the Framework.

Conclusion

22. The proposal would not accord with the development plan as a whole. The other considerations in this case do not indicate that a decision should be made otherwise than in accordance with the development plan. For the reasons given above I conclude that the appeal should be dismissed.

J Pearce

INSPECTOR