



Appeal Decision

Site visit made on 27 May 2025 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th June 2025

Appeal Ref: APP/J1535/D/24/3355173

Lakeside Nursery Road, Nazeing, Waltham Abbey, Essex EN9 2JE

- 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 John Culora against the decision of Epping Forest District Council.
 - The application Ref is EPF/1686/24.
 - The development proposed is demolition of outbuilding and erection of two storey side extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure and Main Issues

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal. The main issues for which are a) whether the proposal would be inappropriate development in the Green Belt; its effect on b) the openness of the Green Belt; and c) the character and appearance of the area; and d) if the scheme would be inappropriate development, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons for the Recommendation

Inappropriate Development

3. The appeal building is a large, detached dwelling in a substantial plot. Outside of what appears to be the garden, and separated by fencing, there is a single storey building which the evidence suggests was previously used commercially.
4. Policy DM4 of the Epping Forest District Local Plan 2023 (LP) is consistent with the National Planning Policy Framework (the Framework) insofar as disproportionate additions over and above the size of an original building would be inappropriate development. Neither explain what is meant by disproportionate for their purposes and so it would be a matter of judgement. The approach taken by the LP and as set out by the Framework, is to restrict the construction of new buildings in the interests of the Green Belt's openness and permanence.
5. There are discrepancies between the main parties' cases as to the exact figures and percentage increase of the dwelling in both floorspace and volumetric terms. The Council suggest that the original floor area is 289 square metres. This might be the two-dimensional area of the building's land take which could be different to floor

space which may be a measurement of each floor over multiple storeys. Its other figures are confused by referring to the demolished outbuilding being included. Regardless, it alleges a significant increase all things considered.

6. The appellant's figures appear to start from the existing situation whereby the policy stance is clearly concerned with the original. That said, what looks to be an extract of the planning permission granted for four dwellings in 2017 (which includes the appeal building) included in the delegated report bears a striking resemblance to what is now on site. Taking their position the extension would amount to, as near as makes limited difference, half the size of the building again. There is no question this would be a significant increase.
7. The enlargement of a building can be more than a product of its area, internal floor space or volume. Looking at the appeal scheme in the physical sense, it would be undeniably large and close to the land take, and only slightly lower down than, the main central section of the house. It would accommodate a substantial and sprawling open plan ground floor space with two additional bedrooms and three additional bathrooms on the first floor. It would be tall, wide and visually obvious.
8. Taking this and the above into account, the proposals would represent disproportionate additions over and above the original building. Such that they would be inappropriate development in the Green Belt. This would conflict with both the Framework's position on extensions in the Green Belt and be harmful by definition thereto. It would also conflict with the same position as it is set out by Policy DM4 of the LP. The aims of which I have set out above.

Openness

9. One of the essential characteristics of the Green Belt is its openness which, it has been established, can have a visual and spatial aspect. The latter can be taken to mean the absence of built form. The proposals might be screened from public views by landscaping and the site's situation down a private road. Thus, the effect on the visual aspect would be limited. Nevertheless, the works would take up substantial space (width, length and height) where there is currently no built form and would therefore, unavoidably, reduce the spatial aspect of the Green Belt's openness. This would be in further conflict with the position of the Framework, and the aims of Policy DM4, in keeping land in the Green Belt permanently open.

Character and Appearance

10. The appeal property forms part of a group of very similar detached dwellings. There is a strong uniformity to their substantial size, L shaped design, set back position and forward projecting gables. The dwelling is the last property on a long private road. Mature trees and hedging add to a verdant presence. Views of the appeal property are restricted from the wider area.
11. Although the proposed extension would increase the width of the dwelling substantially, it appears as though the curtilage is to be extended as part of the proposal away from the other properties and therefore there would be ample space to accommodate it. It would be marginally lower down than the existing dwelling and incorporate a similar gable roof style to the host. The scheme would create a different appearance than the other dwellings in the group, but it would predominantly retain those aspects that create the sense of consistency. The proposed development would not be dominant in the street scene when viewing the

dwelling as a group. There would thus not be harm caused to the character and appearance of the area. It would therefore comply with the requirements of Policy DM9 of the LP which is concerned with development responding positively to its locality and respecting its host building amongst other things.

Other Considerations

12. The aforementioned single storey building appears to be distinct from the curtilage of the dwelling but is nonetheless in the ownership and thus control of the appellant. It has been advanced as a 'trade off' against the addition to the dwelling. The appellant's 'best case' scenario would suggest that, taking into account the removal of said building, the scheme would amount to around a 25% net increase in floor space and volume terms (as an average across the two).
13. The footprint figure would be noticeably less but since development in the Green Belt is concerned with the take up of space beyond that, the figures I have taken above would be more reflective of the difference. This would still be substantial, as well as taking into account the significant increase in height and thus bulk, mass and ultimately the visual presence of the extended building against the more diminutive stature of the single storey building. The removal of what were evidently commercial premises in an otherwise semi-rural residential area would be a welcome visual improvement but one that's scope would be limited by the lack of preciseness on exactly what enterprise took place, how it operated and the fact that the building and its associated grounds are relatively clear, very compact and unassuming.

Conclusion and Recommendation

14. The appeal scheme would be inappropriate development in the Green Belt. It would also reduce its openness. My findings on the effect of the proposals on the character and appearance of the area would be a lack of harm and thus neutral. The other considerations I have investigated would be worthy of moderate weight. Such that they would not be sufficient against the substantial weight that should be afforded to any harm to the Green Belt. It is therefore sufficiently clear that the very special circumstances needed to justify the proposals do not exist.
15. Material considerations, including the approach of the Framework in this case, do not indicate a decision other than in accordance with the development plan in the terms I have set out. I therefore, with this and the above in mind, recommend the appeal should be dismissed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR