
Appeal Decision

Site visit made on 2 June 2025

by **A Hickey MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27th June 2025

Appeal Ref: APP/J1535/W/24/3357397

Whyte Ladyes Stables, Woodman Lane, Chingford E4 7QR

- 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 Ms Anne Richards against the decision of Epping Forest District Council.
 - The application Ref is EPF/0690/24.
 - The development proposed is erection of detached dwelling following demolition of existing stables and sand school, associated hard and soft landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies, including the effect upon the openness of the Green Belt; and
 - if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development

3. The appeal site is situated in the Metropolitan Green Belt. The Framework attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
4. The Framework indicates development in the Green Belt is inappropriate unless it complies with a small number of limited exceptions. Relevant to this appeal is Paragraph 154, exception g). Exception g) allows for limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt. Policy DM4 of the Epping Forest District Local Plan (LP) is broadly consistent with the purposes of the Green Belt as set out in the Framework.

5. There is no dispute that the proposal would constitute a redevelopment of previously developed land. Therefore, whether the proposal would be inappropriate development is contingent on whether it would preserve the openness of the Green Belt. Openness of the Green Belt has a spatial aspect as well as a visual aspect. Both aspects therefore need to be considered.
6. Views from Woodman Lane outside the site are relatively open, given the existing boundary fences and position of the existing stables. The lack of development on the site and the slope of the appeal site, which opens onto open fields beyond and adjacent woodland, currently contributes positively to the openness of the area. Furthermore, the site's visual openness is experienced from the nearby public right-of-way.
7. Taking into consideration the small scale existing built development on the site and the overall size, scale and position of the proposed dwelling, it would inevitably have a greater and harmful impact on the spatial openness of the Green Belt.
8. The proposed dwelling would be positioned further into the appeal site, reducing views into and across the site. Added to this would be the site infrastructure, such as the driveway, parking, boundary treatments and the domestic paraphernalia that would come with the residential occupation of the dwelling. This would be a significant negative change in terms of the existing spatial and visual openness of the Green Belt.
9. The existing sand school is largely devoid of built form and, at the time of my visit, contained limited equestrian equipment. While there is a fence around the sand school, it is low-level, open and does not appear as an incongruous feature within the surrounding area. Its replacement with a wildflower meadow would only preserve the openness of this part of the appeal site and does not overcome the harms to openness identified above.
10. For the above reasons, the proposed development would not preserve the openness of the Green Belt. It would therefore comprise inappropriate development in the Green Belt. The proposed development would therefore be contrary to the aims of the Framework and Policies DM4 and DM9 of the LP.

Other considerations

11. The Framework is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It goes on to explain that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations. A number of other considerations have been put forward by the appellant.
12. Based on my observations on site, the introduction of a dwelling in this location does not follow or round off the existing settlement, despite a dwelling being sited to the north. Oppositely, it would introduce a dwelling some distance from the existing settlement edge to the east, leaving an uncharacteristic gap between residential properties set on this side of the road.
13. The proposal would provide an additional dwelling to the Council's housing supply in the form of a self-build dwelling. This would be in line with the Government's aim to boost the supply of housing, including for those wishing to commission or build

their own homes., I therefore afford this moderate weight although I recognise that one dwelling, even if self-build, offers only a limited benefit. As such, only limited weight can be given to these matters.

14. Alongside providing a buffer to the Epping Forest Special Area of Conservation (SAC), the proposal would also see an increase in habitat units and linear units. The development would also incorporate several environmental benefits. It would introduce a hedge row to create a defensive boundary, bird boxes, and the dwelling would combine solar and air source heat pumps for energy efficiency. Given the limited scale of development, these benefits attract moderate weight at most.
15. A lack of harm in other regards is a neutral factor weighing neither for nor against the development. Accordingly, having considered all the matters raised as other considerations in support of the development, I conclude that they do not clearly outweigh the substantial harm that I have identified by reason of inappropriateness in the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist.

Other Matters

16. The appeal site falls within the zone of influence for the SAC. As the competent decision making authority, if I had been minded to allow the appeal, it would still have been necessary for me to complete an Appropriate Assessment for this scheme. However, as the appeal is being dismissed for other reasons, I have not taken the matter further. In any event, this would not have amounted to a benefit.
17. The appellant has referred to discussions held with the Council at pre-application stage. Whilst I do not have the full details, I have considered the appeal on its own individual planning merits and found the development to be inappropriate in the Green Belt. The appellant has also brought to my attention other developments¹ in the Green Belt allowed by the Council. The Council considered these schemes on their own merits, and I have likewise considered this appeal on the same basis.

Conclusion

18. The proposal would constitute inappropriate development in the terms set out by the Framework as it would result in harm to the openness of the Green Belt. The Framework requires that substantial weight should be given to any harm to the Green Belt. I have considered the matters put before me in favour of the scheme. However, there are no other considerations that, either individually or cumulatively, clearly outweigh the substantial weight I have afforded to the Green Belt harm arising from the proposal. The development is therefore contrary to the above cited policies of both the development plan and the Framework.
19. For the reasons set out above, having regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal is dismissed.

A Hickey

INSPECTOR

¹ Little Croft ref: EPF/2121/21 and Clements Farm ref: EPF/2141/21