



Appeal Decision

Site visit made on 15 June 2025

by **P D Sedgwick BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 June 2025

Appeal Ref: APP/J1535/D/24/3358038

The Old Cottage, 16 High Road, Chigwell, Essex, IG7 6DL

- 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 Lawrence Royston against the decision of Epping Forest District Council.
 - The application Ref is EPF/2070/24.
 - The development proposed is extension of existing house with small porch demolition.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Subsequent to the refusal of permission for the proposed development the Government published its revised National Planning Policy Framework (the Framework) in December 2024. Further minor amendments were published on 7 February 2025, containing corrections and a clarification. The wording of the relevant paragraphs of the new Framework are similar to that of the 2023 version. Therefore, I am satisfied that they do not affect the substantive matters of the appeal and that considering the development against the revised Framework without seeking further comments from the parties on it would not be prejudicial to their respective cases.
3. Both parties were requested to provide calculations estimating the size of the original dwelling excluding any extensions. The council responded, but no further information was submitted by the appellant.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies, and the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposed development on the character and appearance of the area; and,
 - if there would be harm by reason of inappropriateness, and any other harm, whether the harm would be clearly outweighed by other considerations to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

5. The appeal site relates to a large detached dwelling in substantial landscaped grounds, set back from the road behind a high wall and double gates. Mature trees and hedges form part of the site boundary such that most of the house, except part of the roof, is screened from the road and wider area.
6. Policy DM4 of the Epping Forest District Local Plan 2011-2033 Part One (2023) (LP) does not permit inappropriate development in the Green Belt other than in very special circumstances. An extension or alteration of a building is not considered inappropriate development provided it does not result in disproportionate additions over and above the size of the original building. This is consistent with the Framework.
7. The appellant calculated the increase in size that would arise from the proposed extensions against the size of the existing dwelling, garage, and outbuilding at the time of the planning application. However, according to the Framework, an assessment should be made against the original dwelling, which is defined as the building as it existed on 1 July 1948. The council calculated the increase in size from that of the original dwelling, based on the sum of the existing and proposed extensions and additions. In my view, that was the correct approach.
8. According to the council, the original building comprises a central wing which has been extended with a single storey element with a lantern roof on one side and a 2 storey wing with a large ground floor bay window on the other side, and an additional single storey side extension at the rear. This corresponds with the planning history and my observations on site, based on the references in the design and access statement to the original building being finished with Flemish bond brickwork and existing extensions in English bond brickwork. A detached garage and outbuilding were also constructed after the original building and included within both the appellant and the council's calculations.
9. The council calculated that there would be an increase in volume of over 110% which the appellant disputes. I have based my assessment on the increase in area. Based on the plans, the original gross external area of the central, original, wing would have been approximately 273 sq m over 3 floors. The proposed combined total area, including the existing and proposed extensions and the garage and outbuildings, would be approximately 600 sq m, an increase over the 327 sq m or approximately 120% over the original building. The proposed development would thus be a disproportionate addition and be inappropriate development according to the provisions of the Framework and Policies SP5 and DM4 of the LP.

Effect on openness

10. The original building has already been substantially increased in size and the proposed development would further increase it thus having a spatial impact on openness. However, the appeal site is enclosed by high walls and mature trees and the proposed development would not be visible from outside the appeal property. Overall, I consider the impact on openness would not be significant.

Character and appearance

11. The proposed single storey extension would be the same depth as the existing side extension but would be wider, reaching across most of the ground floor of the property and level with the front elevation. Although it would dominate views of the side of the house, given that it is not the principal elevation and already has a profile comprising various roof forms and heights it would not appear overly incongruous. However, where it would join the front elevation, it would appear out of character because of its flat roof and bay window which has different sized and designed windows to the other, existing, bay window.
12. The 2 storey infill extension would not be seen from the front of the house. Nonetheless, it would extend over a remaining part of the original side wall of the house such that, in combination with other extensions, it would leave little of the original character of the building discernible from this view. Overall, I conclude on this main issue that although the proposed development would not harm the character of the area it would harm the character and appearance of the host dwelling and thus conflict with policy DM9 of the LP, and the Framework, which require extensions to be of a high quality that respects or complements the form, period and detailing of the original building.

Other considerations

13. There would be benefits in terms of improving the existing living space. There would also be modest benefits arising from short term employment during the extension's construction.

Other Matters

14. According to the appellant the council did not raise concerns over the harm to the Green Belt, or over the design, in preapplication advice for a similar scheme and when approving a replacement dwelling at the appeal site. However, the Council is not bound by the advice given when considering a formal application and a replacement dwelling is not comparable to extensions to an existing house. In any case, procedural issues such as this must remain a matter between the main parties. More particularly, my remit is limited to assessing the planning merits and impacts of the proposed development, and I have reached my decision on this basis.

Conclusion

15. The proposal would be inappropriate development within the Green Belt. In accordance with the Framework, substantial weight should be given to any harm to the Green Belt. The proposed extension would also harm the character and appearance of the host property. Other considerations do not clearly outweigh the substantial weight that I give to the harm to the Green Belt, by reason of inappropriateness. Consequently, the very special circumstances necessary to justify the development do not exist. The proposed extension would not accord with the development plan and there are no other material considerations to outweigh that finding. Therefore, for the reasons given, the appeal should not succeed.

P D Sedgwick

INSPECTOR