



Appeal Decision

Site visit made on 11 August 2025

by **T Bennett BA(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th August 2025

Appeal Ref: APP/J1535/D/25/3367968

Rosemary House, Stapleford Road, Stapleford Abbots, Romford RM4 1EJ

- 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 Roger Innes against the decision of Epping Forest District Council.
 - The application Ref is EPF/0271/25.
 - The development proposed is erection of detached garage.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of detached garage at Rosemary House, Stapleford Road, Stapleford Abbots, Romford RM4 1EJ in accordance with the terms of the application, Ref EPF/0271/25, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos 7815-01, 7815-02 and 7815-03.
 - 3) The external materials of the development hereby permitted shall match those used in the existing dwelling.

Main Issues

2. The main issues are:
 - whether the proposal 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 its effect on openness; and
 - if the development is inappropriate, whether the 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

Whether inappropriate development

3. Paragraph 154 of The Framework outlines that development in the Green Belt is inappropriate, other than in specific exceptions. One such exception to this, set out at Paragraph 154c), is for the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original

building. In this context, the original building means the dwelling as originally built or as the building existed on 1 July 1948 (whichever is the later). Policy DM4 of the Epping Forest District Local Plan 2011-2033 (2023) (LP) seeks to restrict planning permission for inappropriate development in the Green Belt, except in very special circumstances, in accordance with the Framework. Neither the Framework nor Policy DM4 defines disproportionate. It is therefore a matter of planning judgement.

4. The Council consider the garage to be an outbuilding and therefore consider this to be development which would not meet the exceptions within the Framework. However, an outbuilding, such as the garage proposed, does not have to be attached to a dwelling to be an extension for the purposes of the Framework paragraph 154 c). Relevant case law¹ indicates that the paragraph is not to be interpreted as solely being confined to physically attached structures, but that extensions for the purposes of that provision can include structures which are physically detached from the building of which they are an extension. Having regard to that judgement, it is a matter of fact and degree as to whether outbuildings can readily be considered to be extensions of other buildings even when they may not physically be connected.
5. The appeal property is a large single storey dwelling with a forward projecting gable which forms part of an existing garage, set within a large, spacious plot. I do not have definitive information before me to be certain about the size of the original building. However, there is no substantive evidence to indicate the existing dwelling is significantly different in size to the original building. The Council in their officer report have not raised any concerns in this regard.
6. The proposal would be located a very short distance forward of the existing property, having a very close physical and visual relationship with the dwelling, such that I find it can be considered a normal domestic adjunct. It would add approximately 50 square metres to the dwelling, this would represent a modest increase in built form in the region of 14%. It would have limited visibility from public vantage points, set back a significant distance from the road, behind mature landscaping. Where views are possible, given its limited scale and height it would not appear as a dominant addition. Given the above, I find that the garage would not represent a disproportionate addition and would meet the exception at paragraph 154 c) of the Framework.
7. For the reasons set out above the proposal would not be inappropriate development in the Green Belt. It would not conflict with Policy DM4 of the LP, or paragraph 154 of the Framework, the relevant provisions of which I have set out above.
8. As I have found the proposal would not be inappropriate development, there is no need to assess the effect upon openness, or, whether there are other considerations and whether they amount to very special circumstances to justify the proposal.

Conditions

9. The Council suggest a number of conditions, which I have considered in the light of the advice in the Framework and Planning Practice Guidance (PPG). For the

¹ Warwick DC v SSLUHC, Mr J Storer & Mrs A Lowe [2022] EWHC 2145 (Admin)

avoidance of doubt, development needs to be carried out in accordance with the statutory time limit and approved plans. For certainty and to ensure no adverse impact on the character of the area, a condition is necessary requiring the use of matching materials.

Conclusion

10. The proposed development accords with the development plan and there are no material considerations to indicate otherwise. Therefore, for the reasons given, the appeal should be allowed.

T Bennett

INSPECTOR