



Appeal Decision

Site visit made on 16 September 2025

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 1st October 2025

Appeal Ref: APP/J1535/D/25/3368723

The Oaks, Chelmsford Road, High Ongar, Ongar, Essex CM5 9NW

- 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 Lesley Laycock against the decision of Epping Forest District Council.
 - The application Ref is EPF/0761/25.
 - The development proposed is described as, 'Creation of first floor. Front extension. New Garage'.
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Decision

1. The appeal is allowed and planning permission is granted for creation of first floor, front extension and new garage at The Oaks, High Ongar, Ongar, Essex CM5 9NW in accordance with the terms of the application, Ref EPF/0761/25, 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 1831-01; 1831-02A; 1831-03; 1831-04; 1831-05; 1831-06A; 1831-07A; 1831-08.
 - 3) No development above ground level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Preliminary Matter

2. I have amended the punctuation in the description of development in the decision above in the interests of clarity.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (Framework) and relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt; and
 - whether other considerations clearly outweigh the harm to the Green Belt and any other harm so as to amount to very special circumstances.

Reasons

Inappropriateness

4. The appeal site is situated in the Green Belt. Paragraph 154 of the Framework sets out that development in the Green Belt is inappropriate unless one of a number of exceptions apply. These include 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.
5. Policies SP5 and DM4 of the Epping Forest District Local Plan 2011-2033 Part One Adopted March 2023 (LP) set out the general extent of the Green Belt and provide exceptions that broadly align with the Framework in this respect.
6. The existing building is a single storey dwelling with gently sloping pitched roofs that slope towards the centre of the floor plan. The proposed extensions would add a first floor to the building and include front and rear gable elements. Dormer windows would serve accommodation in the roof space. The proposal also includes a garage set close to the dwelling. Accordingly, the proposal would significantly increase the floorspace of the existing building.
7. Part of the proposed first floor would be accommodated within the roof space. I also note that the proposal has been altered from a previous proposal. However, the scheme would nonetheless significantly increase the overall height of the existing building, thus greatly increasing its volume.
8. Given the significant increase in floorspace and volume, the proposed alterations and erection of garage would amount to disproportionate additions over and above the size of original building.
9. Consequently, the proposal would be inappropriate development in the Green Belt having regard to the Framework and relevant development plan policies.

Openness

10. The existing building is set in a generous plot with open countryside to the side and rear. While there is a busy road in front of the site, given the modest height of the existing building, there is limited visibility of it from the street and surrounding areas. As such the site has a spacious open character.
11. The proposed significant increase in height and footprint of the building would adversely affect the spatial openness of the Green Belt. The increased volume of the existing building and erection of garage would be visible from the street and surrounding areas and diminish views across the site. Accordingly, the scheme would harm the visual openness of the Green Belt.
12. Consequently, the proposal would harm the openness of the Green Belt. Therefore, it would conflict with LP Policies SP5 and DM4 and the Framework which seek to protect the openness of the Green Belt from inappropriate development.

Other considerations

13. The site benefits from prior approval for the addition of a first floor (Council reference EPF/2170/24). Although consideration of that scheme may not have included the effect on the Green Belt, I see no reason why that scheme may not be implemented should

this appeal be dismissed. As such, there is a realistic prospect that the prior approval scheme could be implemented, and I attach significant weight to it.

14. The proposal would have a greater footprint than the scheme approved as prior approval. However, the difference would be modest given the limited scale of the proposed garage.
15. In terms of floorspace, the first floor of the prior approval scheme would roughly match the ground floor plan of the main part of the house. The first floor of the proposed scheme would include some accommodation contained in the roof space at first floor resulting in a smaller first floor area than the prior approval scheme. Accordingly, the overall floor space of the proposed scheme would be slightly smaller than the prior approval scheme.
16. On this basis, the proposed scheme would result in only minor harm to the spatial openness of the Green Belt compared with the prior approval scheme. Given the more fragmented massing of the proposal compared with the extant permission, the proposed development would result in less harm to the visual openness of the Green Belt. I therefore attach significant weight to this point in favour of the proposal.
17. The eaves height of the prior approval scheme would be above the first floor windows throughout the building. Therefore, despite following the unusual floor plan of the existing building, the prior approval scheme would appear more bulky than the proposal. In addition, there would be little architectural articulation resulting in a plain uninteresting character.
18. In contrast, the proposed scheme includes gable features, dormer windows and a range of materials that would break up the massing of the building and result in an attractive traditional style that would enhance the character and appearance of the building and surrounding area. This also carries significant weight in favour of the appeal.
19. Overall, the other considerations as identified above carry considerable weight in favour of the appeal.

Conclusion

20. The Framework indicates that 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 the harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.
21. The other considerations identified above carry considerable weight that clearly outweigh the substantial weight necessarily attributed to the harm to the Green Belt. This amounts to very special circumstances that indicate that the appeal should succeed.
22. For the reasons given above the appeal is allowed subject to conditions relating to time limits, plans and materials that are necessary in the interests of certainty and to safeguard the character and appearance of the area.

R Sabu INSPECTOR