



Appeal Decision

Site visit made on 20 August 2025

by **S Burch BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8 October 2025

Appeal Ref: APP/B5480/W/25/3366637

Youngs Farm, St. Mary's Lane, Upminster, Essex RM14 3NU

- 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 Young against the decision of the Council of the London Borough of Havering.
 - The application Ref is P1071.24.
 - The development proposed is a first floor extension to a greenhouse and farm shop and use of a greenhouse as expanded café/shop.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council allege that there are numerous discrepancies on the submitted plans, such as doors and windows which do not exist. Nonetheless, I have enough detail before me to form the basis of my overall planning assessment.

Existing situation

3. A previous planning permission (Ref: P1112.10), used a planning condition to restrict the greenhouse complex for uses ancillary to the main agricultural use of the site. A subsequent planning permission (Ref: P0520.19) allowed use of part of the greenhouse as a farm shop area. Another permission (Ref: P1046.19) allowed the removal of part of the greenhouse and its replacement with cavity brickwork and a pitched roof. Under both applications, large parts of the greenhouse complex were retained for use as a greenhouse.
4. The appellant outlines how due to a reduced need for the greenhouse for growing purposes, and changing consumer needs, they have changed the use of the greenhouse element of the complex into an extended shop area. This is reflected on the submitted drawings, which label part of the greenhouse complex as a flower shop/display area and farm shop on the existing plans. However, as set out above, there is no evidence before me of a planning permission for such a use. Additionally, the evidence outlines how the appellant agreed to an amended description of development to reference the change of use of the greenhouse to a farm shop/café.
5. Therefore, based on the evidence before me, it would appear that the flower shop/display area and farm shop area do not benefit from planning permission for this use. I have therefore considered the change of use of the greenhouse to an extended farm shop/café area in addition to the proposed extensions, under this appeal where relevant. I have consequently taken the description of development

used in the heading above from the decision notice and appeal form, because this references the change of use as well as the proposed extension.

Main Issues

6. The main issues are:

- whether or not the proposed development would be inappropriate development in the Green Belt, including the effect on the openness of the Green Belt;
- whether the appeal site is in a suitable location for the proposed development, having regard to the effect on the vitality of existing town centres;
- the effect of the proposed development on the character of the area;
- whether the appeal site is in a suitable location for the proposed development, having regard to accessibility to public transport; and
- if 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

Inappropriate development including openness

7. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework further establishes that development in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraph 154. Two exceptions have been brought to my attention. Based on the evidence before me, I do not consider any other exceptions to be relevant, and so I assess the two exceptions relevant to the appeal proposal below.

Part c)

8. This is the exception for 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. The Framework does not provide a definition of 'disproportionate additions' and therefore an assessment of whether a proposal would amount to a disproportionate addition over and above the size of the original building is a matter of planning judgement.
9. The existing building is single storey. It is constructed of both brickwork and glass with low pitched roofs split into several elements. The appeal proposal would increase the height of greenhouse part of the building to accommodate an additional storey. The elevations, which are partially made of glass at present, would be built up with brickwork and a new pitched roof with large front and rear dormers would be erected.
10. The proposal would therefore result in the creation of a much larger building. The proposed ridge height would be much higher than the existing building and the proposed extension would not be modest nor subservient to the existing building.

Overall, it would amount to a substantial addition to the property, and one which I find to be disproportionate over and above the size of the original building.

Part h)

11. The second relevant exception is part h) iv, for other forms of development provided they preserve the Green Belts openness and do not conflict with the purposes of including land within it.
12. Openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects. The appeal proposed would increase the volume, height and massing of the existing building and in doing so would result in a loss of spatial openness. With regard to visual openness, the building is set towards the rear of the site, a distance away from the road. Existing mature hedging offers some screening from the road, therefore views of the development from the public realm are relatively limited. Nonetheless, there are still glimpsed views and given the increased size of the building, there would be some harm to visual openness, albeit relatively limited given the small scale of the proposal.
13. As I have found that the proposal would not preserve the Green Belt's openness, I do not need to further consider the exception in paragraph 154h) iv.

Overall

14. Overall, therefore, the appeal proposal would be inappropriate development in the Green Belt. It would conflict with Policy G2 of the London Plan (LP) and the aims of the Framework. It would also result in a loss of openness but only to a limited degree given the scale of the proposal.

Suitable location- Town centres

15. The evidence before me outlines how under planning permission ref: P0520.19, the café and farm shop area (excluding the office/store) had a gross internal floor space of approximately 70 and 55 square metres (sqm) (125 sqm in total). Under planning permission ref: P1046.19, the cafe and farm shop area had a gross internal floor area of approximately 70 and 64 sqm (134sqm in total). It is unclear which permission has been fully implemented. Nonetheless, the total floor area approved as retail use under both applications was under 200sqm.
16. Policy 13 of the Havering Local Plan (HLP) seeks to enhance the vitality of Havering's town centres, outlining how town centres could be adversely impacted by out of centre development. It requires an impact assessment for retail, leisure and office developments over 200sqm in edge of out of centre locations. Policy SD7 of the LP also requires an impact assessment for such development.
17. The gross internal ground floor area of the café, shop and creche area (to be used as ancillary to the café/shop) would measure 183, 67 and 67 sqm (317sqm in total). No impact assessment has been provided to demonstrate the effect of the proposal on town centres. This is not only contrary to the direct policy requirements as set out above but also means that it is not possible for me to assess the impact that the proposed floorspace might have on nearby town centres.
18. Given the above, it has not been demonstrated that the site is in a suitable location for the proposed development, with regards to its effect on the vitality of existing

town centres. It would be contrary to Policy 13 of the HLP, which seeks to ensure the vitality and viability of the borough's town centres. It would also be contrary to Policy SD7 of the LP which promotes a town centre first approach.

Character

19. The site is located off St. Mary's Lane in Upminster. The site is occupied by various buildings to the rear, and a small menage area. Most of the site is in use as agricultural fields. There is a golf course and a row of houses in proximity to the site. The appellant outlines how there is also warehouse development and the M25 near the site. However, on my site visit these features were not readily discernible. In my view, the site and the immediate surrounding area is rural in character and there is a sense of peace and tranquillity.
20. The appellant indicates that at present there are 19 car parking spaces, including a disabled bay. On my site visit, there did not appear to be any spaces clearly marked out and there were several cars parked informally to the side of the laneway, adjacent to the paddock area. Given this, and the large area of hardstanding to the front and side of the shop which appeared available to park at, it is likely that the site could accommodate more than 19 vehicles. In addition, as previously approved, the site would offer a small café and shop area, which would generate a degree of vehicular trips and activity on the site.
21. The proposed scheme would substantially increase the size of the existing café/farm shop to almost double the size of what was previously approved. This expansion and increased offering would likely lead to increased levels of activity, in particular increased vehicle movements as more people travel to the site and increased numbers of parked cars as people use the café/shop. This would harm the rural character of the site.
22. The appellant outlines how the Council has approved 499 acres of adjacent Green Belt land for the creation of a business centre two miles away from the site, which will change the area and create additional traffic. The Council however rebut this, stating that it has not approved such large development in the Green Belt and it may be situated in a nearby Council area. The appellant also states that there is a nearby road extension. I have not been provided with any further details from the appellant regarding either of these schemes and I therefore place very limited weight on these factors.
23. Policy 24 of the HLP and Policy G2 of the LP are referenced in the third refusal reason. Policy 24 however relates to parking provision whilst Policy G2 relates to inappropriate development in the Green Belt. I do not find these policies to be relevant to this main issue. Therefore, there is no conflict with the development plan in this regard. However, the scheme would be contrary to the aims and provisions of the Framework, which seeks to ensure that development contributes to and enhances the natural and local environment.

Suitable location- public transport

24. As outlined previously, the proposed scheme would substantially increase the size of the existing café/farm shop and therefore likely lead to more people travelling to the site to utilise its facilities.

25. The site has a public transport accessibility level score of 0, the lowest level. Whilst there is a bus stop nearby the site, I have no information before me regarding the frequency or routes of the buses using this stop. I can therefore not be sure if this represents a reasonable alternative to travelling to the site by car. No transport statement has been provided in support of the application.
26. Overall, therefore, it has not been demonstrated that the site is in a suitable location for the proposed development, having regard to public transport accessibility. The scheme would fail to comply with Policy 23 of the HLP and Policies T1 and T4 of the LP. Collectively, amongst other matters, these policies support development in locations that are most accessible by a range of transport options. They also require transport statements or assessments to set out how adverse impacts would be avoided or mitigated.

Green Belt balance

27. The proposal is inappropriate development in the Green Belt. Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances.' These will not exist unless the harm to Green Belt by inappropriateness, and any other harm, is clearly outweighed by other considerations.

Harms

28. The proposed development would be inappropriate development in the Green Belt resulting in a loss of openness. In accordance with the Framework, I place substantial weight on these harms to the Green Belt. The proposal would also harm the character of the area, and it has not been demonstrated that the proposal is in a suitable location with regard to public transport accessibility and the effect on the vitality of existing town centres. I place moderate weight on these additional harms.

Other considerations

29. The scheme would have some economic benefits such as promoting the growth and development of the farm shop business as well as creating some additional employment through their expansion, which is particularly important following the Covid-19 pandemic. It would have some social benefits such as promoting home grown produce, allowing members of the public to see produce being grown, providing improved toilet facilities and a small creche area for parents and children to utilise whilst visiting the café/shop. I place moderate weight on these benefits which, although important, are relatively limited given the relatively small scale of the proposal.
30. I acknowledge the appellant's concerns over the Council's handling of the application. However, this is not a matter that I can consider under a Section 78 planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal. I also note that the appellants have invested a large amount of money in their business, however there is no empirical evidence before me to demonstrate that without the proposed extension, the business would be rendered unviable.
31. The appellant outlines how in June 2024 the Government adopted a new policy for the flexible use of existing buildings in the Green Belt. The appellant has not drawn

my attention to the particular document they are referring to. Nonetheless I have considered the scheme against the most up to date version of the Framework.

Very special circumstances

32. Overall, there is harm to the Green Belt and further harms. The benefits of the scheme are relatively limited and only of limited weight. Therefore, the harm to the Green Belt would not be clearly outweighed by the other considerations and the very special circumstances required to justify a grant of planning permission have therefore not been demonstrated.

Conclusion

33. For the reasons set out above, the appeal is dismissed.

S Burch

INSPECTOR