



Appeal Decision

Site visit made on 10 September 2025

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 December 2025

Appeal Ref: APP/J1535/W/25/3369033

Lyngs Farm, Nupers Lane, Stapleford Abbots, Romford, Essex RM4 1JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
 - The appeal is made by Mr Louca Kousoulou against the decision of Epping Forest District Council.
 - The application Ref is EPF/0520/25.
 - The development proposed is change of use of one agricultural building into a dwellinghouse.
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Decision

1. The appeal is dismissed.

Preliminary Matters and Main Issue

2. Article 3(1) and Schedule 2, Part 3, Class Q of the GPDO permits the change of use of agricultural buildings to dwellings. This is subject to the proposal meeting the requirements as set out in the GPDO. The main issue is therefore whether the proposal would constitute permitted development.

Reasons

3. The appeal site consists of a stable block which was granted planning permission in 2004¹. Condition 3 of that permission requires that the development not be used for business or commercial activity, and that it only be used in connection with the keeping of horses for private recreational purposes. There is no evidence before me that this condition is no longer in force.
4. The appellant sets out that the building has not been used for business or commercial activity, and that it has been under an agricultural use for the welfare of grazing horses. However, even if the land and building have been used for agricultural purposes for an extended period of time, it is not for me within the remit of this s78 appeal to determine whether an agricultural use of the building is lawful.
5. Article 3(4) of the GPDO states that “Nothing in this Order permits development contrary to any condition imposed by any planning permission granted or deemed to be granted under Part 3 or Part 13 of the Act otherwise than by this Order.”
6. As such, notwithstanding any current use of the building, its proposed use as a residential dwelling under Class Q would be contrary to Condition 3 and, consequently, the proposal would conflict with Article 3(4). It follows that the

¹ Planning application ref. EPF/980/04

appeal building cannot benefit from permitted development under the terms set out in Class Q.

7. I therefore conclude that the proposal would not constitute permitted development as set out in the GPDO. As it would not be permitted development, it is not necessary for me to consider the prior approval matters under Schedule 2, Part 3, Class Q.

Conclusion

8. For these reasons, the appeal should be dismissed.

D Ellis

INSPECTOR