



Appeal Decision

Site visit made on 15 December 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23rd December 2025

Appeal Ref: APP/J1535/W/25/3374610

Manor Farm, Mott Street, Loughton, Essex IG10 4AP

- 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 D Evans against the decision of Epping Forest District Council.
 - The application Ref is EPF/0839/25.
 - The development proposed is new dwelling, parking and associated works on the site occupied by a menage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the appeal site is grey belt land and whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies, including the effect upon the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the area, and;
 - whether any 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. The appeal site is within the Metropolitan Green Belt. Policy SP5 of the Epping Forest District Local Plan (the Local Plan) (2023) states that the openness of the Green Belt will be protected from inappropriate development in accordance with national planning policy and Policy DM4 of the Local Plan.
4. Paragraph 153 of the Framework requires substantial weight to be given to any harm to the Green Belt, including harm to its openness, stating that inappropriate development should not be approved except in very special circumstances. The Framework does however outline several exceptions to inappropriate development at paragraphs 154 and 155.
5. The wording within Policy DM4 of the Local Plan appears to be rooted in the previous version of the Framework and therefore makes no specific reference to

development within the grey belt. Moreover, in respect to the redevelopment of previously developed land (PDL), the policy sets an expectation for proposals to not have a greater impact on the openness of the Green Belt. The wording is therefore not entirely consistent with paragraph 154 g) of the Framework as it imposes more stringent tests for the re-development of PDL. Policy DM4 is overall not fully consistent with the Framework in respect to exceptions to inappropriate development. As such, I have afforded limited weight to these elements of the policy.

Grey belt

6. There is no dispute between the main parties that the appeal site would fall within the definition of grey belt land. I see no reason to take a different view on this matter. To be regarded as not inappropriate development in the Green Belt, development in the grey belt must meet all the criteria set through paragraph 155 of the Framework.
7. Criterion a. requires the development to not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. The proposal would represent an encroachment into the countryside contrary to one of the purposes of the Green Belt outlined by paragraph 143 of the Framework. Nevertheless, based on the extent of the site, I am not persuaded that this means that the development of the site would affect the ability of all the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way. I therefore find no direct conflict with criterion a.
8. Criterion b. concerns whether there is a demonstratable need for the type of development proposed, a matter which is disputed between the main parties. The Council contend that it has over a five-year housing supply of sites and over 75% delivery over three years. To counter this, the appellant has provided appeal decisions¹ within the District since the publication of the Local Plan. In the most recent decision, from November 2024, the Inspector found that the Council's evidence was of *"insufficient detail to quantify the supply and demonstrate compliance with the Framework's definition of 'deliverable'."* Subsequently, the Inspector concluded that *"I have no compelling evidence that a five-year housing supply exists"*.
9. The Council has not provided evidence which would lead me to an alternative conclusion to the previous Inspector on this matter. I therefore cannot be satisfied that the Council can demonstrate a five-year supply of deliverable housing sites which, for the purposes of paragraph 155 of the Framework, means that the proposal would meet an unmet need for housing in the District and comply with criterion b.
10. Given my findings on criteria a and b, I must go on to consider criterion c. which relates to development being within a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework. These paragraphs relate amongst other matters to focusing significant development in locations which are or can be made sustainable and ensuring that sustainable transport modes are prioritised.

¹ APP/J1535/W/23/3334925 decision dated 16 July 2024 and APP/J1535/W/24/3342224 decision dated 11 November 2024

11. The appeal site sits at the edge of a small cluster of development in the countryside. Notwithstanding that there is a primary school relatively nearby on Mott Street, services and facilities required for future occupiers day to day needs would be some distance away in the towns of Waltham Abbey and Loughton.
12. The roads which connect the appeal site to the nearest facilities are rural in nature. I have not been provided details of any specific bus services which would serve the appeal site. At the point where the appeal site would join the public highway, the road is narrow without footpaths or street lamps. I therefore find that it is highly unlikely that occupiers of the proposed dwelling would deem walking to and from the appeal site to the nearest services as a safe, reasonable or attractive means of sustainable travel.
13. Whilst it is presented that Epping Forest is well connected by pathways, and that there is a direct cycle route from the appeal site to Loughton Town Centre, it is equally acknowledged that this would follow forest paths. Even if occupiers were to be made aware of available cycle routes via a travel plan pack, during times of inclement weather or in the darker months, cycling to access day to day facilities is likely to be a much less attractive option for occupiers of the proposed dwelling due to the rural nature of the route.
14. The Framework acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. However, this does not negate the premise that there should be a genuine choice of transport modes. Even if the use of electric vehicles could be encouraged through the provision of appropriate charging infrastructure, I find it highly likely that future occupiers would be heavily reliant on the use of a private vehicle.
15. The Council has not raised concerns in relation to the safety of the highway access to the site. I see no reason to take a different view on this matter.
16. The appellant has referred to a traffic report which was submitted to support a previous planning application in 2018. Several planning permissions for dwellings as replacements of equestrian facilities are also referred to. I do not have the full details of this report or these previous applications to be able to conclude that they are directly relevant or comparable to the appeal scheme before me.
17. There is an acknowledgement that the existing activity within the appeal site is low and that there is likely to be additional activity as a result of the proposed development. Based on the evidence before me, I cannot be satisfied that there is a reasonable prospect of the activity associated with the existing use of the site increasing to a degree that it would be comparable to the proposed use for a single dwelling. In the context of sustainability, the movements associated with the proposed dwelling would therefore not be directly comparable to the existing use of the site.
18. Taking all of the above into account, the appeal site is not within a location which is, or can be made, sustainable. On this basis, the proposal would fail to satisfy all the criteria of paragraph 155 of the Framework and therefore cannot be considered as not inappropriate development in the grey belt.

Previously developed land

19. Paragraph 154 g) of the Framework relates to the partial or complete redevelopment of PDL, whether redundant or in continuing use, which would not cause substantial harm to the openness of the Green Belt. I find that the appeal site would meet the Framework's glossary definition of PDL and therefore it falls to assess the effect of the proposal on the openness of the Green Belt.
20. The Planning Practice Guidance (PPG) provides advice on the factors that can be taken into account when considering the potential impact of development on the openness of the Green Belt, with openness being capable of having both spatial and visual aspects. Factors such as the duration of the development and the degree of activity likely to be generated can also be taken into account.
21. The appeal site does feature some existing built form including flood lights and a row of stables along the edge of the menage. The boundary of the site is formed of a low fence. As existing, the appeal site has a low visual presence owing partly to the overall modest heights and footprints of the existing structures. To the contrary, the proposed dwelling would be two storeys in height representing a significant increase in the volume of built form.
22. The proposed planting around the perimeter and within the site would not fully remediate the permanent visual effects of the proposal given its height and form. Rather than being viewed against a backdrop of existing houses, the proposed dwelling would expand the sprawl of development to a site which as existing is modestly developed. Structures and hardstanding associated with the dwelling, such as the bin store and car parking space would further disrupt the visual openness of the site.
23. There would be a notable and significant increase in both the volume and footprint of built form within the site occupying ground and air space that was previously devoid of built form. Even in the acknowledgement that part of the existing menage would be replaced by grass, the spatial intrusion to the openness of the Green Belt would be significant.
24. Overall, when the spatial and visual effects are taken together, there would be substantial harm to the openness of the Green Belt. Accordingly, the proposed development would not meet the exception set out in paragraph 154 g) of the Framework.
25. I conclude that the proposed development would be inappropriate development in the Green Belt having regard to the Local Plan and the Framework, and that it would result in substantial harm to the openness of the Green Belt. In this regard, it would conflict with Policies SP5 and DM4 of the Local Plan insofar as they require the provisions of national policy to apply to development in the Green Belt.

Character and appearance

26. As above, the appeal site sits at the edge of a small cluster of development primarily focused on Mott Street. The surrounding area includes modern forms of development, including the adjacent recent development of five dwellings. However, even in the clusters of new development, the sense of rurality in the area is still experienced through the general sparse form.

27. The Council has not raised concerns to the design of the dwelling itself. It would broadly align with the appearance of the adjacent development and therefore I see no reason to take a different view on this matter.
28. The layout of the adjacent development broadly follows a courtyard arrangement with three dwellings to the north of the access road and two to the south. I do not have the full details of the planning approval which led to this development and therefore I cannot be sure of the design approach to which it was intended to follow. From my site observations, even if the adjacent development was intended to follow a rural vernacular design, there are elements in the design of the dwellings, including the frequent use of roof dormers, which have a more domesticated appearance.
29. Notwithstanding the above, the layout of the adjacent development creates a strong enclosed form which, even with the gaps and landscaping between dwellings is read as a courtyard arrangement of built form. The proposed dwelling, whilst not extending beyond the edge of the existing menage, would noticeably extend beyond the established adjacent development, encroaching and expanding residential development into the open countryside. The residential form of the proposal would be far more dominant than the existing menage and low lying stables.
30. Rather than appearing as subservient to the existing development, the proposed dwelling would be conspicuous, set out in its own context to the significant detriment of the rurality of the surrounding area. Consequently, the proposal would harm the character and appearance of the surrounding area.
31. Policies SP6 and DM3 of the Local Plan relate in part to landscape character, stating that the character and appearance of the countryside will be conserved and enhanced, and that development proposals will be permitted where they will not cause significant harm to landscape character. Policy DM9 of the Local Plan relates to high quality design requiring all new development to achieve a design which contributes to the distinctive character and amenity of the local area. Based on the above assessment, the proposal would be contrary to Policies SP6, DM3 and DM9 of the Local Plan.
32. The Council's reason for refusal in relation to this matter also refers to Policy DM10 of the Local Plan which relates to housing design and quality. This is a prescriptive policy referring to internal space standards, access to amenity space, provision of green infrastructure and the tenure of development. I have not identified any specific conflict with this policy arising from the proposal.

Other Considerations

33. The proposal would contribute to the Council's housing supply through the delivery of one additional dwelling, which would be built to high sustainability standards. I note that the Framework outlines support for bringing forward small and medium sized sites, acknowledging that they can make an important contribution to meeting the housing requirements of an area. The dwelling would provide some support for local services, including the nearby primary school. There would also be environmental benefits associated with the 41% biodiversity net gain on site and additional planting and landscaping.

34. The matter as to whether the Council is able to demonstrate a five-year housing land supply is disputed between the main parties. However, given that I have found the Green Belt designation as a strong reason to refuse the development proposed, paragraph 11(d) of the Framework relating to the presumption in favour of sustainable development is not engaged. Nevertheless, I have given the benefits associated with the delivery of an additional dwelling moderate weight.

Green Belt Balance

35. The proposal constitutes inappropriate development in the Green Belt which would also cause substantial harm to the openness of the Green Belt. I attach substantial weight to the associated Green Belt harm. Furthermore, the proposal would amount to harm to the character and appearance of the area through the encroachment of residential development into the countryside. This represents an additional harm to which I have assigned significant weight.
36. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Taken together, the other considerations put forward carry moderate weight. It follows that the substantial weight to be given to Green Belt harm, together with the significant weight to which I have given to the other harm identified, are not clearly outweighed by other considerations in this case. Therefore, the very special circumstances required to justify the proposed development do not exist.

Other Matters

37. The appeal site lies within 3km of the Epping Forest Special Area of Conservation (EFSAC), which is a European site as defined in the Conservation of Habitats and Species Regulations 2017 (as amended) (the Regulations). The integrity of the EFSAC is under threat from atmospheric pollution and recreational pressure, which would be exacerbated by the increase in population and vehicle movements associated with the growth in population from additional housing.
38. The application was partly refused on the basis that in the absence of appropriate mitigation, the Council could not be satisfied that the development would not adversely affect the integrity of the EFSAC. The appellant has submitted a Section 106 with the appeal.
39. Had I found the appeal scheme to be acceptable in all other regards it would have been necessary for me to examine this matter in further detail. However, as I have found that the scheme would be unacceptable for other reasons, it is not necessary for me to discuss this matter further.

Conclusion

40. The proposal conflicts with the development plan when read as a whole and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal is dismissed.

L Gardner

INSPECTOR