



Appeal Decision

Site visit made on 7 January 2026

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

an Inspector appointed by the Secretary of State

Decision date: 20th January 2026

Appeal Ref: APP/J1535/W/25/3366217

29 Piercing Hill, Theydon Bois, Epping, Essex CM16 7JW

- 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 Chris Nunn against the decision of Epping Forest District Council.
 - The application Ref is EPF/0173/25.
 - The development proposed is demolition of existing side extensions and garage, construction of two-storey side and rear extensions and creation of basement.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the significance of the host building as a non-designated heritage asset and the setting of nearby non-designated heritage assets;
 - whether the proposal would be inappropriate development in the Green Belt including the effect of the proposal on the openness of the Green Belt having regard to the National Planning Policy Framework (Framework) and relevant development plan policies; 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

Non-designated heritage assets

3. 29 Piercing Hill is a non-designated heritage asset and is included in the Council's Local List of Heritage Assets. It is part of the Manor Villas group which includes a number of the adjacent detached dwellings. The houses were constructed between 1870 and 1872 and consist of distinctive late 19th-century detached houses that, while varied in appearance, share a cohesive architectural language. Common features include symmetrical facades with three bays. Therefore, the significance of the non-designated heritage assets lie in the evidence of a historic group of dwellings with a shared architectural language.
4. The scheme would include the demolition of an existing two storey side extension and garage and the erection of two storey side and rear extensions as well as basement.

5. The proposed two-storey side extensions would be set back from the front elevation of the existing building. However, the ridge height of the roofs would match that of the existing building. Along with the width of the extensions on both sides, the scheme would significantly increase the massing and scale of the host building when viewed from the front. The historic form of the original host dwelling would appear overwhelmed by the side extensions given their height and width when viewed from the front.
6. The side extensions would include materials and bays with sash windows to match the original building. However, given their height and width, the proposed side extensions would not appear subservient to the host building, thereby diminishing the legibility of the original building and significantly eroding its significance.
7. The existing parallel roof spans would be replaced by a crown roof. The depth of the building would be considerably increased by the proposed two storey rear extension. The proposed crown roof would be the same height as the host building. This would result in a large bulky massing that would fail to respect the historic form of the host building, thereby greatly diminishing its significance.
8. The building is set back from the street and there is some vegetation at the front of the site. However, the level of screening and permanence of the vegetation cannot be guaranteed, and the building can nonetheless be seen from the street. Therefore, the bulky massing of the proposal and resulting harm to the significance of the host building would be seen from the street in views with the neighbouring properties such that the setting of the adjacent non-designated heritage assets would be harmed by the scheme.
9. A number of the adjacent dwellings that form part of the Manor Villa groups have extensions. However, either the height of the extensions is generally set down from the ridge level of the roofs of the host buildings, such as at No 38 Piercing Hill, or the extensions are of varying massing, or to one side only. Therefore, these examples are not directly comparable with the appeal scheme.
10. The scheme would include the removal of the existing side extension which has a form that is not in keeping with the host building. In addition, the existing bay windows and chimney stacks would be retained. However, as the proposal would result in a bulky massing that would not respect the host building, this matter does not override the harm identified.
11. The existing building is in need of repair, as evidenced by the Building Survey Report and Structural Report submitted with the appeal. However, the repairs could be carried out as part of a scheme that would not harm the significance of the non-designated heritage asset. Accordingly, any benefit in this respect does not override the harm identified.
12. I note the comments of the Inspector of the scheme at the adjacent property, No 28 Piercing Hill which also includes considerable extensions. However, the design of the proposal in that case includes a number of elements of varying massing such that it is not comparable with the appeal scheme in terms of the effect on the non-designated heritage asset. Therefore, the scheme at No 29 does not alter my findings on this main issue.
13. The scheme would alter the historic plan form of the host building. Accordingly, as evidence of the historic dwelling would be diminished, the significance of the non-

designated heritage asset would be harmed in this respect. However, as these internal works could be carried out in any event, this matter is not determinative for my findings on this main issue.

14. Consequently, the proposed development would harm the significance of the host building as a non-designated heritage asset and the setting of nearby non-designated heritage assets. Therefore, it would conflict with Policies DM7 and DM9 of the Epping Forest District Local Plan 2011-2033 Adopted March 2023 which seek, among other things, to preserve or enhance heritage assets (both designated and non-designated) and their settings in a manner appropriate to their significance, and development that relate positively to their context and historic environment.

Inappropriateness

15. 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.
16. The proposed two storey side and rear extensions and creation of the basement would increase the size of the original building. Given the demolition of the existing side extension and garage, the footprint of the existing would be modestly increased.
17. However, the volumetric increase of the building to one side of the host building and to the rear, as well as at basement level would be considerable, given the height, depth and width of the proposals. As such I consider the extensions to constitute disproportionate additions over and above the size of the original building.
18. I note the evidence regarding historic buildings on the site. However, I have necessarily determined the case based on the buildings currently on the site.
19. I acknowledge the extensions carried out on surrounding properties. However, further details such as the buildings on the site prior to the extensions are not before me. In any event, the surrounding properties have different forms and massing such that they are not directly comparable with this appeal.
20. Paragraph 154(g) of the Framework provides another exception to inappropriate development in the limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
21. As the proposal would significantly increase the volume of the existing buildings including above ground, the spatial openness of the Green Belt would be substantially harmed. The bulky massing of the proposal would increase the width of the building by the introduction of a two storey extension to the side where there is currently a single storey outbuilding. As such, the proposal would occupy a two storey space which is currently open and free from development and would harm the visual openness of the Green Belt. Furthermore, the proposal would substantially increase the depth of the existing building, further reducing the visual openness of the Green Belt.
22. Although the proposal may not affect any identified or protected views in the Green Belt and would maintain some separation distance to the adjacent properties, the

bulky massing of the proposed side and rear extensions would nonetheless reduce views through the site. Therefore, the proposal would result in substantial harm to the visual openness of the Green Belt. As such, even if the site constitutes previously developed land, as the scheme would substantially harm the spatial and visual openness of the Green Belt, it would not meet this exception.

23. Paragraph 155 of the Framework states that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all of a number of criteria apply. These include where there is a demonstrable unmet need for the type of development proposed. The evidence including Building Survey Report sets out the extent of renovations that are required to the property which is in need of repair. However, while I note the Appellant's desire for a larger family home, an unmet need for the significant enlargement of the building has not been demonstrated. Accordingly, the proposal would not meet the provisions of paragraph 155 of the Framework.
24. LP Policy DM4 relates to development in the Green Belt and broadly aligns with the Framework in this respect. The proposal would therefore also conflict with this Policy.
25. Consequently, the proposal would be inappropriate development in the Green Belt having regard to the Framework and relevant development plan policies and would substantially harm the openness of the Green Belt

Other considerations

26. The proposal would enlarge and repair the existing. As repairs to the building could be achieved without the enlargement of the dwelling, this matter does not weigh in favour of the scheme. The site is located a short distance from services and facilities. I also note that there would be a lack of harm in a number of respects including highway safety and the living conditions of neighbouring occupiers. These matters carry neutral weight.

Conclusion

27. 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.
28. For the foregoing reasons, the other considerations do not outweigh the substantial weight necessarily attached to the Green Belt harm and significant weight attached to the other harms. Therefore, very special circumstances has not been demonstrated in this case.
29. Consequently, the proposed development would conflict with the development plan as a whole and in the absence of material considerations to indicate otherwise, the appeal is dismissed.

R Sabu INSPECTOR