



Appeal Decision

Site visit made on 18 December 2025

by **B Pattison BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28th January 2026

Appeal Ref: APP/J1535/D/25/3375183

Roseleigh, High Road, Epping, Essex CM16 5HW

- 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 H Foster against the decision of Epping Forest District Council.
 - The application Ref is EPF/1493/25.
 - The development proposed is described as Proposed Double Storey and Single Storey Rear Extensions, Rear Balcony, Re-roofing with raised ridge, Solar Panels, Chimney and Plant room removal, new separate Plant Room and Internal Alterations.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the changes, and in reaching my decision I have had regard to the Framework published in December 2024.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the host dwelling and surrounding area; and
 - if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances needed to justify the development.

Reasons

Whether or not inappropriate development in the Green Belt

4. The appeal site comprises a dwelling located within the Metropolitan Green Belt. In the immediate area surrounding the site, there are a number of properties which include a petrol filling station, restaurant, hot food takeaway, a fitness business and a petting zoo.
5. 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. The Framework also identifies that development is inappropriate unless one of a list of exceptions applies. Of these, the main parties refer to the exception at paragraph 154 c) which is 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. Policy DM4 of the Epping Forest District Local Plan 2011-2033 Part One (2023) ('the LP') includes a similar provision.
6. The Framework defines "original building" as being a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally. The main parties agree that the building was built prior to 1948, and that extensions have been undertaken since 1948 which include the addition of a storey to a previous side extension and a single storey lean-to rear extension.
7. However, there is disagreement between the two main parties regarding the exact volumetric increase from the proposed extensions to the dwelling. The Council consider the total increase to be 145% above the original building's volume, whilst the appellant concludes that it would result in a 77.29% increase.
8. The Framework nor policy DM4 of the LP define 'disproportionate additions', and I have not been directed to any other relevant local guidance on this point. As a result, an element of planning judgement is also involved in the decision-making process. In my view an assessment of size includes aspects such as floorspace, height and volume.
9. I acknowledge that the proposed rear extension would be positioned within the massing of the L shaped plan of the house, and that much of the volumetric increase in the roofspace would be as a result of infilling the volume of the valley gutter between the two existing double pitched roofs. Nevertheless, the roof level proposals would also involve a large rear dormer, and an increase in the overall height of the building. Even if I were to base my assessment on the appellant's lower figure, the totality of development, at 77.29%, would clearly represent a significant percentage increase. The proposal, when combined with the previous extensions undertaken since 1948, would result in a considerable increase in floorspace and volume.
10. Therefore, based on the evidence before me and my observations at the site visit, it is my planning judgement that the cumulative extensions to the dwelling would fundamentally change the size and scale of the property. This leads me to find that the proposal would undoubtedly result in disproportionate additions to the original building and thus would fail to meet the exception outlined at 154 c) of the Framework.
11. The proposal also includes an outbuilding which would be located to the side of the dwelling. The main parties agree that this part of the proposal would not fit within any of the exceptions outlined within paragraph 154 of the Framework.

12. Therefore, both the extensions to the main house and the new outbuilding are inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness

13. Paragraph 142 of the Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
14. Openness has both spatial and visual aspects. This means that the absence of visual intrusion does not in itself mean that there is no impact on the openness of the Green Belt as a result.
15. The additional bulk at ground and first floor level would result in a limited increase in the visual openness of the Green Belt given its discreet siting to the rear of the dwelling. Nonetheless, the proposal would introduce additional built form into a space where there is currently no development, thereby eroding existing open space. The increased height of the roof and additional bulk at roof level would also be clearly perceived. Overall, there would be a limited reduction to the spatial and visual openness of the Green Belt.
16. During my site visit I noted that there was an existing outbuilding located to the front of the dwelling. The proposed outbuilding would be in a different location set further to the rear and to the side of the dwelling. Whilst I understand that a large garage on the far side of the dwelling has recently been removed, the proposed outbuilding would reduce the spatial and visual openness on this side of the dwelling, albeit to a limited extent.
17. Nevertheless, I conclude that the proposal would not preserve, and would have a harmful effect on, the openness of the Green Belt. As such, it would conflict with the provisions within the Framework which seek to preserve the openness of the Green Belt.

Character and appearance

18. The rear extensions would be contained within the existing dwelling's L-shaped form, and would be imperceptible in many viewpoints surrounding the appeal site. The proposed materials would match with the existing dwelling, and overall the extensions would not detract from the character and appearance of this particular street scene. The alterations at roof level would increase the height and enlarge the roof. The large rear dormer would have significant width and depth, but it would be set in from the side elevations and set down from the top of the roof. Overall, the proposals would not unacceptably alter the character of the property.
19. The proposed outbuilding would be located in a discreet position to the side of the dwelling, and would be well screened from public views by the mature vegetation on the appeal site's side and front boundaries. It would be subservient to the main dwelling and would not have a harmful effect on the character of the area.
20. For the reasons outlined above, I conclude that the proposal would not cause harm to the character and appearance of the host dwelling or surrounding area. Accordingly, I find no conflict with policy DM9 of the LP which, amongst other aspects, seeks to ensure high quality design. I also find no conflict with the aims of

the Framework which seek to ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Other considerations

21. I have found that the design of the extensions would have an acceptable impact on the character and appearance of the surrounding area. However, this factor would amount to a policy compliant scheme and would therefore be a neutral factor in this decision.
22. The proposal would incorporate solar panels. Achieving sustainable development, including through the overarching environmental objectives, such as minimising waste and pollution, and mitigating and adapting to climate change is a key tenet of the Framework. However, due to the scale of the proposal I afford this limited weight.
23. The submitted evidence refers to Class AA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), but concludes that factors including the age of the building mean that the extra floor in the roof would not be permitted development. Therefore, I afford this very minor weight.
24. The appellant has brought to my attention that the site benefits from permitted development rights and indicates that this is a fallback position, in relation to the proposed outbuilding. However, the submitted evidence indicates that an outbuilding constructed under permitted development rights would be smaller than the current proposal. Therefore, it appears that the potential permitted development works would be less harmful than the proposed development. While it may be a possibility that the works could go ahead, given that they would be less harmful than the proposal I give minor weight to the fallback.

Other Matter

25. The concerns expressed regarding the Council's conduct during the processing of the planning application fall outside of the remit of this decision.

Planning Balance and Conclusion

26. Having regard to the development plan and national planning policy, the proposal comprises inappropriate development in the Green Belt. There would also be limited harm arising from the proposal on the openness of the Green Belt.
27. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, and that substantial weight is given to any harm to the Green Belt.
28. Having taken account all matters raised in support of the proposal, I find that the other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. As such, the proposal conflicts with Policy DM4 of the LP and the Green Belt provisions of the Framework.
29. For the reasons above, I conclude that the development would conflict with the development plan as a whole and the approach in the Framework. There are no other material considerations that require a decision to be made other than in

accordance with the development plan, and the appeal should therefore be dismissed.

B Pattison

INSPECTOR