
Appeal Decisions

Site visit made on 13 August 2025

by **R Aston BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 SEPTEMBER 2025

Appeal A Ref: APP/W1905/W/25/3368579

Lantern Cottage Carneles Green, Broxbourne, EN10 7QB

- 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 Lee Lawrence against the decision of Broxbourne Borough Council.
 - The application Ref is 07/25/0361/HF.
 - The development proposed is Orangery Side Extension to House.
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Appeal B Ref: APP/W1905/Y/25/3368587

Lantern Cottage Carneles Green, Broxbourne, EN10 7QB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Lee Lawrence against the decision of Broxbourne Borough Council.
 - The application ref is 07/25/0359/LB.
 - The development proposed is Orangery Side Extension to House.
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Decisions

Appeal A Ref: APP/W1905/W/25/3368579

1. The appeal is dismissed.

Appeal B Ref: APP/W1905/Y/25/3368587

2. The appeal is dismissed.

Preliminary Matters

3. As the proposal relates to a listed building, I have had special regard and paid special attention to the requirements of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) in my determination of the appeals.
4. In appeal B the appellant's first name is different on the s20 listed building appeal form, shown as Mr Maurice Lawrence as opposed to Mr Lee Lawrence. However, Maurice is the first name of the agent and this appears to be a typographical error with the appellant shown as Mr Lee Lawrence in all other forms and correspondence. I am satisfied that the applicant is the appellant and that appeal can be determined.

Main Issues

5. The main issues are:

- Whether or not the proposal would preserve Lantern Cottage, a Grade II listed building, and any features of special architectural or historic interest that it possesses.
- Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies, and the effect of the proposal on the openness of the Green Belt
- If the proposal would be inappropriate development in the Green Belt, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to very special circumstances required to justify the development.

Reasons

The listed building

6. Lantern Cottage is a 17th century, altered mid-19th century one storey former agricultural workers cottage with attics constructed from a timber frame, under a modern red tiled roof with brick chimney stacks (List Entry: 1173573). It has a gabled porch and small pane casements with pointed top arch lights. The evidence demonstrates that two extensions have taken place to the rear of the original building, although the extent of the original building is disputed by the appellant due to a lack of clear historic records. However, there is no substantive evidence before me that it was ever demolished and rebuilt.
7. The principal elevation remains clearly legible and distinct from the lane with views of the rear extensions possible from the adjacent shared access road and lane. Whilst sympathetic in appearance the previous extensions have eroded an appreciation of its significance in certain views to the sides and rear of the historic building. Nevertheless, the building retains an aesthetic, and historic value derived from the form, scale and materials used and as repositories of past building traditions and technologies. It also has evidential value as an example of continuous change in rural built form which positively contributes to an understanding of how those traditions and buildings have evolved over time.
8. At approximately 10 metres in length the Orangery would be a significant addition to the side elevation with a further footprint increase of 39 square metres (sqm). The ridge of the proposal would be just below the windows and whilst its eaves would match the height of existing its box like form would obscure part of the south facing gable elevation of the likely original core. The central lantern would also be an unsympathetic feature protruding above the flat roof. Given the rather simple fenestration of the existing building with some traditional wall to fenestration proportions still evident, reflecting former costs associated with glazing and a more functional use, the proposed extent of floor to eaves glazing would be visually excessive and out of keeping with the simpler fenestration and rural architectural interest of the building.
9. Internally the changes would appear to result in the alteration and loss of some fabric although the extent of the historic fabric is not entirely clear. Nonetheless, the creation of a much larger open plan layout and the associated internal alterations to the layout and doorways would markedly contrast with the much smaller configuration of ground floor living accommodation within the original core.

10. While the proposal would not be overly visible from the public realm, the corner of the Orangery would be seen juxtaposed with the front elevation of the building from the lane. Although any view would be very limited, listed buildings, are safeguarded for their inherent architectural and historic interest irrespective of whether or not public or private views of the building can be gained.
11. Notwithstanding some erosion of the special interest of the listed building I disagree with the appellant that the premise of protecting the original listed building has been lost. The proposal would further erode the appreciation and legibility of the original design by virtue of its scale, height and appearance and as a large Orangery on this former agricultural cottage would introduce a false narrative to the building's past. The proposal would therefore cause harm to the historic architectural interest of the building and its significance as a designated heritage asset.
12. In this case I am determining both s78 (Appeal A) and s20 (Appeal B) appeals. However, listed building consent appeals (B) are not subject to Section 38(6) of the Planning and Compulsory Purchase Act 2004. Although such appeals do not therefore need to be determined in accordance with the plan, the relevant provisions are still capable of being material considerations.
13. The proposal would fail to preserve the special architectural and historic interest of the listed building; thus, it fails to satisfy the requirements of the Act. It would therefore also conflict with Policies DSC1, DSC2 and HE2 of the Broxbourne Local Plan (the LP) insofar as they require that extensions to existing buildings respect the character and design of that building and should conserve or enhance the historic environment.
14. In National Planning Policy Framework (the Framework) terms, the harm from the proposal is less than substantial and towards the lower end of any scale but it is further and cumulative harm that nonetheless must be given considerable importance and weight.
15. I acknowledge that the proposal would provide improvements to the current living arrangements for the appellant and their family, creating a covered area to take advantage of views across open countryside beyond but ultimately these are private benefits. There would be some limited benefit from its construction and associated employment benefits. On the evidence before me the continued viable use of the cottage is not dependent on the proposal as there is nothing to suggest that the ongoing residential use would cease in its absence. In this case the public benefits would not be sufficient to outweigh the considerable importance and weight that I must give to the less than substantial harm that would occur.

Green Belt

16. In Appeal A Policy GB1 of the LP requires proposals to be considered in accordance with the Framework. Paragraph 154 of the Framework states that the construction of new buildings in the Green Belt is inappropriate development and then specifies exceptions. The relevant exception here is c) 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. For the purposes of Green Belt policy, the Framework glossary defines the original building as the building as it existed on 1 July 1948 or, if constructed after this date, as it was built originally.

17. The Framework is not prescriptive and does not set out any volumetric, or other detailed guidance on how 'disproportionate' should be assessed it simply refers to size. Accordingly, it is primarily a consideration of the overall size increase in terms of volume and external dimensions, as well as consideration of floorspace and footprint.
18. Taking the appellant's own calculations the original footprint was approximately 49 square metres (sqm). The first rear extension, of which there appears to be no formal record, resulted in a footprint increase of 74% and 114% floor area to the original building. The second rear extension in 2015 increased the original footprint by 169% and floor area by 129%. In combination with their scale and form these are substantial increases to the modest proportions of what I observed to be the likely original building. The previous extensions have been sensitively designed and despite the fact that these additions were approved by the Council, they have cumulatively and considerably increased the size of what could reasonably be considered as the original building.
19. I also observed the building's original single storey with attic form core was clearly evident with a principal elevation facing the lane and containing the gabled porch referred to in the listing. The proposal would extend over half the length of the side elevation, filling in and extending beyond the patio area between the two gables. Its overall height would be just below the first-floor windows. Even in not counting an existing triple garage structure approved in 2017, overall the proposal would amount to a disproportionate addition over and above the size of the original building. It would therefore constitute inappropriate development within the Green Belt.

Openness

20. Given the above finding I now turn to openness. 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. Openness is capable of having both spatial and visual aspects.
21. The proposal would be a single storey flat roof structure with a central lantern. It would project out to the side of the dwelling over a large, paved patio area. Consequently, there would be a small loss of spatial openness. Visually, by virtue of its scale and extent of protrusion, it could be glimpsed in closer views from the lane. However, its siting to the side of the property and the extent of landscape screening means that it would not appear overly prominent and there would be only a minimal loss of visual openness. Overall, the proposal would result in a small but permanent spatial and visual impact to the openness of the Green Belt.

Other considerations

22. As set out above, the proposal is required in order that the appellant and family can take 'full advantage'¹ of views across the countryside to the south and that the existing dwelling has limited 'scenic' windows in its southern elevation. Further, that the extension would allow for greater enjoyment by family and friends. Notwithstanding the appellant's aspirations and expectations in relation to modern living standards, there is little evidence that the dwelling fails to provide a high standard of internal living accommodation. Whilst it is understandable one would

¹ Design and Access Statement.

wish to take advantage of such views these considerations are ultimately private benefits that I give little weight.

Other Matters

23. I acknowledge the appellant's frustration given positive pre-application advice appears to have been given by the Council and that inconsistent decisions may have been made regarding proposals at the property. Nevertheless, the Council's decision was ultimately to refuse planning permission and listed building consent and its behaviour has no bearing on the merits of the appeals before me. I am not bound by that earlier advice and must form my own view having visited the site and area. Having done so, none of these other considerations, on their own or in combination alter my views.
24. The evidence before me indicates Historic England did not respond but in my experience given the nature and scale of the proposal it is unlikely detailed comments would have been given as opposed to standing advice.

Balance and Conclusion

25. In Appeal A I have concluded that the proposal would be inappropriate development in the Green Belt and there would be minor harm to the openness of the Green Belt. In accordance with the Framework, these matters attract substantial weight. The harm to the designated heritage asset weighs significantly against the proposal.
26. There are no other considerations that would clearly outweigh the harm to the Green Belt by reason of inappropriateness, loss of openness and other harm. Therefore, the very special circumstances necessary to justify the proposal do not exist. The proposal would conflict with the Act, the LP when read as a whole and the Framework.
27. In Appeal B, for the reasons given above the necessary requirements of preserving the listed building would also not be met, failing to satisfy the requirements of the Act, the LP and the Framework insofar as relevant.
28. Material considerations do not indicate that decisions should be made other than in accordance with the development plan. Having regard to all other matters raised I therefore conclude that both Appeal A and Appeal B should be dismissed.

R Aston

INSPECTOR