



Appeal Decisions

Site visit made on 8 September 2025

by **C Walker BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th September 2025

Appeal Ref: APP/J1915/W/25/3364765

20 West End Road, Wormley West End, Broxbourne, Hertfordshire EN10 7QN

- 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 Kyri Michael of The Woodman and Olive Public House against the decision of East Hertfordshire District Council.
 - The application Ref is 3/25/0044/FUL.
 - The development is retention of outside bar (with external alterations).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I am the Inspector dealing with another appeal¹ at this site. That appeal is the subject of a separate decision as the two are clearly severable.
3. At my site visit, I noted that a bar is already in situ reflecting the existing plans. The proposal is of a slightly differing design as shown on the proposed plans. I have dealt with the appeal accordingly and on its individual merits.
4. The appeal site contains The Woodman Public House (PH), a Grade II listed building. The statutory duty set out in s66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the setting of the listed building. However, this is not a matter in dispute, and I see no reason to disagree. I proceed with the appeal on that basis.

Main Issues

5. The main issues are:
 - whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - if appropriate, the effect of the development on the openness of the Green Belt; and

if appropriate, whether any harm by reason of inappropriateness, would be clearly outweighed by other considerations, so as to amount to very special circumstances required to justify the proposal.

¹ APP/J1915/W/25/3364933 – for the erection of a marquee.

Reasons

Whether inappropriate

6. The appeal site relates to the PH and its grounds, located within the Green Belt. Policy GBR1 of the East Herts District Plan 2018 (DP) sets out that planning applications within the Green Belt, as defined on the Policies Map, will be considered in line with the provisions of the Framework. The Framework in turn sets out that development within the Green Belt is inappropriate unless it meets one of a list of exceptions.
7. I agree with both parties that the development should be considered against paragraph 154(c) of the Framework. This sets out an exception to inappropriate development relating to 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. Whilst I note the distance between the proposal and the PH, I regard it as an adjunct given its association with the host building and its grouping. Consequently, I am satisfied that it is appropriate to consider it under this provision.
8. The Council indicate the PH has been significantly extended over time. It asserts the original building, along with an original storage room, had a combined floor area of approximately 146.3 sq.m. It further asserts that the extended PH and its storage room now have a combined floor area of approximately 270 sq.m, constituting an increase of 84.6% without taking account of the appeal proposal.
9. The appellant disagrees with these calculations, indicating the percentage increase is 7% and that it would increase to only 14% discounting later additions to the property. However, it appears these calculations are not based on the increase from the original building as is required, and little substantive evidence has been presented to show how these calculations and conclusions have been reached.
10. Based on the evidence before me and my observations on site, I consider that it is highly likely that the PH has already been substantially extended to a degree that in combination with those already undertaken, the proposal constitutes a disproportionate addition. Consequently, I find that the proposal does not accord with the exception at paragraph 154(c) of the Framework.
11. The proposal therefore constitutes inappropriate development in the Green Belt, having regard to the Framework and DP Policy GBR1.

Openness

12. The Framework sets out 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.
13. The detached PH lies in a spacious, rural setting. Its grounds slope gently down from the road to the south, with its parking at the front and sides and its open gardens to the rear. The site is well contained by a backdrop of mature trees and vegetation whereas to the west side are open fields beyond.
14. The development is a modest sized outbuilding. It has floor space of approximately 16 sq.m, and, with the proposed alterations, would have a low-profile hipped roof sitting at 2.6m to its ridge-line. Introducing a permanent building within the grounds

that were previously free of development has affected the openness of the Green Belt, which I was able to observe on site. The modifications would add further massing to the structure by adding in the hipped roof, albeit these modifications are relatively minor in nature and scale.

15. The presence of established landscaping to the boundaries, does not diminish the spatial effect of the structure on openness. In addition, whilst it provides limited screening of the building, the proposal is still visible from the public realm. The visual effects are tempered by its modest size and choice of materials which assist in assimilating it into the surroundings. However, these do not fully mitigate its effects on visual openness.
16. Therefore, I conclude that the development adversely affects the openness of the Green Belt. The degree of harm is limited. Nevertheless, the harm runs counter to the aim of keeping land permanently open, bringing it into conflict with paragraph 142 of the Framework and DP Policy GRB1.

Other considerations

17. The appellant points to difficult operating conditions for public houses generally and cites the levels of insolvency for this sector during 2022 and the first half of 2023 to evidence this. My attention is also drawn to paragraph 88 of the Framework which states planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. The appellants go on state that the outside bar is a key element of the business, accounting for 65% of the business turnover received during the summer months of May to August. During this period, it is asserted that 80% of business takings are generated from the outside bar compared to inside.
18. However, the accountant's letter submitted lacks precision about the periods it relates to and its nature, such as how this correlates with the operation of the proposed marquee that is the subject of a separate decision. There are no corroborating accounts that show the situation both with the outside bar, versus the situation without it. Furthermore, there is no business plan or evidence to show that the appeal proposal is the only means of ensuring the PH remains financially viable or the longevity of the listed building. Moreover, it has not been shown how the outside bar increases turnover to such a degree that this alone contributes so significantly to turnover. Therefore, these factors reduce the weight I can attribute in favour.
19. The appellant and interested parties refer to a number of other benefits associated with the retention of the outside bar. These include benefits to customers through convenience and by allowing better supervision of children in the play area whilst customers visit the bar. This could be seen as making the PH more attractive and convenient and I attach positive weight, albeit limited.
20. Benefits to staff have been cited, such as having a more comfortable working environment than the inside bar which is said to be more spatially constrained. However, neither the linear arrangement of the bar nor the position of the fire escape, noted as being inaccessible during busy periods, are untypical of other historic buildings that operate adequately. The implied benefits could likely be achieved by other means and no substantive evidence is before me to indicate

that there is a genuine fire safety risk. I therefore attach only limited weight to these factors.

21. The scheme enjoys strong community support, evident from the individual letters received during the application process and the supportive comments from the Parish Council who are elected to represent their community. This is indicative of the value that the community places on this facility to which I attribute significant weight.

Other Matters

22. My attention is drawn to an allowed appeal decision² relating to the retention of buildings, outdoor seating and a bottle bar within the grounds of a public house, also within the Green Belt in Woking. Whilst there are some similarities, particularly insofar as whether very special circumstances existed, there are also distinct differences. Crucially, that appeal decision was made during the Covid-19 pandemic when outdoor space was more important to allow public houses to continue to operate with social distancing measures in place and thus, allowing the Inspector to place significant weight on these factors. Post pandemic, restrictions are no longer in place to the same degree and whilst there would be prolonged operational advantages for both, the schemes are not directly comparable and the weight I attribute to it is therefore limited.

Green Belt balance

23. It is accepted that the development is inappropriate development, which, by definition is harmful to the Green Belt and should not be approved except in very special circumstances. Both DP Policy GBR1 and the Framework require me to give substantial weight to any harm to the Green Belt, including harm to its openness. Therefore, in this case substantial weight is given to the harm to the Green Belt arising from the inappropriateness of the appeal proposal and the limited harm to openness.
24. Paragraph 153 of the Framework advises that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
25. The community support for this scheme attracts significant weight and the other viability benefits attract positive weight, albeit the lack of corroborating evidence does reduce the weight I can attach, to moderate. Increasing employment opportunities attracts significant weight in this rural context and there are also benefits for customers and staff that attract limited positive benefit.
26. However, when considering the other considerations outlined above against the totality of the Green Belt harm, which attract substantial weight, I find that these do not clearly outweigh the harm identified. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

27. For the reasons set out above, the proposal is contrary to the development plan. Material considerations, including the Framework, do not indicate that the

² APP/Y3615/C/20/3259273

development should be determined other than in accordance with the development plan. Having considered all other matters raised, I therefore conclude that appeal should be dismissed.

C Walker

INSPECTOR