



Appeal Decision

Site visit made on 21 August 2025

by F P Tinsley MA (Hons) MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2025

Appeal Ref: APP/W1905/W/25/3366275

**Land to the West of Elm Farm Crouch Lane, Goffs Oak, Waltham Cross,
Broxbourne, Hertfordshire, EN7 6TH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Anthony Browne against the decision of Broxbourne Borough Council.
 - The application reference is Ref: 07/24/0484/F
 - The development proposed is described as 'Proposed development of a single detached house with associated access and parking.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council in their appeal documentation dispute the validity of the application due to the failure to include the site access within the planning application red line. While this is noted, I have not pursued the matter any further as I am dismissing the appeal for other reasons.

Main Issues

3. The main issues in this appeal are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect of the proposed development on the openness of the Green Belt;
 - the effect of the proposed development on highway safety with regard to the proposed site access arrangements;
 - the effect of the proposed development on setting of Elm Farm and Elm Farm Garage, both of which are Grade II Listed Buildings; and
 - if the development is inappropriate, 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 necessary to justify the development.

Reasons

Whether inappropriate development

4. The appeal site lies within the Metropolitan Green Belt. Policy GB1 of The Broxbourne Local Plan: A Framework for the Future Development of the Borough 2020 (the Local Plan) is consistent with national policy in that it requires planning applications within the Green Belt to be considered in line with the provisions of the Framework. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
5. Paragraph 154 of the Framework states that the construction of new buildings within the Green Belt is generally considered inappropriate, except in a limited number of cases — including (e) limited infilling in villages and (g) limited infilling or the partial or complete redevelopment of previously developed land.
6. The Framework does not define what is a ‘village’ or ‘limited infilling’. It is a matter of planning judgement as to whether the proposed development falls within these definitions.
7. No development plan policies that seek to identify the village boundary for the purposes of considering paragraph 154(e) of the Framework have been identified and, in any event, case law¹ has established that the formal boundary of a village may not be determinative for this purpose. Therefore, it is necessary to have regard to the situation on the ground when determining whether or not a site lies within a village.
8. On my site visit, I observed that Goffs Oak village is centred around the junction of Goffs Lane, Cuffley Hill and Newgatestreet Road which, are busy roads connecting Cuffley with Cheshunt and Waltham Cross, as well as surrounding settlements. Development within the village has a traditional compact grain with dwellings, facilities and services grouped together along the roads. Access to the site from the village is via Crouch Lane which is rural in character encompassing large undeveloped areas of land on either side of the laneway. This connects to Hammond Street, a distinct settlement, located to the east of the site further along Crouch Lane. Along this route there is sporadic development together with undeveloped fields and woodland. Crouch Lane has a distinctly rural character, due in part to the looser grain of dwellings and farms, positioned along the narrow lane. The absence of buildings on large part of Crouch Lane provides a rural feel.
9. Taking these factors together, and in the absence of any substantive evidence to the contrary. The appeal site does not lie within a village for the purposes of applying paragraph 154(e) of the Framework. Because the appeal site does not lie within a village, the proposed development is not “limited infilling in a village” and the exception listed in paragraph 154(e) of the Framework does not apply.
10. Furthermore, even if I had determined that the appeal site is within a village, the proposed development does not have the character of an infill plot. This is because the farm buildings to the southwest of the site on Crouch Lane are set back significantly from the frontage. Therefore, the proposed development would

¹ Julian Wood v SSCLG, Gravesham Borough Council [2015] EWCA Civ 195

not occupy a gap between existing buildings and would not be “limited infilling” for the purposes of applying paragraph 154(e) of the Framework.

11. It has been put to me that the replacement of the existing building with a new dwelling would fall within the exception set out in Paragraph 154(g) of the Framework. This provision allows for limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use, whether redundant or in continuing use, excluding temporary buildings), provided it does not cause substantial harm to the openness of the Green Belt.
12. However, the appeal site is currently in use for grazing only, an agricultural use, and therefore does not fall within the definition of previously developed land as set out in the Framework. As such, Paragraph 154(g) does not apply to the appeal proposal. Moreover, any evidence of built form associated with the site's historic use as part of the Elm Farm complex is not immediately apparent on site.
13. I conclude that the proposed development would be inappropriate development in the Green Belt, having regard to the Framework and Policy GB1 of the LP which, taken together, seek to resist inappropriate development in the Green Belt. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and that substantial weight should be given to any harm to the Green Belt.

Effect on openness

14. Openness in the Green Belt can be understood both visually and spatially. As noted, the appeal site does not currently contain any built development and is in agricultural use, which contributes to its open character. However, there is built form in close proximity to the site, and the presence of hedgerows and other vegetation enclosing the site reduces its visual openness. The introduction of a large dwelling would inevitably diminish the openness of the site further. While additional landscaping could offer some visual screening, it would not mitigate the harm to spatial openness resulting from the development.
15. Overall, the development would result in limited harm to openness, both spatially and visually, albeit at a localised site specific level.

Any other harm

16. Regardless of the matter of the failure to include the site access within the planning application red line referred to above, I have determined the application based on the information before me. This is consistent with the Councils approach to their consideration of the planning application which is the subject of this appeal.
17. A Technical Note addressing access arrangements was lodged with the appeal and has been provided to the Council for review. There appears to be a slight discrepancy between the location of the proposed access detailed on the application drawings and the access considered in the Technical Note. Notwithstanding this discrepancy, I am satisfied based on the information before me, that had I been minded to allow the appeal, an appropriate condition could have been attached to the decision to agree access details with the Council that would have provided a safe access to the site from the public highway and to

provide EV charging. Suitable visibility splays are available for the proposed access point, and I have no evidence to indicate that the proposals would not be acceptable for other reasons.

18. I therefore conclude that the proposed access arrangements and highways provisions on site are consistent with the requirements of Local Plan policies TM2 and TM4.
19. The appeal site lies within the setting of Elm Farm and Elm Farm Garage, both of which are Grade II Listed Buildings. There is a statutory duty to give special regard to the desirability of preserving or enhancing the setting of these heritage assets. The proposed dwelling features a traditional design and high-quality materials. The mature and extensive boundary treatment between the appeal site and the listed buildings provides a significant degree of separation, resulting in a neutral impact on the heritage assets. Consequently, the proposal would preserve the character and appearance of the listed buildings.

Other considerations

20. Whilst I do not have full details of other developments permitted in the area and referred to by the appellant, I acknowledge that the area may undergo change in the future. However, the appeal site remains designated as Green Belt, where both national and local policies apply. It plays an important role in maintaining openness between the built environments of the area. Therefore, the existence of other permitted dwellings in the local area does not, in itself, justify the erection of a new dwelling on the appeal site.
21. The enhancement of the Green Belt through the retention of existing trees, a comprehensive landscape management plan, measures to prevent anti-social behaviour, and planting to promote biodiversity has been identified as a positive benefit. Overall, I conclude that the proposal would result in a limited positive effect on the character and appearance of the Green Belt in these specific regards.
22. The quality of design of the proposed dwelling is highlighted as a benefit, including its potential to enhance the setting of the nearby listed Elm Farm (see below where this matter is addressed). However, rather than being a positive benefit, this is a requirement under both local and national policy. I have therefore afforded this only limited positive weight.
23. Although the site is somewhat isolated from open countryside due to surrounding development, this does not in itself justify further development. The openness of the site contributes positively to its Green Belt designation, and I therefore afford this point in favour of the development very limited weight.
24. The proposed dwelling may incorporate energy efficiency measures and renewable technologies that exceed building regulations. However, these are personal benefits to the occupier and, as such, I afford them very limited weight as there is negligible public benefit.

Whether Very Special Circumstances exist

25. The development would cause harm to the Green Belt by way of its inappropriateness. Added to this is the harm to openness, to which I attach more limited weight.

26. I have taken into account other considerations advanced and, for the reasons I have set out, they would not attract sufficient weight to clearly outweigh the harms I have found. The lack of harm in terms of highways safety and listed building setting have neutral effects and do not weigh in favour of the proposal.
27. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal is therefore in conflict with Policy GB1 of the Local Plan and the Framework.

Conclusion

28. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above, the appeal should be dismissed.

F P Tinsley

INSPECTOR