Planning Inspectorate

Appeal Decision

Site visit made on 7 January 2026

by F. Bradley BRP (NZ) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th January 2026

Appeal Ref: APP/J1915/D/25/3376134
22 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 Mr A Harrison against the decision of the East Hertfordshire District Council.
- The application ref is 3/25/1070/HH.
- The development proposed is described as “rear and side extension”.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

   i. whether the proposal would be inappropriate development in the Green Belt (GB);

   ii. if the proposal is inappropriate development, the effect of the proposal on the openness and purposes of the GB;

   iii. the effect of the proposal on the character and appearance of the area;

   iv. the effect of the proposal on European protected species, specifically bats; and

   v. if the proposal is inappropriate development, 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

Whether inappropriate development

3. The appeal site comprises a two-storey detached dwelling and residential land which is located within the GB. Policy GBR1 of the East Herts District Plan (EHDP) states that development proposals within the GB will be assessed in accordance with government guidance contained in the National Planning Policy Framework (the Framework). Paragraph 154 of the Framework states that development in the GB is inappropriate unless one of the listed exceptions apply. These include, at paragraph 154c), 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. Neither the Framework nor Policy GBR1 of the EHDP define what is to be considered as a ‘disproportionate’ addition.

4. The Council has set out the footprint and floor areas of the original dwelling, subsequent extensions and the proposed development which are not disputed. The floor area of the original dwelling according to the Council's measurements was 89sqm, to which further extensions totalling 94sqm have been erected. The demolition of a side extension comprising 10sqm is noted however the appeal development proposes an additional floor area of 166sqm, which would significantly increase the footprint and volume of the building.

5. The proposal, when taken separately and in combination with the previous extensions, would result in a disproportionate addition in terms of its size over and above the size of the original building. It follows that the exception set out in paragraph 154c) of the Framework would not apply to the proposal.

6. Thus, I conclude that the proposal would represent inappropriate development in the GB, having regard to paragraph 154c) of the Framework and Policy GBR1 of the EHDP. Inappropriate development is harmful by definition and, in accordance with paragraph 153 of the Framework, should not be approved except in very special circumstances.

Openness and purposes

7. Paragraph 142 of the Framework states that an essential characteristic of the GB is its openness, which can be perceived visually and spatially. The existing dwelling is set centrally within the site. Due to gaps between the dwelling and buildings on adjacent sites and their setbacks, the existing dwelling is visible from the public realm, including from longer views from the road to the front of the nearby Woodman and Olive Public House. In particular, the two-storey side extension, would be visible from the public realm due to its siting and height. The extensions would add volume of built form on land currently devoid of such thereby reducing openness.

8. Taking the above into account, there would be a reduction in openness in both visual and spatial terms, albeit at a modest level of harm.

Character and appearance

9. The host property comprises a two-storey detached dwelling with a tiled roof. Although it has been previously extended, the dwelling makes a positive contribution to the streetscene by virtue of its architectural design. The surrounding residential properties comprise dwellings of differing sizes, designs and ages which, together with the adjacent Public House, feature pitched roofs. The site is set within a cluster of buildings but due to the sporadic form of surrounding development, the size of the appeal site and the countryside to the rear, the area has a predominantly rural character.

10. The proposal includes a flat-roofed single storey rear extension which would extend across the width of the dwelling and the side extension. The overall size of the extension, together with its flat roof, would not accord with the scale and architectural style of the host dwelling, resulting in a discordant form of development.

11. The roof form of the two-storey side extension comprises two dual pitched elements, with a lower height ridge to the front and a higher ridge to the rear that aligns with the existing ridge line of the dwelling. The roof forms would be visible

from the public realm, and due to their varying heights would appear contrived and incongruous to the host dwelling, thereby failing to respond positively to the streetscene. The massing of the extension, together with the height of the rear ridge, would not be subservient to the host dwelling. Although the brickwork and roof tiles to the front elevation would be in second hand materials to reflect the existing elevation, this would not mitigate the harm identified.

12. In conclusion, the proposal would have a significant harmful effect on the character and appearance of the area. It would therefore conflict with Policy HOU11 of the EHDP which seeks that extensions and alterations to dwellings should be of a size, scale, mass, form, siting, design and materials that are appropriate to the character, appearance and setting of the existing dwelling and/or the surrounding area, and extensions should generally appear as a subservient addition to the dwelling. The proposal would also conflict with Policy DES4 of the EHDP insofar as it seeks development to be of a high standard of design and promote local distinctiveness.

Protected species

13. Paragraph 99 of Circular 06/2005 states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted. In the absence of any survey, it is not known if, and to what extent, bats are currently using the site for roosting. Accordingly, it is not possible to determine if there would be an adverse impact on bats as a result of the development.

14. I therefore conclude that there is insufficient evidence to demonstrate that the proposal would not have a harmful effect on European protected species, specifically bats. The proposed development would therefore conflict with Policy NE3 of the EHDP which seeks to ensure that development proposals give due consideration to ecology and any protected species on site.

Other considerations amounting to very special circumstances

15. I have not been made aware of, nor have I identified, any other considerations which would amount to the very special circumstances required to justify the proposal.

Conclusion

16. The proposal would constitute inappropriate development in the GB and would also be harmful to openness, and result in harm to the character and appearance of the area. The Framework requires that substantial weight is given to any harm to the GB, including harm to its openness. The Framework also indicates that inappropriate development should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the GB by reason of inappropriateness, and any other harm resulting from the development, is clearly outweighed by other considerations. There are no other considerations before me in this case which would clearly outweigh the harms identified above. Consequently, the very special circumstances necessary to justify the development do not exist.

17. The proposed development would also conflict with the Development Plan when read as a whole and fail to accord with the Framework which seeks to protect the GB. Therefore, there are no other justifications for allowing the appeal.

18. For the reasons set out above, I dismiss the appeal.

F. Bradley

INSPECTOR