



Appeal Decision

Site visit made on 26 February 2026

by **V Goldberg BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 March 2026

Appeal Ref: APP/J1915/C/24/3341393

Ivy Farm, Cradle End, Little Hadham, Ware SG11 2ER

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Paul Bryan of Bryan Builders against an enforcement notice issued by East Hertfordshire District Council.
 - The notice was issued on 27 February 2024.
 - The breach of planning control as alleged in the notice is: Without planning permission, the erection of a garage.
 - The requirements of the notice are to:
 - A. Remove the unauthorised garage in its entirety.
 - B. Remove all debris, waste and materials resulting from A.
 - The period for compliance with the requirements is 6 months from the date this notice is effective
 - The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Procedural Matter

2. On 12 December 2024, the Government published a revised National Planning Policy Framework (the Framework). Given the changes to Green Belt policy within the Framework, the parties were invited to comment on whether Paragraph 155 of the Framework has any relevance to the case. The comments received have been considered in my assessment.

Appeal on Ground (a) and the Deemed Planning Permission

3. An appeal under ground (a) is that planning permission should be granted for the matter alleged. The **main issues** are:
 - whether the garage is inappropriate development in the Green Belt having regard to any relevant development plan policies and the National Planning Policy Framework (The Framework);
 - the effect of the garage on the openness of the Green Belt;
 - the effect of the garage on the character and appearance of the area;

- the effect of the garage on the significance of the Farmhouse at Ivy Farm as a Grade II listed building, through development in its setting; and
- 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

4. The site is located within the Green Belt. Paragraph 153 of the Framework sets out that substantial weight should be given to any harm to the Green Belt, and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 of the Framework states development in the Green Belt is inappropriate unless exceptions apply. One of these exceptions is the extension or alteration of a building, provided it does not result in disproportionate additions over and above the size of the original building.
5. Policy GBR1 of the East Herts District Plan 2018 (Local Plan) aligns with the Framework detailing that planning applications in the Green Belt will be considered in line with the provisions of the Framework.
6. The main farmhouse is a two-storey detached dwelling that has been substantially extended over time. It benefits from a two-storey rear extension, two-storey side extension, and a detached single garage. The new garage that is the subject of this appeal is notably large and broadly comparable in width to the original farmhouse. Although single storey, its overall footprint and massing are considerable in relation to the host building. When viewed in conjunction with the existing extensions and the original single garage, the combined development results in a cumulative level of built form that constitutes disproportionate additions over and above the size of the original building.
7. A further exception under paragraph 154 of the Framework relates to buildings required for agriculture or forestry. Although the appeal form states that the garage was erected for farm storage purposes, on the basis that the surrounding land is unsuitable for storing animal feed or housing livestock, the evidence before me does not support this claim. During my visit, it was apparent that a substantial proportion of the garage is used for the parking of domestic vehicles. I observed no livestock on the site, and the photographs submitted confirm that the garage is not used for housing animals. Moreover, aside from a small number of hay bales, there is little indication that the garage is used for the storage of animal feed. Accordingly, it has not been sufficiently demonstrated that the garage is used for agricultural or forestry purposes, and it therefore does not fall within this exception.
8. Paragraph 155 of the Framework details that other development in the Green Belt should not be regarded as inappropriate where all the following apply, a) the development would utilise Green Belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan, b) there is a demonstrable unmet need for the type of development proposed, c) the development would be in a suitable location, with particular reference to paragraphs 110 and 115 of the Framework and d) where applicable

the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 of the Framework.

9. Whilst the Council assert that Paragraph 155 does not apply to householder applications, this is not a position supported by the wording of the Framework, which does not expressly exclude such development. However, in the absence of any supporting evidence that the garage accords with each of the requirements set out in paragraphs 156–157 of the Framework, it has not been demonstrated that the garage would meet the conditions necessary for development to be regarded as not inappropriate under Paragraph 155.
10. As a result, the garage does not fall within the exceptions to inappropriate development listed in the Framework, it would therefore comprise inappropriate development in the Green Belt.

Openness

11. Openness is identified in the Framework as one of the Green Belt's essential characteristics, it has both spatial and visual dimensions. The spatial impact of the garage is significant, as it introduces a substantial volume of built form onto a previously undeveloped part of the site, thereby reducing the spatial openness of the Green Belt.
12. In terms of visual openness, the garage is visible from the main road and from the public footpath that runs to the rear of the structure. Given the dark material evident between the cladding, which contrasts noticeably with the lighter cladding itself, together with the building's height and width, the garage presents as an obvious feature within these public views. Its design, scale and siting therefore result in a clear reduction in the visual openness of the Green Belt. The garage consequently causes an adverse effect on openness, resulting in significant harm to the Green Belt. For the above reasons the garage is contrary to Policy GBR1 of the Local Plan.

Character and appearance

13. The appeal site is set within extensive open agricultural fields that give the area a distinctly rural character. Built form is sparse and consists mainly of rendered detached dwellings within generous plots, alongside a small number of agricultural buildings. These buildings typically feature pitched, tiled roofs. This pattern of development creates a strong sense of openness and spaciousness, reinforcing the rural character and appearance of the surrounding area.
14. Within this context, the garage appears as an incongruous addition. Its flat-roofed, elongated form, design, and overall scale contrast starkly with the traditional rendered dwellings and the horizontally clad and tiled agricultural structures that typify the area. Furthermore, whereas render and horizontal cladding are established materials locally, the use of vertical cladding with dark material between, introduces a starkly contemporary and utilitarian appearance. Consequently, the garage is visually prominent and fails to respect or reflect the prevailing character and appearance of the locality.
15. For the above reasons, the garage conflicts with Policies DES4 and HOU11 of the Local Plan. Among other requirements, these policies expect development to achieve a high standard of design, to reflect and promote local distinctiveness, and

to be of a size, scale, mass, form, siting and design that are appropriate to the character, appearance and setting of the existing dwelling and the surrounding area.

The effect of the garage on the significance of the Farmhouse at Ivy Farm

16. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
17. The garage is situated within the front garden of the Farmhouse at Ivy Farm, a Grade II listed building. The significance of the listed building derives primarily from its age, architectural character, and historic form, which collectively reflect its origins as a gentleman's residence associated with a small farmstead. As a result, its rural setting, characterised by open and largely undeveloped surroundings, contributes to the significance of the listed building.
18. Despite being sited to the side of the listed building, the garage's position in front of the farmhouse and on noticeably higher ground results in it being clearly perceptible from the street scene and from the public right of way to the west of the site. Its siting therefore detracts from the way the listed building is experienced and understood, as it erodes the rural character and openness that positively contributes to the significance of the listed building's setting.
19. Paragraph 205 of the Framework advises that great weight should be given to the conservation of designated heritage assets when considering the impact of development on their significance. In respect of the identified harm to the setting of the listed building and having regard to the scale and nature of the garage, the degree of harm to its significance would fall within the category of "less than substantial harm". Paragraph 208 of the Framework indicates that such harm should be weighed against the public benefits of the development. The provision of the garage is, a private benefit serving the occupiers of the property, and public benefits have not been advanced that would outweigh the less than substantial harm identified.
20. For the reasons above, the garage unacceptably affects the significance of the Farmhouse at Ivy Farm, a Grade II listed building, through development in its setting. It would therefore be contrary to Policies HA1 and HA7 of the Local Plan insofar as they require development to preserve the setting of listed buildings. It would also conflict with the duty under section 66 (1) of the LBCA.

Other Matters

21. The enforcement notice refers to Policy HOU13 of the Local Plan which relates to residential annexes. Given the garage is not a residential annexe this policy is not relevant to the determination of this appeal.
22. Reference is made to the access serving the garage and the associated hard surfacing. However, the allegation in the enforcement notice makes no reference to either the access or the hardstanding. As a result, I have not taken these elements into account in my assessment.

Green Belt Balance

23. The garage constitutes inappropriate development within the Green Belt. It also results in harm to the openness of the Green Belt, both spatially and visually. The Framework establishes that substantial weight should be given to any harm to the Green Belt. In addition, the garage has an unacceptable effect on the character and appearance of the area and results in less than substantial harm to the Grade II Listed Farmhouse, which I give great weight.
24. Very Special Circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations. In this case, no such Very Special Circumstances have been demonstrated. The harm to the Green Belt, the character and appearance of the area and the setting of the Farmhouse at Ivy Farm has not been outweighed. The Very Special Circumstances necessary to justify the retention of the garage do not, therefore, exist.
25. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

V Goldberg

INSPECTOR