



Appeal Decision

Site visit made on 28 April 2025

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29th May 2025

Appeal Ref: APP/A1910/D/24/3354212

Ashlyns Farm Cottage, Chesham Road, Berkhamsted, Hertfordshire HP4 2ST

- 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 Paul Gash against the decision of Dacorum Borough Council.
 - The application Ref is 24/01432/FHA.
 - The development proposed is single storey rear and double storey side extensions and external and internal alterations.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Section C of the appeal form provides the reference number of two distinct planning applications. The appellant's appeal statement confirms that they wish to appeal application ref 24/01432/FHA. For the avoidance of doubt, I have determined the appeal based on the plans submitted with this application.
3. The revised National Planning Policy Framework (the Framework) was published on 12 December 2024. The main parties were invited to provide comments on this matter and the comments received have been taken into account in my determination of the appeal.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - the effect of the proposed development on the character and appearance of the host dwelling and of the area; 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

5. The appeal site is located within the Green Belt. The Government attaches great importance to Green Belts. 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.
6. The Framework states that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions. One such exception, at paragraph 154e), is the limited infilling in villages. Policy CS5 of the Core Strategy 2006-2031 (2013) (CS) states that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt.
7. The Framework does not define what constitutes either a village or 'limited infilling', but to meet this exception development must be limited, must represent infilling and must be in a village. Therefore, the question of whether a settlement is or is not a village and whether a proposal constitutes limited infilling is a matter of planning judgement, having regard to matters such as the location of the appeal site and its relationship to existing adjoining development.
8. The appeal site is accessed off Chesham Road, which is a thoroughfare leading into Berkhamsted. It is situated within a small pocket of development surrounded by countryside with a school opposite, and the presence of the nearby A41 is apparent by the noise it generates. Despite its proximity to Berkhamsted, there is a clear break in the built form on the eastern side of Chesham Road due to the generous grounds that surround the school buildings, while on the western side of Chesham Road there are areas of open land. Having regard to the situation on the ground, the appeal site does not appear to form part of Berkhamsted.
9. In any event, Berkhamsted is identified as a Market Town in the settlement hierarchy set out in CS Policy CS1. I observed in my site visit that Berkhamsted has a strong urban environment and accommodates a range of employment opportunities, services and facilities which support it as a standalone settlement.
10. Other than the accommodation for old people to the south and the school opposite, I have not been directed to any other facilities or services available within this pocket of development that would support it as a settlement. On this basis, it has not been demonstrated that the site is within a village.
11. Given that I have found that the appeal site is not within a village, it is not necessary for me to go on and consider whether the proposal would amount to 'limited infilling' as I have already established that the proposal would not meet the exception under paragraph 154e) of the Framework.
12. Accordingly, the proposed development would not meet the requirements of Paragraph 154 e) of the Framework. The development would also conflict with CS Policy CS5 which seeks to control inappropriate development in the Green Belt.

Openness

13. The Framework identifies the essential characteristics of Green Belts as being their openness and their permanence.

14. Due to its overall width, depth and two storey height, the proposed development would substantially increase the bulk and massing of the host dwelling. Therefore, the proposal would harm the openness of the Green Belt in spatial terms.
15. The appeal property is in a spacious plot set amongst other properties and set back from the public highway. The proposal would have a visual presence in public views from the road, given the nature of the site's front boundary treatment. As such, the proposal would harm the visual aspect of openness.
16. Given the above, I find that the scale of the development would reduce the openness of the Green Belt. Although the loss of openness to be localised and moderate, the development would nevertheless conflict with CS Policy CS5 and with the Framework.

Character and appearance

17. Ashlyns Farm Cottage is a two-storey semi-detached dwelling with a pitched roof and prominent front gable. The dwelling is located within a large plot set within a small row of dwellings which are normally set back from the road. These dwellings vary in size, but normally display pitched roofs. The appeal dwelling is substantially set in from its common side boundary with the neighbouring property to the east, and this gap allows for views towards the backdrop of trees. There is a school set within generous and verdant grounds opposite the site.
18. The proposal would result in a two-storey addition being provided to the side of the property. The extension would display a half-hipped roof form, which would not be characteristic of the host dwelling and would fail to harmonise with the existing roof form. Therefore, the proposal would form an unsympathetic addition that would appear at odds with the character of the host dwelling.
19. Owing to the nature of the site's front boundary treatment, the proposal would be prominent within the street scene. The half-hipped roof would jar with the surrounding context. Despite the use of appropriate materials, the proposal would appear discordant and visually intrusive along a group of dwellings characterised by pitched roofs.
20. The width and roof height the proposed extension, combined with its set back from the front elevation at two storey height, would ensure that the proposal would read as a subordinate addition to the host property. However, this would not be sufficient to overcome the harm identified.
21. The proposal would therefore have a harmful effect on the character and appearance of the host dwelling and of the area. It would conflict with Saved Appendix 7 of the Dacorum Borough Local Plan 1991 – 2011 (2004) and with CS Policies CS11 and CS12. Amongst other things, these policies support development that enhances spaces between buildings, integrates with the streetscape character, and harmonises with the design and character of the house.

Other considerations

22. The property attached to the appeal dwelling, Ashlyns Farm House, has been previously enlarged with two storey and single storey extensions. While the proposal seeks to extend the appeal dwelling to a similar footprint, the evidence provided indicates that the extensions at this neighbouring property predate the

Framework and the CS. As such, this development was implemented under a different policy context and, consequently, I afford this matter limited weight.

23. From the limited information provided in relation to the development of five new properties on adjacent land, it appears that this development was on previously developed land. On this basis, it is unlikely that the circumstances of this example would be comparable to the proposal before me. Accordingly, this consideration carries minimal weight.
24. The appellant advises that some nearby fields form part of the South Berkhamsted Growth Area and are being put forward for development as a part of the Dacorum Local Plan to 2041. The Council has confirmed that the draft plan is at examination, and therefore at an advanced stage. However, at the current time it does not form part of the statutory development plan. In any event, while the proximity of the appeal site to the South Berkhamsted Growth Area is noted, there is no compelling evidence before me to suggest that the appeal site would be excluded from the Green Belt boundaries as a result of this neighbouring development. Subsequently, this carries limited weight.

Other Matters

25. I understand that the proposal follows a previous planning application which was refused by the Council. Whereas it may be that the design of the extension has been amended, I find that the scheme before me would be harmful in its own right for the reasons set out above.

Green Belt Balance

26. The Framework sets out that very special circumstances to justify inappropriate development 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.
27. The appeal scheme would be inappropriate development that would, by definition, harm the Green Belt. There would be loss of openness. Further, the proposal would harm the character and appearance of the host dwelling and of the area. The Framework requires that substantial weight is given to any harm to the Green Belt and any other harm.
28. I have found that limited weight should be attached to the other considerations in this case for the reasons set out above. With this in mind, very special circumstances to justify the proposal's harm to the Green Belt, and any other harm, do not exist.

Conclusion

29. 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. For the reasons given above the appeal should be dismissed.

P Terceiro

INSPECTOR