



Appeal Decision

Site visit made on 7 October 2025

by Peter Willows BA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2025

Appeal Ref: APP/A1910/C/23/3331206

Land at Hillside View, Old Watling Street, Flamstead, St Albans, Hertfordshire AL3 8HL

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Ms Rosalind Sheehan against an enforcement notice issued by Dacorum Borough Council.
 - The notice was issued on 4 September 2023.
 - The breach of planning control as alleged in the notice is the change of use of a residential outbuilding to a commercial dog grooming business.
 - The requirements of the notice are:
 1. Cease the use of the outbuilding for the grooming of dogs
 2. Remove all equipment from the outbuilding associated with the business of dog grooming, including but not limited to all grooming tables, wash areas, all grooming equipment, cages and signage.
 - The period for compliance with the requirements is 2 months.
 - 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.
-

Decision

1. It is directed that the enforcement notice is corrected by the substitution of the plan annexed to this decision for the plan attached to the enforcement notice. Subject to that correction the appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the development already carried out, namely the change of use of a residential outbuilding to a commercial dog grooming business at Hillside View, Old Watling Street, Flamstead, St Albans, Hertfordshire AL3 8HL, as shown on the plan attached to the notice (as corrected) and subject to the following conditions:
 - 1) The dog grooming use hereby permitted shall not be carried out other than between the hours of:
 - 9am to 5pm Monday to Fridays; and
 - 9am to 3pm Saturdays;and shall not be carried out at any time on Sundays or Public/Bank Holidays.
 - 2) In addition to staff, there shall be no more than 1 customer and their dog on site at any one time.

Preliminary Matters

2. The breach of planning control alleged in the notice is the change of use of a residential outbuilding to a commercial dog grooming business. Thus, it is clear that

it relates to a specific building. However, the plan attached to the notice defines a much wider area, which includes the dwelling 'Hillside View', its garden and a paddock. The allegation in the notice makes no reference to the other uses taking place on the land and the building targeted by the notice is not identified on the plan.

3. I raised this matter with both parties. In response, the Council has provided me with a revised plan, identifying a much reduced site area, relating only to the building targeted by the notice. By excluding the other areas, on which other uses are taking place, the revised plan would ensure that the notice properly reflects the area on which the dog grooming use is taking place.
4. Under section 176(1)(a) of the Town and Country Planning Act 1990 (as amended) I am able to correct any defect, error or misdescription in the enforcement notice, provided doing so would not cause injustice to the appellant or the local planning authority. In this case, there is no confusion regarding the matter targeted by the notice or the building it relates to. Consequently, I am able to correct the notice by replacing the plan with the revised plan the Council has provided. The appeal is considered against the notice in this corrected form.
5. The National Planning Policy Framework (The Framework) was updated in December 2024, after the parties to the appeal submitted their statements. However, the key policies, insofar as they relate to this appeal, have not changed in substance, and I have not sought any further comments in relation to the revised document.

Reasons

Main Issues

6. The main issues are:
 - Whether the development is inappropriate in the Green Belt, having regard to the National Planning Policy Framework and any relevant development plan policies;
 - The effect of the development on the openness of the Green Belt and its purposes;
 - Whether the access to the site is satisfactory; and
 - The effect of the development on neighbouring occupiers, with particular regard to any noise or disturbance arising from the use.

The Green Belt

7. The Council does not appear to oppose the development, subject to the imposition of appropriate conditions. However, its position regarding how Green Belt policy applies is not entirely clear, so I consider the matter below.
8. The site lies within the Green Belt. Policy CS5 of the Council's Core Strategy seeks to apply national policy in the Green Belt. National policy is set out in the Framework. Key to the approach in the Framework is deciding whether or not the scheme amounts to 'inappropriate development'. The Framework establishes at Paragraph 153 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '

9. The Framework advises at Paragraph 154 that development in the Green Belt is inappropriate unless one of the specified exceptions applies. These include 'the re-use of buildings provided that the buildings are of permanent and substantial construction'. The Council accepts that the change of use in this case conforms with this exception, a view I share.
10. There is no claim of any harm to openness arising from the change of use, or of any conflict with the purposes of Green Belt. Accordingly, this is not inappropriate development. It follows from this that there is no requirement for the appellant to demonstrate very special circumstances of the kind referred to in Paragraph 153 of the Framework. I find no conflict with Policy CS5 and no reason to oppose the development on Green Belt grounds.

Access and living conditions

11. The Council's statement makes clear that any matters relating to the access or noise and disturbance arising from the use could be addressed with planning conditions. It has submitted a list of suggested conditions, which the appellant does not oppose. Accordingly, there is no reason to withhold planning permission on the basis of any harm arising from these matters, and I find no conflict with the aims relating to access and neighbouring properties within Core Strategy Policy CS12.

Conclusion and conditions

12. For the reasons set out above I conclude that there is no harm arising from the development and that it accords with the development plan, read as a whole. Accordingly, I will grant planning permission. I have attached planning conditions specifying the opening hours to protect the living conditions of neighbouring residents. A condition limiting the number of customers is necessary in the interests of road safety. I have considered the Council's suggestion of a condition to control external lighting, but am not persuaded that such a condition is necessary, having regard to the location of the subject building and its relationship to existing buildings and neighbouring property.

Peter Willows

INSPECTOR

Plan

This is the plan referred to in my decision dated: 24 October 2025

by P H Willows BA MRTPI

Land at Hillside View, Old Watling Street, Flamstead, St Albans AL3 8HL

Appeal Ref: APP/A1910/C/23/3331206

Scale: NTS

