



Appeal Decision

Site visit made on 11 November 2025 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th December 2025

Appeal Ref: APP/A1910/D/25/3370663

110 Chipperfield Road, Kings Langley, Hertfordshire WD4 9JD

- 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 & Mrs R Fidler against the decision of Dacorum Borough Council.
 - The application Ref is 25/01197/FHA.
 - The development proposed is a proposed porch and roof conversion with new dormers and pv panels
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Decision

1. The appeal is dismissed.

Appeal Procedure & Preliminary Matters

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.
3. The description of development on the application form differs to the decision notice. I am however satisfied that it accurately describes the proposal so the main parties would not be prejudiced by me using it. It also appears to be common ground that the appeal proposals would not be acceptable under paragraph 154 (c) of the National Planning Policy Framework (the Framework). I have no reason to take a different view and have thus not considered the matter further.

Main Issues

4. The main issues are a) whether the proposal would be inappropriate development in the Green Belt; b) its effect on the openness of the Green Belt and c) if the scheme would be inappropriate development, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, as to amount to the very special circumstances required to justify it.

Reasons for the Recommendation

Inappropriate Development

5. Policy CS5 of the Dacorum Core Strategy 2013 (CS) states that the Council will apply national Green Belt Policy. It is also broadly consistent with the Framework in so far as it relates to the purposes of the Green Belt along with some of the exceptions for given developments therein, or not inappropriate for the Framework's purposes.

6. Paragraph 154 (g) considers the partial or complete redevelopment of previously developed land, whether redundant or in continuing use which would not cause substantial harm to the openness of the Green Belt. CS5 also refers to redevelopment, but in the broader sense, not clarifying whether it could be partial or complete. Taking this and the appellant's case together, I am considering the matter of redevelopment, partial or complete, of previously developed land and, in the vein of the exceptions of CS5 and the Framework, whether this would mean the appeal scheme would be inappropriate in the Green Belt.
7. The proposal would be classed as being development under section 55 of the Town and Country Planning Act 1990. I also agree that the definition of redevelopment as per the appellants submission would be the action of developing something again or differently. However, it also strikes me that redeveloping something should logically involve something(s) being taken away and something(s) being put in their place or be somewhere instead of them. This, to my mind, differentiates something that might be altered or extended and for all intents and purpose stay where it is. I.e. something existing is thus being developed (extended) and not redeveloped.
8. The description of development does not infer that there will be any substantive demolition or removal. The roof is to be altered; it is also to be extended upwards with the addition of dormer windows. Whilst there is an element of removal to facilitate the works, this would be arguably diminimus as an act and any roof removed is then put back only above the space where the roof was and the dormers would then be. Moreover, nothing is physically disappearing as part of the development proposal in this case. An existing building is being extended and thus developed. It would be unacceptably stretching the definition of redevelopment to consider it so.
9. Additionally, the Green Belt exceptions within the Framework explicitly have an exception where extensions are acceptable in certain circumstances. If such could be considered redevelopment (which they may if they involved substantive demolition) and fall under redevelopment on previously developed land (which I shall come onto), it would obviate the need for 154 (c). Therefore, the proposal before me is more akin to new development rather than being at the least a partial redevelopment of the dwelling.
10. CS5 does not define previously developed sites (in its words). The Framework excludes land in built up areas such as residential gardens. The site has been lawfully developed. The appeal site is not within a settlement boundary. Being outside of a specific boundary does not automatically mean that the site is not within a built-up area. The appeal building part of a ribbon development with a large number of other houses either side of it. They might be only on one side of the road, and the wider area is characterised as being more rural. However, the prominence of multiple houses along the road undeniably reads as being built up. With this and the above in mind, the appeal scheme would not be acceptable under 154 (g). It would therefore be inappropriate development, contrary to both the approach of the Framework and Policy CS5 in protecting the Green Belt therefrom in the interests of its openness and permanence.

Openness

11. Openness has a spatial and visual aspect. The former can be taken to mean the absence of built form. Given the built-up nature of the street scene and the scheme

relating to enlarging an existing dwelling therein. As well as the fact that the appeal building is one of the smaller in the street. There would be a very limited effect on the visual aspect of the Green Belt's openness. Whilst there would be a reduction in the openness of the Green Belt by virtue of there being development where there is currently none, in regard to the spatial aspect, this would be equally limited given the contextual scale of the appeal works in the site and street scene sense. Overall, taking both aspects into account, there would be limited harm to the openness of the Green Belt. This would also conflict with the aims of CS5 and the Framework as I have set them out.

Other Considerations

12. The Council have not identified any other harms arising from the proposal; however, this would be a neutral matter in any balancing exercise. Whether the appeal scheme would be sustainable development under an accepted definition thereof would be worthy of some weight. But such would be tempered by the fact it would not meet the presumption in favour thereof for the purposes of an assessment under the Framework. Particularly in light of the harms I have found.
13. The appellant's frustrations with the Council's handling and understanding of this scheme and its predecessors are noted, but not for me to resolve here. I am also cognisant of the appellant's personal circumstances and desire for a large and improved dwelling which would be worthy of limited weight given it is unclear as to whether the appeal scheme, and the arguments therefore, is the sole means of achieving such. I have not seen details of any other examples of alterations, extensions or replacement dwellings locally sufficient for me to draw any meaningful comparisons to the appeal scheme or the arguments in favour.

Conclusion and Recommendation

14. The proposal would be inappropriate development in the Green Belt. It would also reduce its openness. These harms are worthy of substantial weight as per the Framework. For the reasons I have explained, the other considerations would not be sufficient to clearly outweigh the harms I have found. Such that the very special circumstances necessary to justify the proposal do not exist.
15. For the reasons given above, the appeal scheme would not comply with the development plan, and I have been given no compelling reason, taking into account other material considerations advanced (including the approach of the Framework), to deviate therefrom. I therefore recommend that the appeal should be dismissed.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR