



Appeal Decision

Site visit made on 13 January 2026

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21st April 2026

Appeal A Ref: APP/W1525/W/25/3373981

Round Farm, Goatsmoor Lane, Stock, Ingatestone, Essex CM4 9RS

- 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 Tony Netherton of Stock Dogs against the decision of Chelmsford City Council.
 - The application Ref is 25/00848/FUL.
 - The development proposed is change of use of the existing summer house on agricultural land to a commercial dog grooming salon (Use Class E).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the application form includes comprehensive details about the development. In the interests of conciseness I have omitted these details in the banner header above.
3. It has not been disputed that the summer house has been constructed without planning permission. However, the planning application form only seeks permission for the proposed change of use and the planning appeal form indicates that the description of development on the application form is correct. Furthermore, the appellant's submission does not expressly seek planning permission for the summer house. I shall therefore proceed with the appeal on this basis of the proposed change of use.

Main Issues

4. The main issues are:
 - whether or not the proposal would be inappropriate development in the Green Belt for the purposes of development plan policy and the National Planning Policy Framework (2024) (the Framework);
 - the effect of the proposal upon the openness of the Green Belt; and
 - if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether it is inappropriate development

5. The Framework establishes that new buildings and certain other forms of development in the Green Belt are inappropriate except in certain circumstances, which are listed in paragraphs 154 and 155. Policies DM6, S1 and S11 of the Chelmsford Local Plan (2020) (LP) are consistent with the Framework, insofar that they seek to prevent inappropriate development in the Green Belt, while Policy DM6 also includes a list of exceptions to inappropriate development.
6. The appellant accepts that the proposal does not fall within the exceptions in LP Policy DM6 or the Framework and, based on the evidence before me, I have no reason to find otherwise. Consequently, the proposal would constitute inappropriate development in the Green Belt.

Openness

7. Openness is an essential characteristic of the Green Belt, and one of the fundamental aims of the Green Belt is to keep land permanently open. The Planning Practice Guidance states that openness is capable of having both spatial and visible aspects, so that both the visual impact of the development and its size may be relevant¹.
8. The change of use would result in an intensification of the use of the building. However, the proposed use as a dog grooming salon would be modest in scale and would be set against the backdrop of the existing agricultural buildings and operations. As such the proposed change of use would not have a significant effect on the openness of the Green Belt.

Other Considerations

9. The dog grooming salon would provide a service to local residents and their dogs, placements for college students, and employment opportunities. Given the modest scale of the proposal I attach moderate weight to these benefits.
10. The summer house is located adjacent to the existing agricultural operation and the evidence before me does not demonstrate that the summer house is within the curtilage of a residential dwellinghouse. It is therefore uncertain whether residential permitted development rights apply at the appeal site. Accordingly, I attach very limited weight to the permitted development fallback position.

Other Matters

11. I acknowledge the Council's concerns regarding the accuracy of the submitted drawings and the red line boundaries, however I note that the Council validated and determined the application based on those drawings. Nevertheless, as I am dismissing the appeal on other grounds, I do not need to consider this matter further.
12. I have been referred to alleged unauthorised developments nearby. However, the presence of alleged or actual unauthorised development would not justify the appeal scheme.

¹ Planning Practice Guidance, Paragraph: 001 Reference ID: 64-013-20250225

13. Goatsmoor Lane has been identified by the Council as a Protected Lane, and as such is classified as a non-designated heritage asset. Goatsmoor Lane scores highly with regards to biodiversity, which contributes positively to its significance. The Council has not objected with regards to the effect of the development on the protected lane and based on the evidence before me I have no reason to disagree.
14. The Council has not objected on traffic grounds and based on the evidence before me I have no reason to disagree. However, this would represent a lack of harm which does not weigh for or against the proposal.

Planning Balance and Conclusion

15. Although the proposal would not have a significant effect on the openness of the Green Belt, the proposal would cause harm to the Green Belt by way of inappropriateness. In accordance with paragraph 153 of the Framework, I attach substantial weight to the harm caused in this regard. I find that the other considerations in favour of the appeal fall well short of clearly outweighing the harm identified. As a consequence, the very special circumstances necessary to justify the development do not exist. The development therefore would not accord with LP Policy DM6, S1 and S11, the aims of which I have set out above.
16. The Council cannot demonstrate a five-year housing land supply. This is below the minimum level required and with reference to paragraph 11 d) of the Framework, consideration of the presumption in favour of sustainable development is needed.
17. Paragraph 11d)i) of the Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development. Footnote 7 of the Framework confirms that areas or assets of particular importance include land designated as Green Belt.
18. The proposal would constitute inappropriate development in the Green Belt and the very special circumstances necessary to justify the development do not exist. This therefore represents a strong reason to refuse the development.
19. I therefore conclude that the proposal would conflict with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal should therefore be dismissed.

D Ellis

INSPECTOR