



Appeal Decision

Site visit made on 8 April 2025 by A Khan BSc (Hons) MA MSc

Decision by S Edwards BA MATCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 July 2025

Appeal Ref: APP/C3430/D/25/3361886

Appledore, Sparrows End Lane, Brewood, Staffordshire ST19 9DB

- 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 Adam Clifford against the decision of South Staffordshire District Council.
 - The application Ref is 24/00916/FULHH.
 - The development proposed is described as 'new below ground garage'.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

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.

Main Issues

3. The main issues are:
 - i) whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (Framework) and any relevant development plan policies,
 - ii) the effect of the proposal on the openness of the Green Belt,
 - iii) the effect of the proposal on highway safety, and
 - iv) 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 development.

Reasons for the Recommendation

Whether inappropriate development

4. Paragraph 154 of the Framework states that development in the Green Belt is inappropriate unless it falls within a given list of exceptions. This includes the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building (paragraph 154c)). Policy GB1 of the South Staffordshire Council Core Strategy [December 2012] (CS) states that development acceptable within the terms of national planning policy will normally be permitted and is therefore broadly consistent with the Framework.

5. The Council considers that the proposed garage would not meet any of the exceptions set out in the Framework. I note that the development plan does not set out the circumstances in which an outbuilding ought to be treated as an extension to a building. However, the Courts¹ have confirmed that paragraph 154c) 'is not to be interpreted as being confined to physically attached structures but that an extension for the purposes of that provision can include structures which are physically detached from the building of which they are an extension'.
6. The proposed outbuilding would be constructed within the site's front garden, at some distance away from the appeal property. Although it would be partly sunken into the ground, it would nevertheless represent a sizable structure, having regard to its width and depth. By reason of its size, siting and detached appearance, I find that, as a matter of fact and degree, the proposed development cannot be regarded as a normal domestic adjunct. It cannot therefore be considered as an extension to the dwellinghouse, but rather represents a separate building.
7. Consequently, the appeal scheme would be inappropriate development in the Green Belt, contrary to paragraph 154 of the Framework. The proposal would also contradict the Green Belt aims of CS Policy GB1.

Openness of the Green Belt

8. The appeal site benefits from a steep front garden, with the appeal property set back from the road at a higher level. The front garden consists of soft landscaping features and domestic paraphernalia, including a stone wall and timber fencing. The appeal site has an open driveway which runs parallel to the neighbouring property's (The Feathers) driveway, creating a wide open space that provides views into the appeal site from the road.
9. Whilst the proposed design would use the topography of the site to partly build the structure into the ground, it would nevertheless result in the introduction of an additional built form to the front of the site, within what is currently a largely soft landscaped area. The fencing which is proposed to be retained alongside the site's frontage would only partially screen the development which, due to its massing, bulk and proximity to the highway, would be visible in public views. Furthermore, the changes in level required to accommodate the proposed development would, together with the extended sections of walling, result in further visual disruption and harmfully erode the contribution presently made by the site's frontage to the openness of the Green Belt.
10. As a result, the proposed development would erode the openness of the Green Belt, both in visual and spatial terms, which would add to the Green Belt harm by reason of inappropriateness, contrary to Section 13 of the Framework.

Highway safety

11. The appeal property benefits from off road parking and has an existing vehicular access onto Sparrows End Lane, a quiet, narrow road, where the speed limit is 30mph. There are no footways either side of the road. As mentioned above, the driveways of the appeal site and The Feathers run parallel, with no boundary on the section closest to the road, creating an open driveway space. From my observations, the road does not appear to draw much traffic.

¹ Warwick DC v SSLUHC, Mr J Storer & Mrs A Lowe [2022] EWHC 2145 (Admin).

12. Concerns have been raised by the Council regarding the lack of detailed information to show that the development would have no adverse effect on highway safety. For example, no tracking diagrams have been provided to show that vehicles could exit the garage and leave the site in a forward gear. However, I note that the proposed development would not affect the site's existing car parking provision. Furthermore, the land level changes resulting from the proposed development at the point of access would be minimal and are thus unlikely to worsen the visibility significantly when leaving the site.
13. For the reasons given above, and taking into consideration the quiet nature of the road and speed restriction, the proposed development would not have a detrimental effect on highway safety and I thus find no conflict with paragraphs 116 and 117 of the Framework, which seek to ensure that safe and suitable access to the site can be achieved for all users, and development should only be refused if there would be an unacceptable impact on highway safety.

Other considerations

14. Paragraph 153 of the Framework highlights that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, to which I ascribe substantial weight, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
15. The appellant has not provided evidence of any other considerations that amount to very special circumstances to outweigh the harm identified. While the appellant emphasises the design's minimal visual impact, this consideration holds very limited weight due to the high visibility of the scheme in public views.

Planning balance

16. The appeal scheme would constitute inappropriate development in the Green Belt and would cause harm to openness, to which I ascribe substantial weight. The lack of harm in respect of highway safety is a neutral matter which weighs neither in favour of nor against the development.
17. When taken individually or cumulatively, the other considerations advanced in support of the scheme do not clearly outweigh the harm which would be caused to the Green Belt. In this instance, the very special circumstances that are necessary to justify inappropriate development in the Green Belt do not exist. As such, the development would contradict CS Policy GB1 and Section 13 of the Framework, which seek to prevent inappropriate development in the Green Belt.

Other Matters

18. The appeal site is located within the Buffer Zone of Brewood Conservation Area (BCA). No concerns have been raised by the Council regarding the effect of the appeal scheme upon the BCA. Based on my observations and the available evidence, the proposal would lie some distance away from the BCA and I am therefore satisfied that it would not adversely affect the setting or special interest of this designated heritage asset.

Conclusion and Recommendation

19. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

A Khan

APPEAL PLANNING OFFICER

Inspector's Decision

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

S Edwards

INSPECTOR