



Appeal Decision

Site visit made on 2 July 2025

by **C Billings BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29th July 2025

Appeal Ref: APP/U4610/W/25/3359687

Oakfield Stables, Oak Lane, Allesley, Coventry CV5 9BY

- 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 Eamon Spain against the decision of Coventry City Council.
- The application Ref is PL/2024/0001735/FUL.
- The development proposed is change of use of land from agriculture to residential curtilage and erection of rear extension to existing house.

Decision

1. The appeal is allowed and planning permission is granted for the change of use of land from agriculture to residential curtilage and erection of rear extension to existing house at Oakfield Stables, Oak Lane, Allesley, Coventry CV5 9BY in accordance with the terms of the application, Ref PL/2024/0001735/FUL, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies and, if inappropriate, whether any harm by reason of inappropriateness, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

3. The land to the rear of the existing dwelling is currently part of an area of overgrown land, enclosed by a post and rail fence, with paddock areas and a stable block beyond. The plan included with the certificate of lawfulness, Council ref. PL/2023/0000798/LDCE, granted for the appeal dwelling is tightly drawn around the dwellinghouse and includes its access thereto. Therefore, the proposed rear extension would extend onto land at the rear which does not form part of the residential amenity garden area of the dwellinghouse and thereby, it would encroach into the open countryside.
4. It is undisputed by the main parties that the scale of the proposed rear extension and pitched roof, would not represent disproportionate additions over and above the size of the original building. Having regard to the evidence provided, I have no reason to come to a different conclusion on such. Therefore, the exception to inappropriate development in the Green Belt under paragraph 154 c) of the National Planning Policy Framework (the Framework) would apply to the proposal.

5. With regard to the proposed change of use of the land to residential, paragraph 154 h) allows as an exception to inappropriate development in the Green Belt other forms of development, provided they preserve its openness and do not conflict with the purposes of including land within it. This includes under part h) v material changes in the use of land (such as changes of use for outdoor sport and recreation, or for cemeteries and burial grounds).
6. The proposed development would not fall within one of the types of use cited under h) v and, the extension would extend built form onto current open land and so, arguably would not preserve the openness of the Green Belt in spatial terms. Notwithstanding such, having regard to the purposes of the Green Belt set out in the Framework and the evidence provided, the proposed modest extension of the residential property, including the change of use of the small area of land, would not result in the unrestricted sprawl of large built-up areas or cause neighbouring towns to merge with one another. There would be no harm caused to the preservation of the setting and special character of historic towns and the proposal would not affect urban regeneration, nor discourage the recycling of derelict or other urban land.
7. Also, although the proposal would result in built form extending onto open agricultural land, due to the fairly enclosed nature of the piece of land and that such encroachment would be modest in area, this would not be harmful to the essential characteristics of the Green Belt. Therefore, it has not been demonstrated that the proposal would conflict with the purposes of the Green Belt.
8. However, even if the proposal would not meet the exception under paragraph 154, part h) of the Framework, it would meet the exception under part c). Paragraph 154 sets out that only one¹ exception needs to be met and furthermore, as exception c) applies and this does not have a specific requirement to consider the effect on openness, the impact on openness is not a determinative factor in gauging inappropriateness in respect of the appeal proposal.
9. Consequently, the proposal is not inappropriate development in the Green Belt having regard to the Framework and so, there would be no conflict with Policy GB1 of the Coventry Local Plan, which requires development proposals in the Green Belt to be assessed in relation to the relevant national planning policy.
10. In view of my findings that the proposal is not inappropriate development, it is not necessary for me to consider any other considerations.

Conditions

11. Having regard to the advice contained within the Planning Practice Guidance and the National Planning Policy Framework, I have considered the conditions suggested by the Council. The appellant had opportunity to comment on such as part of the appeal process and raises no concerns with them. In addition to the standard implementation condition, it would be necessary in the interests of certainty to define the plans with which the scheme should accord.
12. The Council recommend a condition that the facing and roofing materials of the proposed development are of similar appearance to the exterior of the existing building. It would be appropriate and necessary to protect the character and

¹ My emphasis.

appearance of the dwelling and the surrounding area that the facing materials match that on the existing dwelling. However, as the existing building has a flat roof and a pitched roof is proposed, different materials would likely be used for the new roof. Also, no details of external materials have been included on the proposed plans. Therefore, to ensure no harm is caused to the character and appearance of the existing building and surrounding rural area, it would be necessary that appropriate subdued coloured external materials are used on the new pitched roof. Details of such, would need to be first submitted to and agreed in writing with the local planning authority before the new roof is constructed.

Conclusion

13. For the reasons given above, the appeal would accord with the development plan read as a whole and there are no material considerations that indicate otherwise. Accordingly, the appeal is allowed.

C Billings

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following plans: Location Plan & Block Plan, drawing no. 177/01-A and Proposed floor plans & elevations, drawing no. 177/03-A.
3. No development hereby approved shall be carried out above eaves level, until details of the external materials of the proposed pitched roof, including the materials and colour of such, have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and maintained as such for the lifetime of the development.
4. The external materials of the walls of the extension hereby permitted shall match those used in the existing dwelling.

End of Schedule