



Appeal Decision

Site visit made on 20 August 2025

by **A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 September 2025

Appeal Ref: APP/P1805/D/25/3368850

11 Pikes Pool Lane, Burcot, Bromsgrove B60 1LJ

- 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 Nick Shaw against the decision of Bromsgrove District Council.
 - The application Ref 25/00395/FUL.
 - The development proposed is EV charging point and glass cover car port.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would be inappropriate development in the West Midlands Green Belt and, if so, whether other considerations clearly outweigh Green Belt harm.

Reasons

3. The appellant proposes to erect a glazed open-sided car port as a charging location for cars used by residents at the appeal address, which is a large, detached two-storey house sitting within a large, treed plot in the West Midlands Green Belt. Such a building, or structure, would be incidental to the primary use of the land as a single residential dwelling, being some 9m from the main dwelling, but wholly within the defined curtilage of the appeal site (No 11). The appellant has not presented any evidence in dispute of the Council's position as to the proposal exceeding the limits to extensions in the Green Belt set out in Policy BDP4 of the Bromsgrove District Plan¹ (2017) (BDP). On that basis, the proposal would not be one of the exceptions listed in the Framework at Paragraph 154² and is thereby inappropriate development in the Green Belt.
4. Inappropriate development in the Green Belt is by definition harmful and contrary to the fundamental aim of keeping land permanently open. It is necessary, therefore, both to consider the impact of the proposal on the openness of the Green Belt, and whether very special circumstances exist to justify the harms arising, matters to which I now turn.

¹ which states that extensions (including outbuildings) are limited to a maximum increase of 40% of the original dwelling or a maximum total floor space of 140m² in the Green Belt

² Para 154 (c) permitting extensions which are not disproportionate to the original building

5. The appellant refers to a Certificate of Lawfulness³ for a car port 'of the same design' in a nearby part of the garden area as a fallback position, making reference to a planning-legal agreement to 'annul the Certificate'. However, it has not been explained why the 'certified' car port is not acceptable, nor has any unilateral undertaking⁴ to extinguish that Certificate been provided. Consequently, I must consider the impact of the proposal on the basis that the result of the development could be two car ports⁵.
6. Development in the Green Belt may have both spatial and visual effects. The use of the appeal site includes the parking of cars close to the proposed car port, such that the spatial and visual impact of the open-sided⁶ proposal would be limited. However, the impact of the proposal combined with the 'certified' car port, the appearance of which is not controlled by condition and could be an enclosed solid structure, would be visually and spatially disproportionate to the proposed open-side car port alone, having a significant harmful impact on openness.
7. Turning to other considerations, the appellant refers to the benefits of electric vehicles, and to some benefits of the alternative location to the 'certified' car port, however, these attract little weight in the circumstances described such that very special circumstances have not been demonstrated. Consequently, the proposal would conflict with both the relevant policies of the BDP and the Framework, and therefore, taking all matters raised into account, the appeal cannot succeed.

Andrew Boughton

INSPECTOR

³ certificate of lawfulness 23/01207/CPL.

⁴ Such agreements are usually initiated by the proponent of development and not the Council.

⁵ Meaning the subject of this appeal and that referred to in the Certificate of Lawfulness (The 'certified' carport).

⁶ which could be retained as such by condition, although such conditions could not be applied to the 'certified' car port