



Appeal Decision

Site visit made on 7 July 2025

by **L Regan MSc CMILT**

an Inspector appointed by the Secretary of State

Decision date: 4th September 2025

Appeal Ref: APP/Q4625/W/25/3365245

Land off Browns Lane, Knowle, Solihull B93 9BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Mr Simon Grove against the decision of Solihull Metropolitan Borough Council.
 - The application Ref is PL/2024/02962/PPFL, dated 18 December 2024 and was approved on 10 April 2025 and planning permission was granted subject to conditions.
 - The application sought planning permission for a change of use for conversion of barn to dwelling.
 - The condition in dispute is No 3 which states that:
Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Class A - E shall be carried out.
 - The reason given for the condition is: To preserve openness of the green belt and the character and distinctiveness of the area in accordance with policy P17 and P15 of the Solihull Local Plan 2013.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether condition 3 is reasonable and necessary having regards to the potential effects of permitted development (PD) on the openness of the green belt and the character and distinctiveness of the area.

Reasons

3. Paragraph 55 of the National Planning Policy Framework (the Framework) advises against the use of planning conditions to restrict PD rights unless there is clear justification to do so. Paragraph 57 confirms that conditions should only be imposed where they are necessary, relevant, and in addition to other requirements, reasonable in all other respects.
4. Condition 3 has been applied by the Council to remove PD rights under Classes A to E of the General Permitted Development Order. These classes relate to various forms of domestic development, including extensions, alterations and outbuildings. The restriction is specific to the appeal site and does not extend beyond Class E to encompass other types of domestic development. As such, the condition does not constitute a blanket removal of PD rights.
5. Condition 3 serves to ensure the Council retains control of assessing any effects on the green belt through further planning applications. However, I note that reason given for Condition 3 goes beyond preserving the openness of the green belt and seeks to protect the character and distinctiveness of the area in general.

6. The dwelling, modest in scale and converted from a barn, occupies extensive grounds but remains visually prominent in longer-range views across adjacent open fields. During the site visit, it was apparent that the appeal site is visible from Smiths Lane and maintains a clear relationship with the surrounding open Green Belt. Its form and setting at the end of a ribbon of development within the green belt render it sensitive to further physical alterations.
7. I find the Council's 'Householder Extension Guidelines (2010) Supplementary Planning Document relevant insofar as it clearly distinguishes that properties on the ends of ribbons of development are different to those within established ribbons of development. In the context of the appeal site, I consider there is potential for harm resulting from development arising from PD rights given the locational setting at the end of a ribbon of development.
8. The site context means that future extensions would most likely occur to the east and west elevations or consist of outbuildings. The removal of Condition 3 would permit development that may be disproportionate in scale and spread, including ancillary structures, with potential to not also materially harm the openness of the Green Belt but also the established character of the area.
9. In my view, the removal of the condition and the resulting reinstatement of permitted development rights could lead to disproportionate additions to the property, including substantial outbuildings, which would significantly increase the overall volume and spread of built form across the appeal site's large external areas. Such development has the potential to adversely affect the openness of the Green Belt and undermine the character and appearance of the surrounding area.
10. The appellant draws my attention to an appeal decision relating to removal of PD rights. While there may have been good reasons to not remove PD rights in a green belt setting in that case, here I find that the circumstances are not directly comparable. The reason for this condition is specific to the site, relating to a converted building at the end of ribbon development. Its necessity does not solely relate to green belt consideration but also in relation to possible impacts on the character and distinctiveness of the area generally. In any event I have determined this appeal on its own merits.
11. Accordingly, the removal of the condition to restrict PD rights would not comply with Policies P15 and P17 of the Solihull Local Plan (2013). Amongst other matters these seek to ensure that development conserves and enhances local character, respects the surrounding environment and does not have a materially greater impact on the openness of the green belt.

Conclusion

12. In light of the above considerations, I conclude that the condition is both reasonable and necessary, as it enables the Council to properly assess whether any future additions to the appeal property would result in disproportionate and inappropriate development within the Green Belt. Accordingly, the appeal is dismissed.

L Regan

INSPECTOR