



Appeal Decision

Site visit made on 4 November 2025

by **L Wilson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 November 2025

Appeal Ref: APP/U2750/D/25/3371787

50 Weeland Road, Beal, Yorkshire DN14 0SY

- 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 Edward Hills against the decision of North Yorkshire Council.
 - The application Ref is ZG2024/0293/HPA.
 - The development proposed is conversion of existing garage into residential annexe.
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing garage into residential annexe at 50 Weeland Road, Beal, Yorkshire DN14 0SY in accordance with the terms of the application, Ref ZG2024/0293/HPA, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1 (Existing Floor Plans, Elevations and Location Plan) and 3B (Location Plan, Proposed Floor Plan, Elevations and Section).
 - 3) Prior to the first use of external surfaces of the proposed development hereby permitted, details / samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

Preliminary Matters

2. The main parties were given the opportunity to comment on condition 3. In reaching my Decision, I have taken into account the comments made.

Main Issues

3. 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, including an assessment of the effect of the proposal on the openness of the Green Belt; and
 - 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 proposal.

Reasons

Whether inappropriate development

4. Paragraph 154 of the Framework states that new buildings are inappropriate in the Green Belt unless one of the listed exceptions applies. The Council has assessed the proposal against exception h) of that paragraph. In contrast the appellant has considered the proposal against exception g). They also assert that the site falls within the definition of a grey belt site.
5. Exception g) allows for limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
6. The appeal site comprises a two-storey semi-detached dwelling. The proposal relates to an existing garage building located within the rear garden. The provided Ordinance Survey Maps and historic photograph as well as the visual inspection report demonstrate that the garage is a long established and permanent building. Whilst there is built development nearby, the site is not in a built-up area. This is because this part of Weeland Road is surrounded by fields and given there is limited built development in the immediate locality. Thus, taking into account the previously developed land definition in the Framework, and evidence provided¹, this part of the site comprises previously developed land.
7. The Council has not raised concern in relation to openness. The proposal would not alter the height, width, depth or volume of the existing building. Consequently, and considering the visual and spatial aspects of the openness of the Green Belt, the proposal would not cause substantial harm to the openness of the Green Belt.
8. For these reasons and considering the nature of the proposal (changing the use of a detached garage to a residential annexe) as well as the extent of works required to facilitate the development, the proposed development would comply with paragraph 154 g) of the Framework and Policies SP2 and SP3 of the Selby District Core Strategy Local Plan (2013) (LP). I therefore conclude that the proposal would not be inappropriate development in the Green Belt. Thus, there is no need to assess the proposal against exception h) or the grey belt exception.
9. The appellant considers particularly Policy SP3 is out of date. However, paragraph 232 of the Framework states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Based on the evidence presented, Policies SP2 and SP3 of the LP are broadly in line with the Framework as they collectively require development to conform with national Green Belt policies.

Other considerations

10. Given that the proposed development would not amount to inappropriate development in the Green Belt, there is no need for me to assess other considerations, and whether very special circumstances exist in order to justify the development.

¹ Including Dartford BC v SSCLG [2017] EWCA Civ 141

Other Matters

11. The appellant outlines their wife's personal circumstances. Consequently, I have had due regard to the Public Sector Equality Duty under s149 of the Equality Act 2010, and Article 8 of the European Convention on Human Rights as incorporated into the Human Rights Act 1998. Since I have decided to allow the appeal and grant full planning permission for the proposed development, there would be no interference with the appellant's wife's rights or interests.

Conditions

12. It is necessary to attach a condition specifying the approved plans as this provides certainty. A condition relating to materials is also necessary to preserve the character and appearance of the area.
13. The appellant's submission, including email correspondence between the main parties suggest a condition controlling occupancy. This condition has not been recommended by the Council within the appeal questionnaire. Considering the description of development as well as the floor plan of the building, I am satisfied that in this case such a condition would not be necessary and therefore would not meet the tests set out in paragraph 57 of the Framework.

Conclusion

14. For the reasons set out above, I conclude that the appeal should be allowed.

L Wilson

INSPECTOR