



Appeal Decision

Site visit made on 3 December 2025

by **J Hobbs MRTPI MCD BSc (hons)**

an Inspector appointed by the Secretary of State

Decision date: 6th January 2026

Appeal Ref: APP/N4205/D/25/3374528

Kestrel View, Hampsons Farm, Coalpit Road, Smithills Dean, Bolton, Greater Manchester BL1 7PE

- 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 S Pollitt against the decision of Bolton Metropolitan Borough Council.
 - The application Ref is 20490/25.
 - The development proposed was originally described as “Retention of existing outbuilding & erection of remote double garage/garden storage facility.”
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Decision

1. The appeal is dismissed insofar as it related to the erection of remote double garage/garden storage facility. The appeal is allowed insofar as it related to the erection of an outbuilding and planning permission is granted for the erection of an outbuilding at Kestrel View, Hampsons Farm, Coalpit Road, Smithills Dean, Bolton, Greater Manchester BL1 7PE in accordance with the terms of the application, Ref 20490/25, and the plans submitted with it, so far as relevant to that part of the development hereby permitted.

Preliminary Matters

2. On the Application Form the appellant’s agent indicated that works on the outbuilding were completed in June 2024. During my site visit I observed an outbuilding that appeared similar to that shown on the application plans. However, the appeal proposal also includes the erection of a double garage and garden storage facility. Consequently, I will refer to the appeal proposal as the proposed development, albeit some aspects may already be constructed. My assessment of the proposed development is based on the plans before me.
3. The description of development on the Application Form refers to the retention of the existing outbuilding. The retention of a building is not an act of development; rather, the construction of a building is. It is clear from the appeal documents and my observations on site that the appellant is seeking planning permission for the erection of an outbuilding retrospectively. For clarity, I will refer to the building annotated as “existing garden room to be retained” and “retained outbuilding” on the application plans as the proposed outbuilding throughout my decision.
4. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be

given very limited weight at this stage. It has therefore not been necessary to consult the parties on the changes.

Main Issues

5. The main issues are:

- whether the proposal would be inappropriate development in the Green Belt;
- the effect of the proposal on the openness and purposes of the Green Belt;
- the effect of the proposal on the character and appearance of the area; 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

Green Belt – principle

6. The appeal site is within the Green Belt. Policy CG7AP of the Local Plan, Bolton's Allocations Plan, December 2014 (LP) states that the Council will not permit inappropriate development in the Green Belt. The Policy goes on to explain that inappropriate development includes any development which does not maintain the openness of land or which conflicts with the purposes of including land within the Green Belt, and the erection of buildings except in specific circumstances. The explanatory text indicates that the Council will only permit proposals which are contrary to LP Policy CG7AP in very special circumstances.
7. LP Policy CG7AP is largely consistent with Chapter 13 of the Framework. In particular, the Policy states that 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 would not be inappropriate development in the Green Belt. This is duplicated from paragraph 154(c) of the Framework. Therefore, in accordance with paragraph 232 of the Framework, I ascribe full weight to this part of the Policy.
8. The appeal proposal comprises of the erection of an outbuilding and the erection of a double garage and garden storage facility, both ancillary to Kestrel View. As such, the appeal proposal would be an extension of a residential property.
9. The floorspace of the two proposed buildings would be greater than half of the floorspace of Kestrel View. Also, the volume of the proposed buildings would be greater than a third of the approximate volume of Kestrel View. Accordingly, the proposed development as a whole would represent a disproportionate addition to Kestrel View and would be inappropriate development in the Green Belt.
10. Nonetheless, the two buildings are physically separate and are proposed to be used independently of one another. Therefore, the buildings are capable of being assessed individually. The proposed outbuilding would be very modest in size. The floorspace of the proposed outbuilding would be marginally over 10% of the floorspace of Kestrel View; and its proposed volume would be marginally over 5% of the volume of Kestrel View. When assessed individually the proposed outbuilding would not be a disproportionate addition to Kestrel View. As such, it would not be inappropriate development in the Green Belt.
11. On its own, the proposed double garage and garden storage facility would be a significant addition to Kestrel View. The proposed floorspace of this building would

be marginally under 40% of the floorspace of Kestrel View. The proposed volume of this building would be over 30% of the approximate volume of Kestrel View. Even when assessed independently, the proposed double garage and garden storage facility would be a disproportionate addition to Kestrel View. Therefore, it would be inappropriate development in the Green Belt.

12. I conclude that the proposal as a whole would be inappropriate development in the Green Belt. As such, the proposal would be contrary to LP Policy CG7AP for the reasons given above. Notwithstanding this, when assessed individually, the erection of the proposed outbuilding would not be a disproportionate addition to Kestrel View. Therefore, this aspect of the appeal proposal would not be inappropriate development in the Green Belt and would comply with LP Policy CG7AP.

Green Belt – openness and purposes

13. There is both a spatial and a visual aspect to the openness of the Green Belt. The appeal proposal would significantly increase the amount of development, in terms of floorspace and volume at the appeal site. The appeal proposal also includes the extension of the existing hardstanding, and the proposed double garage and garden storage facility would be sited in an area currently undeveloped. Therefore, the footprint of the built development would be increased. Accordingly, in spatial terms, the proposal would have a harmful effect on the openness of the Green Belt.
14. The appellant has highlighted that the proposed access road could be created as part of a farm access. However, the planning application subject to this appeal is a householder application for residential development. Therefore, whether the track could be extended for agricultural purposes holds very limited in my consideration of the acceptability of the appeal proposal.
15. The proposed outbuilding would be sited between a large barn to the rear of the appeal site and Kestrel View, and the proposed double garage and garden storage facility would be sited close to the barn. Furthermore, the appeal site is located on the side of a steep hill. As such, the barn would largely screen views of the proposed development from uphill and from downhill the proposed development would visually assimilate with the barn. In visual terms, this would reduce the harm to the openness of the Green Belt. Nonetheless, harm would still persist as the proposed development would add further visual clutter to the rear of Kestrel View.
16. Paragraph 143 of the Framework sets out the 5 purposes that the Green Belt serves. This includes to assist in safeguarding the countryside from encroachment. The proposed development would increase the footprint of built development, and the proposed double garage and garden storage facility would be sited in an area which is currently undeveloped and beyond the limits of a settlement. Consequently, it would represent encroachment into the countryside. As such, the erection of the double garage and garden storage facility, would be contrary to the purpose of including land within the Green Belt.
17. However, as set out above, the construction of the outbuilding would not be inappropriate development in the Green Belt. Caselaw¹ has established that where

¹ Lee Valley Regional Park Authority, R (on the application of) v Epping Forest District Council & Anor (Rev 1) [2016] EWCA Civ 404

development is found to not be inappropriate, it should not be regarded as harmful either to the openness of the Green Belt or the purposes of including land within it. As such, the construction of the outbuilding would not be harmful to the openness of the Green Belt, or the purposes of including land within it.

Character and appearance

18. Kestrel View forms part of a cluster of residential properties located within the countryside. It appears as though a farmstead has been converted to form numerous properties. Kestrel View is at the end of a terraced block of properties. The appeal site is land to the rear of Kestrel View. The character of the area is heavily influenced by the large barn to the rear of the site, which is utilitarian in appearance. The remoteness of the cluster of properties and the appearance of the surrounding development combine to create a rural character.
19. The proposed buildings would be of a simple design and finished with traditional materials which would be in keeping with the surrounding buildings. In some respects, the appeal proposal would reflect historic development in the area which is largely sporadic as buildings were built where they were required to meet an agricultural need. Nonetheless, the proposed double garage and garden storage facility would be large and would visually compete with Kestrel View. It would be contrary to the guidance within the House Extensions SPD² where it advises that a well-designed extension should be subordinate in relation to the dwelling and be of a size and scale proportionate to the existing house. As above, it would also extend the footprint of the built development. Overall, the construction of the proposed double garage and garden storage facility would have a harmful urbanising effect on the rural character.
20. I note that there may be very limited views of the proposed development from public areas. However, it would still be visible from nearby private land and a reduce visibility of a development would not fully mitigate any harm that is created.
21. Given the modest height, mass, and scale of the proposed outbuilding it would appear subordinate to Kestrel View. It would also be positioned closer to Kestrel View than the garages and garden storage facility. Therefore, it would not appear as sprawling development. On its own, the proposed outbuilding would comply with the guidance within the House Extensions SPD.
22. On balance, I conclude that the proposal would have a harmful effect on the character and appearance of the area. It would be contrary to Policy OA5 of the Local Development Framework, Bolton's Core Strategy, Development Plan Document, March 2011 and Policy JP-P1 of the Places for Everyone Joint Development Plan 2022 to 2039 where they indicate that the Council and its partners will conserve and enhance the character of the existing physical environment, amongst other matters. Nonetheless, when assessed independently, the erection of the proposed outbuilding would not have a harmful effect on the character and appearance of the area and would comply with the above policies.

Other considerations

23. Paragraph 153 of the Framework indicates that substantial weight should be given to any harm to the Green Belt, including harm to its openness. It goes on to

² House Extensions, Supplementary Planning Document, Bolton Council, August 2012

explain that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the Framework also explains that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

24. I have concluded that the appeal proposal as a whole would be inappropriate development in the Green Belt and would be harmful to its openness and the purposes of including land within it. Moreover, the proposed double garage and garden storage facility would be harmful to the character and appearance of the area. In accordance with paragraph 153 of the Framework I ascribe substantial weight to the harm caused by the appeal proposal.
25. I acknowledge that the appeal proposal would provide security benefits as the appellant's equipment and vehicles could be securely stored in the garage and garden storage facility and the building's only access would be via the driveway. Nonetheless, it has not been substantively demonstrated that similar benefits could not be achieved by a development that is less harmful. As such, I ascribe moderate weight to the benefits of the appeal proposal taken as a whole.
26. The proposed development not having a harmful effect on trees and not having a harmful effect on the living conditions of occupiers of neighbouring properties are neutral factors and would be expected of any development. Therefore, these factors neither weigh in favour nor against the proposed development.
27. The appellant has highlighted several examples where residential sites have been given permission to build and raise ridge heights to garages, stables, and storage buildings. However, the pertinent details of those applications are not before me so it is unclear if and/or how they would set a precedence for the proposed development.
28. On balance, the moderate weight ascribed to the other considerations in favour of the appeal proposal do not outweigh the substantial harm. Consequently, the very special circumstances required to justify the proposal as a whole do not exist.
29. Notwithstanding this, the proposed outbuilding would not be inappropriate development in the Green Belt, nor would it harm the character and appearance of the area. This aspect of the proposed development would comply with the development plan when read as a whole. As above, the two buildings are capable of being independently assessed. In this scenario, a split decision is possible, and planning permission should be granted for the proposed outbuilding only.

Conditions

30. The Council indicated the conditions it considered would be necessary in the event that I was to allow the appeal and grant planning permission. I have considered whether these conditions are necessary in light of the guidance within the Framework and the Planning Practice Guidance.
31. A condition outlining a time limit to implement the planning permission is not necessary as the approved part of the development appears to have been constructed. In the interest of certainty, I have specified within the decision that the

appeal proposal is granted in accordance with the plans submitted with the planning application.

Conclusion

32. For the reasons given above the appeal should be allowed in part and dismissed in part. Accordingly, planning permission should be granted for the erection of the proposed outbuilding. However, planning permission should not be granted for the proposed construction of a double garage/garden storage facility.

J Hobbs

INSPECTOR