



Appeal Decision

Site visit made on 12 December 2025

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 January 2026

Appeal Ref: APP/P1805/W/25/3371628

Hillview Farm House, Wapping Lane, Beoley, Worcestershire B98 9ER

- 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 Mrs Teresa Chambers against the decision of Bromsgrove District Council.
 - The application Ref is 25/00029/FUL.
 - The development proposed is retention of attached garage including change of use of land to extend residential curtilage.
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Decision

1. The appeal is allowed and planning permission is granted for the retention of attached garage including change of use of land to extend residential curtilage at Hillview Farm House, Wapping Lane, Beoley, Worcestershire B98 9ER in accordance with the terms of the application, Ref 25/00029/FUL, subject to the following condition:
 - 1) The development hereby permitted shall be completed in accordance with drawing numbers 20-WAPPING-1; GFP/1 and E/1.

Preliminary Matter

2. I observed at the time of the site visit that the garage was substantially complete. Therefore, the development is retrospective, and I have dealt with the appeal on that basis. However, the constructed development does not fully reflect the plans that I have before me. In particular, the roof of the garage has a different style roof pitch to that shown on the submitted elevation plan. I consider that this omission does not affect the issues in this appeal which I have determined on the basis of the submitted plans.

Main Issue

3. Whether the appeal scheme is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies, including assessing the effect of the appeal scheme on the openness of the Green Belt.

Reasons

4. The appeal property comprises a former single storey piggery building, converted into a residential dwelling. It has the appearance of a bungalow and is set within a generous plot, which includes a long, gated access drive off Wapping Lane, landscaped areas and a large sunken garden to the front.

5. The appeal site is within the Green Belt and open countryside, with agricultural land and buildings located adjacent to the site. Indeed, aside from the nearby A435 which dissects the landscape, the surrounding area has a prevailing, open rural character.
6. The site has an extensive planning history, but the evidence suggests that it was the planning permission for the conversion and extension of pigsty (including basement) into dwelling (amendment to previously approved scheme 20/01051/FUL), granted in 2024¹ (the planning permission) which was subsequently implemented, and comprises the original dwelling.
7. The garage is an extension to the original dwelling. The Framework establishes that development in the Green Belt is inappropriate other than for specified exceptions that are set out in paragraph 154. Exceptions include, amongst other things, paragraph 154c) 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.
8. The Bromsgrove District Plan 2011-2030 (the BDP) was adopted in 2017, and Policy BDP4 of the BDP, is consistent with the Framework, in that it also considers that the development of new buildings in the Green Belt to be inappropriate, except in certain circumstances. The specified certain circumstances include, amongst other things, extensions to existing residential dwellings up to a maximum of 40% increase of the original dwelling or increases up to a maximum total floor space of 140m² ('original' dwelling plus extension(s)) provided that this scale of development has no adverse impact on the openness of the Green Belt. Another listed circumstance is proportionate extensions to non-residential buildings.
9. The bone of contention between the main parties is whether the percentage increase calculation should be based on the original building, as set out in the Framework or it should be based on the original dwelling, as required by Policy BDP4 of the BDP.
10. As Policy BDP4 of the BDP was adopted after the 2012 version of the Framework, which included the same exception as paragraph 154c) of the most recent version of the Framework, it is clear that the intention of Policy BDP4 of the BDP was to ensure that residential extensions are assessed differently to other buildings within the Green Belt. As such, I have dealt with the appeal on this basis, assessing whether the appeal scheme would be a proportionate extension to the original dwelling, in accordance with the terms of Policy BDP4 of the BDP.
11. According to the appellant, the original dwelling (including basement) had a gross internal floorspace of approximately 265m². The appellant suggests that the garage has an internal floorspace of approximately 40m², which amounts to an increase of approximately 15%. The appellant also provides floorspace and volume calculations which include and exclude the basement. In each case the percentage increase is well below a 40% increase over and above the size of the original dwelling.
12. While the Council has also provided calculations they are based on the size of the original building, as opposed to the size of the original dwelling. As such, I consider that the calculations provided by the appellant are more credible.

¹ Council Reference: 24/00884/FUL

13. Due to its size, form and position, the garage is a proportionate addition to the dwelling. For the same reasons, it is not a prominent extension to the bungalow, being located a significant distance from the road, and viewed as a seamless addition to the dwelling. Therefore, it is not readily discernible from public vantage points. With a modest footprint, and limited height, it does not have an adverse impact on the visual and spatial openness of the Green Belt. As such, for the reasons set out above, I conclude that the garage extension accords with Policy BDP4 of the BDP and is not inappropriate development in the Green Belt. It also accords with the aims of the Framework.
14. Reference has also been made to paragraph 154h(v) of the Framework, which establishes that material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds), are not inappropriate development in the Green Belt provided that the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. However, even if the development does not meet the exception under paragraph 154h(v) of the Framework, it is the case that the garage extension is not inappropriate development in the Green Belt and accords with Policy BDP4 of the BDP.
15. I have had regard to the cited judgment², and the implications of that Court case and the previous appeal decision³, but it does not change my conclusions. Likewise, although the Council suggest that the development relates to intentional unauthorised development, as I have concluded that the scheme is not inappropriate development, there would be no merit in taking this matter further.

Conditions

16. A time limit condition is not necessary as the development has commenced. However, while the development is largely complete the roof arrangement of the constructed extension does not fully reflect the submitted plans, so I have included a condition listing the approved plans for certainty.
17. I am mindful that the planning permission for the original dwelling included a condition which removed permitted development rights. As such, although the Council recommends a similar condition be repeated, which removes permitted development rights for extensions, additions and outbuildings, there is no clear justification, as required by the Framework and Planning Practice Guidance, for imposing a further condition on this planning permission. Consequently, I am not satisfied that it would pass the test of reasonableness and necessity.

Conclusion

18. For the reasons given above the appeal should be allowed.

N Bromley

INSPECTOR

² RB of Kingston Upon Thames v SSLUHC [2023] EWHC 2055 (Admin)

³ Appeal reference: APP/P2365/W/25/3359199