
Appeal Decision

Site visit made on 23 February 2026

by **N Bromley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 March 2026

Appeal Ref: APP/P1805/W/25/3376479

Giles House Farm, Bromsgrove Road, Belbroughton DY9 9TY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Ian Watson against the decision of Bromsgrove District Council.
 - The application Ref is 25/01069/PIP.
 - The development proposed is Application for Permission in Principle for the Erection of Up to Four Dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Planning Practice Guidance advises that the Permission in Principle route is an alternative way of obtaining planning permission for housing-led development. It has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if the first stage is granted. I have determined the appeal accordingly.
4. The existing agricultural building (the barn) on the appeal site benefits from an extant prior approval¹ under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). If implemented, the approval would convert the barn into four dwellings (the Class Q scheme). The Class Q scheme has not been implemented but it is a material consideration in the determination of this appeal.

Main Issue

5. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development, with particular regard to:
 - local and national policies and access to services and facilities;

¹ Council reference: 25/00180/CUPRIO - conversion of agricultural barn into four residential dwellings accessed from Bromsgrove Road - Prior Approval Required and Approved 10 April 2025.

- whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies,
- 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

Suitable location

6. The appeal site comprises land associated with Giles House Farm and extends to 0.3 hectares. The site includes the barn, timber stable buildings, part of a manège and grassed area, as well as areas of compacted ground. The site is accessed off the busy A491 Stourbridge Road by a track and driveway that passes residential dwellings.
7. The site is not located within a village and is therefore located within the open countryside. Indeed, although the site is located next to the busy A491, the area has a prevailing rural character, dominated by fields. Buildings, including houses, agricultural and equine buildings, as well as public houses, are generally sporadic or arranged in small clusters.
8. Policy BDP1 of the Bromsgrove District Plan 2011-2030 adopted January 2017 (BDP) states that the Council will take a positive approach when considering development proposals that reflect the presumption in favour of sustainable development, and that for new development consideration will be had, amongst other things, to accessibility to public transport. Policy BDP2 of the BDP seeks to focus new development in locations that are in accordance with the district's settlement hierarchy, as shown in Table 2, in order to promote sustainable communities, patterns of development and reduce the need to travel.
9. The nearest identified settlement to the appeal site is Clent, which is approximately one kilometre away. Clent is classed as a 'small settlement' in the BDP, as is Belbroughton which is another settlement nearby. The two settlements have a variety of services and amenities. They also offer public transport opportunities.
10. Policy BDP16 of the BDP, seeks amongst other things, a modal shift away from the car to move towards more environmental and sustainable travel, and developments which exacerbate motor vehicle dependence should not be permitted.
11. The A491 is a busy road that carries fast moving traffic. Access to Clent is along the A491 and Bromsgrove Road, via the access track and driveway, which is relatively long and uneven.
12. The footpath along the A491 comprises a narrow strip of firm ground with grass either side and pedestrians walking on the footpath are close to passing vehicles. Furthermore, for a short stretch of Bromsgrove Road, close to the A491 junction, the path is largely overgrown and is more of a grassed verge. In these circumstances, although the majority of Bromsgrove Road has pavements, due to the condition of the other footpaths, I am not persuaded that future occupiers would regularly choose walking and cycling to access the services and amenities within Clent as an option. This would particularly be the case during hours of

darkness and poor weather conditions, especially for future occupants with young children or those with mobility issues.

13. Likewise, and for similar reasons to those set out above, access to the public houses and restaurant / cafe along the A491 would not be attractive routes for future occupants of the development. In particular, there are no designated crossing points across the busy road. Therefore, although there is limited evidence that the road represents a significant highway safety concern for pedestrians, future occupants of the development would nonetheless be discouraged from walking and cycling to access these services.
14. Although a public right of way (PRoW) is located nearby, the appeal site does not extend up to it. Therefore, access to the PRoW is from the A491. The surface of the PRoW is poor and there are steps down from the road. The Council also suggest that Belbroughton is 1.6 miles away. In these circumstances, the PRoW would not be an attractive or reliable route and the prospect of future occupants using it to access the settlement on foot or by bicycle on a regular basis would be limited.
15. The Framework states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Even so, public transport opportunities are not readily accessible from the appeal site, and I consider the site to be inaccessible to the nearest settlements. As such, and despite the lack of an objection from the Highway Authority, the future occupants would be highly dependent on the use of private cars for their day-to-day needs, and the proposal would not offer a genuine choice of transport or prioritise sustainable transport modes. Consequently, it is not clear to what extent the proposal would enhance or maintain the vitality of the nearby community.
16. For the above reasons and on the evidence before me, I conclude that the proposal is not in a suitable location having regard to local and national policies and access to services and facilities. It therefore fails to accord with Policies BDP1, BDP2 and BDP16 of the BDP, as well as the aims and objectives of the Framework.

Whether inappropriate development

17. The appeal site is located within the Green Belt. The Framework establishes that new buildings in the Green Belt are inappropriate other than for specified exceptions that are set out in paragraphs 154 and 155. One such exception, paragraph 154(g), is 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.
18. Policy BDP4 of the BDP sets out that development of new buildings in the Green Belt is considered to be inappropriate, except in specific circumstances. One of the specific circumstances listed in Policy BDP4.4 is similar to paragraph 154(g) of the Framework. As such, Policy BDP4 of the BDP is broadly consistent with the Framework.
19. As a building in agricultural use, the barn and land associated with it does not meet the definition of previously developed land (PDL), as detailed within Annex 2:

Glossary of the Framework. As such, the redevelopment of that part of the site would not benefit from the provisions of paragraph 154(g). There is no dispute that the remainder of the site comprises PDL. However, for the development to benefit from the provisions of paragraph 154(g), it must also not cause substantial harm to the openness of the Green Belt.

20. Paragraph 142 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 153 of the Framework further states that when considering any planning application, substantial weight should be given to any harm to the Green Belt, including harm to its openness.
21. The stable buildings are modest structures, and although the manège covers a large area, only part of it would be lost to accommodate the proposals. As a permission in principle, the scale and layout of the proposals have not been established. Nevertheless, the construction of up to four dwellings, and the domestication of the site would inevitably lead to additional built mass and a reduction in the openness of the Green Belt. Even when compared to the existing buildings and structures on the site that comprise PDL.
22. Additionally, even with some screening opportunities from the A491, a development of up to four new houses would be visible from the road. In these circumstances, there would be a significant negative change in terms of the existing spatial and visual openness of the Green Belt. As a result, there would be substantial harm to openness. Accordingly, the proposed development would not meet the exception set out in paragraph 154(g) of the Framework.
23. Paragraph 155 of the Framework states that development of homes in the Green Belt should not be regarded as inappropriate where all of the following apply: a) the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; b) there is a demonstrable unmet need for the type of development proposed; c) the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework; and d) where applicable, the development would meet the Golden Rules requirements set out in the Framework.
24. Grey belt land is defined in the Framework as land in the Green Belt comprising previously developed land and / or any other land that, in either case, does not strongly contribute to three of the five purposes of Green Belt, as set out in the Framework. That is a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns from merging into one another; and d) to preserve the setting and special character of historic towns.
25. The site is within the open countryside, and I have concluded that the proposal is not in a sustainable location. Therefore, even if I were to find that the site was grey belt land, the proposal would nonetheless conflict with paragraph 155(c) of the Framework.
26. For these reasons, the proposal would not meet the exceptions listed in paragraphs 154 and 155 of the Framework. It would therefore be inappropriate development, which is, by definition, harmful to the Green Belt.

Other considerations

27. Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. It goes on to state that substantial weight is given to any harm to the Green Belt and '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.
28. The appellant has submitted the Class Q scheme as a fallback position. I have had regard to the submitted information in respect of this issue, including the case of *Mansell v Tonbridge and Malling Borough Council* [2017] EWCA Civ 1314.
29. The Class Q scheme allows for the change of use of the barn into four dwellings and there is a greater than theoretical possibility that the Class Q scheme might take place as a fallback position should this appeal fail. The Class Q scheme is, therefore, a realistic prospect and constitutes a fallback position. However, for significant weight to be afforded to a fallback position it would also need to be equally or more harmful than the appeal scheme.
30. The red edge appeal site comprises a large area of land. The site includes the barn and although the appellant suggests that the appeal scheme would involve the redevelopment of the existing barn, there would also be an adequate amount of remaining land adjacent to the barn for up to four dwellings to be constructed. As a consequence, the barn could be retained, and the extant Class Q scheme implemented, as well as four new dwellings constructed adjacent to the barn. In this situation, the conversion of the barn to four dwellings, and the construction of up to four new dwellings could result in eight new dwellings on the site. Therefore, notwithstanding that the appellant suggests that the prospect of both schemes being implemented is unrealistic, there is no mechanism before me to ensure that the two schemes would not be implemented concurrently.
31. Without such a mechanism, the proposal would be more harmful than the fallback scheme. Consequently, I afford the fallback position limited weight in support of the appeal scheme.
32. The Council accepts that it cannot currently demonstrate a five-year supply of deliverable housing sites, which is suggested to be at 2.24 years. The appellant has also highlighted the latest Housing Delivery Test (HDT) results, which indicate that the Council's delivery of housing was 50% of the housing requirement over the previous three years. Therefore, the construction of up to four additional dwellings on a windfall site that is currently underused would make efficient use of the site. As a small site, the proposal could also be delivered relatively quickly. The provision of up to four new dwellings would also contribute to the aim of boosting the supply of new housing, as referenced in the Framework and emphasised in the Written Ministerial Statement - 'Building the homes we need'.
33. The construction of up to four new dwellings would also provide both short and long term associated social, economic, and environmental benefits during construction and following occupation. Nonetheless, it is likely that the above benefits would be limited in the context of a development for up to four houses, thereby attracting modest weight.

Green Belt Balance and Conclusion

34. The proposed development would be inappropriate development in the Green Belt which in line with Paragraph 153 of the Framework is harmful by definition. I have also found that the appeal proposal would reduce the openness of the Green Belt. I therefore place substantial weight on the harm by inappropriateness and harm to openness of the Green Belt that I have identified. The proposed development would also not be a suitable and sustainable location for new housing and collectively I attach substantial weight to these matters.
35. I have given some weight to the other considerations in favour of the proposal, including the contribution to the area's housing supply, as set out above. However, taking all these factors together, they do not clearly outweigh the harm arising from the proposal. Consequently, the 'very special circumstances' necessary to justify inappropriate development in the Green Belt do not exist. The development would thus conflict with the Green Belt protection aims of the Framework. It also conflicts with Policies BDP1, BDP2, BDP4 and BDP16 of the BDP.
36. The lack of a five-year housing supply and the latest HDT results means the policies which are most important for determining the proposal are out of date in accordance with paragraph 11.d of the Framework. However, bullet (i) of paragraph 11.d clarifies that permission should not be granted if the application of policies in the Framework that protect areas or assets of particular importance, including Green Belt, provide a clear reason for refusing the development.
37. The proposed development is inappropriate development within the Green Belt and as I have explained, there would be harm to the Green Belt that would not be clearly outweighed. This provides a clear reason for refusing the proposed development. Therefore, the proposal would not benefit from the presumption in favour of sustainable development in this instance.
38. The development would conflict with the development plan taken as a whole and material considerations do not indicate that the decision should be made other than in accordance with the development plan.
39. For the above reasons, the appeal should be dismissed.

N Bromley

INSPECTOR