



Appeal Decision

Site visit made on 22 May 2026

by **A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 June 2026

Appeal Ref: APP/R1845/W/25/3376007

Foxwood Manor 204-206 Wilden Lane Stourport-on-Severn DY13 9JR

- 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 & Mrs A Ness against the decision of Wyre Forest District Council.
 - The application Ref is 25/0623/FUL
 - The development proposed is Demolition of ancillary office building and replacement with a live-work unit.
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Decision

1. The appeal is dismissed

Preliminary Matter

2. The Council have provided two refusal reasons in which the first refers to impact upon openness arising from the increased size of the proposal compared to what they identify as a fallback position, a previously granted consent for a similar development (Ref:25/0120/FUL) making reference to Paragraph 154(g) of the National Planning Policy Framework (Framework). Although the Council have justified their refusal on that basis, the development would amount to a replacement building in the green belt and main issues are identified accordingly.

Main Issues

3. The main issues are:
 - whether the proposed live-work unit would be inappropriate development in the green belt and if so, whether very special circumstances exist to clearly outweigh harms arising, and
 - the effect of the development upon the character and appearance of the area

Reasons

Green Belt

4. The appeal site is a single storey ancillary workshop/office building within the large curtilage of Foxley Manor in a part of the Green Belt that lies between the towns of Kidderminster and Stourport on Severn, featuring sporadic development or small clusters of housing within a generally undeveloped and often undulating terrain. The building to be replaced sits in a relatively elevated position on sloping ground against the backdrop of woodland behind (east), the frontage area sloping down to

the general ground level at the entrance to the larger site and the main house. It is not disputed that the appeal site is previously developed land, and it is apparent that the proposal would be a complete redevelopment, resulting in a building with an enlarged footprint and an additional storey.

5. The National Planning Policy Framework (Framework) requires that substantial weight is given to any harm to the Green Belt stating that development, subject to specified exceptions, is inappropriate and by definition harmful to the Green Belt. Paragraph 154(g), which the Council acknowledge as a relevant exception to inappropriateness in this matter, allows that partial or complete redevelopment of previously developed land is not-inappropriate development subject to the provision that it would not cause substantial harm to the openness of the Green Belt.
6. Openness has both spatial and visual components which may be perceived contextually. The wider area is generally open and partly wooded land following the River Stour but inset with pockets of development, some of which are large. In this case the appeal site and adjoining curtilage of Foxwood Manor presents as a small isolated incursion into the enclosing wooded area having negligible impact upon the openness of this part of the Green Belt. Consequently, the insertion of a bulkier, taller, or high-placed building could significantly impair openness.
7. The proposal would replace a small building with a much larger one in terms of footprint and height. Although it seems intended that the additional storey would be set down into the sloping ground, it is not clear to me whether the larger roof area would be set at the same level as the existing building and that is a significant uncertainty. However, were that to be the case¹, an assumption I address subsequently, there would be limited harm to openness and on that basis the proposal would be not-inappropriate development in the Green Belt by virtue of paragraph 154(g) of the Framework.

Character and Appearance

8. The proposed development would result in a two storey live-work building although, as the original much smaller building would be demolished, it is not clear from the very limited information provided, topographical information being wholly absent, how the proposal would relate to the ground levels surrounding the building. The existing building and its curtilage is largely hidden from users of the adjacent lane, being screened by perimeter planting and a high fence and set within enclosing woodland. In terms of the impact of the proposed development upon character and appearance of the area the existing setting is sensitive to change from the insertion of built form and I consider it to be a matter of great importance to establish whether the resulting building would be more prominent in terms of height² than the existing building.
9. The proposed building has a defined height³ but no existing or proposed ground/floor levels are provided. In addition, the absence of suitable topographical information prevents consideration as to the proposed building's position and level in relation to surrounding land and whether significant other works of retention

¹ That the ridge of the proposed building would be no higher than that of the building to be demolished

² Meaning here, the level of the proposed building, and in particular its roof, in relation to surrounding land

³ If scaled from the plans provided

walling and/or excavation might arise. Such works would likely impact upon the character and appearance of the resulting development but are not addressed in the submission. Levels information absent the result could, in the alternative, be a building which, when constructed, exceeds an acceptable height. Consequently I am unable to conclude whether the proposal would be a satisfactory form of development which, having regard to the required ordinary planning balance, would not conflict with the relevant policies of the development plan as set out in the Council's second refusal reason.

Conclusion

10. I have concluded that the development would be not-inappropriate development in the Green Belt with the important provision that the level of the new roof would be no higher than that of the existing building to be demolished. However, levels information absent, a condition to that effect would not be enforceable. For that same reason I have also been unable to conclude that the development would not harm the character and appearance of the area.
11. Although matters of detail may usually be addressed through the application of suitable conditions, in this case there is insufficient information provided to indicate that the resulting building would have a suitable relationship with the surrounding land and that a grant of consent would not result in unforeseen harm. The question of height, position and layout go to the heart of the decision to be made and it would be an improper use of my power to grant consent with such a high degree of uncertainty as to the outcome of that permission due to deficiencies in information. On that basis the appeal is dismissed.

Andrew Boughton

INSPECTOR