

# Appeal Decision

Site visit made on 18 June 2019

**by P Eggleton BSc(Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 09 July 2019**

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**Appeal Ref: APP/N4720/W/19/3226488**

**Greenlaw, Carlton Lane, Guiseley, Leeds LS20 9NJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr M Dunbar against the decision of Leeds City Council.
  - The application Ref 18/05546/FU, dated 30 August 2018, was refused by notice dated 18 October 2018.
  - The development proposed is a storage building and access track.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are whether the proposal would amount to inappropriate development within the Green Belt; whether there would be any other Green Belt harm; the effect on the character and appearance of the area; and whether the 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 necessary to justify the development.

## Reasons

### *Inappropriateness and any other Green Belt harm*

3. The proposal lies within the Green Belt as defined by policy N32 of the Unitary Development Plan 2006 (UDP). Policy N33 advises that except in very special circumstances, approval will only be given in the Green Belt for specified developments. The National Planning Policy Framework (the Framework) advises that new buildings should be regarded as inappropriate unless they represent an exception set out in paragraph 145. It is accepted by the appellant that the proposed building is not a development specified within policy N33 or paragraph 145 of the Framework and it would therefore represent inappropriate development in the Green Belt.
  4. The proposal includes the creation of a track. It has been suggested that the access track would not represent inappropriate development as it would be typical of numerous rural tracks. However, I find no reason to consider the track separately from the building as its purpose is to serve it.
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5. With regard to openness, the building and the track would represent new development on currently undeveloped land. They would extend beyond the area of existing development associated with the dwelling. They would undoubtedly reduce the openness of the Green Belt and, as a consequence, have an adverse effect on it. The proposal would be contrary to the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open. It would also be at odds with one of the purposes of the Green Belt which is to safeguard the countryside from encroachment.

*Character and appearance*

6. The site is relatively well screened from the road by planting and the proposed building would be set against a backdrop of trees to the north. It would sit between developments to the east and west and as a result, it would not be viewed as an isolated structure. It would have the appearance of a modern agricultural building. The proposed access would formalise an existing route at the edge of the field and it would be surfaced with grasscrete to help reduce its wider visual impact.
7. Despite the above matters, such a large structure, built in green profile metal cladding, would be at odds with the character of the buildings nearby and it would detract from the character and appearance of the area. It would be contrary to policies P10(i) and P12 of the Core Strategy 2014 (CS); and UDP policy GP5, as it would not respect the character and quality of the surrounding area. As these policies generally accord with the requirements of the Framework, I afford them considerable weight.

*Other considerations*

8. The planning statement refers to the use of the proposed building for housing vehicles and machinery. However, the appeal statement advises that it would be used for the storage of wood chips, for the existing boiler. The appellant advises that the wood chips and boiler provide heat and hot water to the appellant's house and ancillary domestic buildings. The new building would also house the tractor which would be used to transport the wood chips to the boiler.
9. The building would provide greater levels of storage for wood chips for the boiler which is already in place and operational. Although the evidence is very limited, the appellant advises that the existing boiler and this source of fuel, makes a positive contribution to energy generation from renewable low carbon sources. Paragraph 154 of the Framework advises that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. However, there has been no suggestion that the current use of the boiler would not continue if this development were not able to go ahead in its current form. I am not satisfied therefore that the proposal would alter the contribution that the heating system makes with regard to reducing greenhouse gas emissions.
10. The scale of the building proposed is substantial. Given its scale, it is likely to result in the need for fewer deliveries of wood chips and provide benefits from economies of scale. However, I have no evidence to demonstrate why such a large building would be necessary. I am also unclear whether a new building would represent the only storage option. No analysis has been provided to

demonstrate why a storage facility could not be provided within the already built-up area of the site, closer to the boiler, rather than extending development into open land beyond the existing buildings.

*Conclusions*

11. The Framework is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This proposal represents inappropriate development and would reduce the openness of the Green Belt. The Framework is clear that substantial weight should be given to any harm to the Green Belt. The proposal would also result in harm to the character and appearance of the area.
12. If I accept the appellant's view that emissions overall would be reduced, the evidence does not demonstrate that the scale of the benefits would be such that they would represent considerations that would be sufficient to clearly outweigh the harm from inappropriateness and the other harm that would result. Very special circumstances only exist if the potential harm to the Green Belt, by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. I must conclude therefore that very special circumstances do not exist and the proposal would conflict with the Green Belt requirements of UDP policy N33 and the Framework. I therefore dismiss the appeal.

*Peter Eggleton*

INSPECTOR