
Appeal Decision

Site visit made on 16 November 2020

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th January 2021

Appeal Ref: APP/N4720/W/20/3258137

Land at and to the south of The Old Joiners Workshop, Springside Farm, Hawksworth, Guiseley, Leeds LS20 8NX

- 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 Tony Briggs against the decision of Leeds City Council.
 - The application Ref 20/02397/FU, dated 22 April 2020, was refused by notice dated 2 July 2020.
 - The development proposed is stable block.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. When on my site visit, I observed that a large metal shipping container was present at the appeal site. Notwithstanding this container being in place, I have considered the appeal based on the plans originally submitted to and considered by the Council, which form the basis of the scheme that is before me.
3. On the application form the appeal site address referred to the 'Old Joiners Shop'. However, both the decision notice and appeal form refer to the 'Old Joiners Workshop'. For clarity, I have therefore also used the latter reference for the site address within the banner heading above.

Main Issues

4. The main issues are:
 - whether the proposal would represent inappropriate development in the Green Belt having regard to the National Planning Policy Framework and any relevant Development Plan policies;
 - the effect of the proposed development on the rural character and appearance of the area; and
 - if the proposed development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

5. The *National Planning Policy Framework* (the Framework) states at paragraph 143 that inappropriate development is, by definition, harmful and should not be permitted except in very special circumstances. Paragraph 145 of the Framework states that the construction of new buildings in the Green Belt is inappropriate save for several specified exceptions including the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport or outdoor recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
6. I consider saved policies GB13 and GB20 of the adopted Leeds Unitary Development Plan (UDP) to be broadly consistent with the Framework. Policy N33 of the UDP sets out several types of development which would be allowed within the Green Belt other than those justified by very special circumstances. However, this approach is not entirely consistent with the Framework and consequently I afford this policy limited weight.
7. It is not a matter of dispute between the parties that the proposal would be for outdoor recreational purposes. As a result, they also agree that the proposal would not be inappropriate development if it would preserve the openness of the Green Belt and not conflict with the purposes of including land within it.
8. The proposed building would be located within an open agricultural field where there is currently no development. In simple spatial terms, this would have a clear and demonstrable effect on the openness of the Green Belt by introducing development to land which is presently permanently open. The construction of a stable block on the appeal site would therefore bring about built development where there is presently none.
9. I acknowledge that the size of the building means that the encroachment is not significant in scale. Nevertheless, it would still represent an encroachment, which is at odds with the requirements of the Framework.
10. I also acknowledge that the proposal would be located not far from the existing buildings towards the front of the site. However, given that there would still be a considerable gap between the proposal and these properties, it would not be directly adjacent to them or be part of this cluster of buildings. I also note that the proposal would be situated quite close to the existing dwelling the Old Joiners Workshop. However, given the sizeable gap between the Old Joiners Workshop and these other buildings it too is in a relatively separate location to them.
11. Furthermore, given the open nature of both the appeal site and the agricultural field beyond it, there is a clear link between their respective senses of 'openness' which when assessed as a whole would be significantly harmed by the introduction of the proposal. This would have a discernible adverse visual impact on openness in this regard.
12. Consequently, I consider that the proposal would not preserve the openness of the Green Belt or safeguard the countryside from encroachment. The proposed development would therefore fall outside the exception set out in paragraph 145 of the Framework and should be considered inappropriate development in

the Green Belt. The proposal would therefore conflict with policies GB13 and GB20 of the UDP which aim to ensure that development proposals are appropriate in the Green Belt.

Character and Appearance

13. I acknowledge that the proposal would be located relatively close to the Old Joiners Workshop dwelling, not be as big as some of the other nearby buildings and be set at a lower ground level than them. However, it would be located within an open agricultural field where there is currently no development. It would also be located further into this open countryside than the other buildings closest to it. As a result, the proposal would have a clear visual impact on the more open rural character of this land. Moreover, this plus its design and material finish to match the existing dwelling means that it would have a more residential and domestic appearance rather than a clearly equestrian or agricultural one.
14. Consequently, the proposal would be visually incompatible with the more open and agricultural landscape within which it would be situated. Therefore, even though the proposal would be in keeping with the residential character and appearance of the buildings nearby, it would not fit in with the rural character and appearance of the more open agricultural landscape it would be encroaching into.
15. I therefore conclude that the proposed development would materially harm the rural character and appearance of the area thereby failing to meet the requirements of policies P10 and P12 of the adopted Leeds Core Strategy (CS).

Other considerations

16. In support of the proposal the appellant has advanced the argument that the proposed development would accord with four Green Belt purposes other than the disputed one relating to safeguarding the countryside from encroachment and that it would be for an outdoor recreational use. Based on the evidence before me I see no reason to disagree. However, given my findings on the proposal's impact on openness and encroachment into the countryside, I afford these considerations little weight.
17. The appellant has also referred to the historical presence of garage buildings on the appeal site. However, no substantive evidence has been submitted to support this and as a result I afford this consideration little weight.
18. I also note that the appellant intends to graze their own horses on the appeal site and on the adjacent agricultural land and that this would be significantly cheaper than continuing their existing arrangements of using a livery elsewhere. However, given my findings on the proposal's impact on openness and encroachment into the countryside, I also afford this consideration little weight.
19. In addition, the appellant has drawn my attention to a recent permission for a new classroom pod to the rear of the nearby Hawksworth Primary School which is also located within the Green Belt which they argue has set a precedent for development in this location similar to the proposal. The Council's appeal statement states that the reasons for this development being permitted were that very special circumstances had been demonstrated including the fact that the pod was required to meet an established educational need at a school that

was oversubscribed and exceeding the pupil capacity of the existing original building. Therefore, based on the evidence, this scheme is not directly comparable to the appeal scheme before me which I have determined on its own merits. Accordingly, this permission does not weigh in favour of the proposed development.

Planning balance and conclusion

20. The proposed development would not preserve the openness of the Green Belt. As such, it would result in inappropriate development in the Green Belt. The proposal would also cause additional harm to the rural character and appearance of the area.
21. The development would therefore be harmful to the Green Belt. Paragraph 144 of the Framework makes it clear that substantial weight should be given to any harm to the Green Belt. It establishes that the very special circumstances needed to justify inappropriate development will not exist unless the harm is clearly outweighed by other considerations.
22. I have given limited or no weight to the other considerations cited in favour of the development. In my view, these would not clearly outweigh the substantial harm to the Green Belt or the harm to the rural character and appearance of the area. The very special circumstances necessary to justify the development do not therefore exist.
23. Accordingly, there would be conflict with saved UDP policies GB13 and GB20, Policies P10 and P12 of the CS and Paragraph 143 of the Framework. For this reason, and having regard to all relevant matters, I conclude that the appeal should be dismissed.

C Coyne

INSPECTOR