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## Appeal Decision

Hearing (Virtual) Held on 9 September 2021

Site Visit made on 7 September 2021

**by R Morgan BSc (Hons) MCD MRTPI**

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

**Decision date: 28 September 2021**

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**Appeal Ref: APP/W4705/W/21/3269561**

**Deanstones Farm Deanstones Lane, Queensbury, BRADFORD, BD13 2LL**

- 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 R Hall against the decision of City of Bradford Metropolitan District Council.
  - The application Ref 20/01043/FUL, dated 16 March 2020, was refused by notice dated 24 August 2020.
  - The development proposed is retrospective siting of residential building for use as agricultural workers dwelling for a temporary period of 3 years.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. Since the Council made its decision, a revised version of the National Planning Policy Framework (the Framework) has been issued. Other than changes to paragraph numbering, those parts of the Framework which are particularly relevant to this appeal remain substantially unaltered, and at the hearing, both parties agreed that there are no other changes which materially affect the assessment of the appeal proposal. I have therefore considered the appeal on the basis of the revised Framework.

### Main Issues

3. The site is within the Green Belt, the broad extent of which is defined in Policy SC7 of the Core Strategy for Bradford District 2017 (Core Strategy). As such, the main issues are:
  - whether the proposal is inappropriate development in the Green Belt;
  - the effect on openness;
  - whether the proposal would cause harm to the character and appearance of the area; and
  - whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, including whether there is an essential need for an agricultural worker's dwelling, so as to amount to the very special circumstances necessary to justify it.

## Reasons

### *Whether inappropriate development*

4. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Framework paragraph 149 says that the construction of new buildings should be regarded as inappropriate development in the Green Belt, other than in a number of exceptional circumstances.
5. Saved Policy GB1 of the Replacement Unitary Development Plan 2005 also restricts development in the Green Belt, except in very special circumstances or for specific purposes, which do not include dwellings for agricultural workers. The proposal therefore conflicts with Saved Policy GB1. However, the policy predates the Framework, and whilst it is consistent in terms of its general intent, does not fully reflect the Framework wording, particularly in relation to new buildings. The parties agreed at the hearing that greater weight should therefore be given to the Framework, which sets out current national policy in relation to Green Belts.
6. The development does not fall within any of the exceptions set out in Framework paragraph 149. It therefore constitutes inappropriate development in the Green Belt.

### *Effect on openness*

7. Deanstones Farm is located to the south of Queensbury, adjacent to the edge of the built up area. The topography is undulating and the farm buildings, which are surrounded by open agricultural land, are located within a dip which continues towards the open, rolling countryside to the south. Built development on the edge of Queensbury is located at a higher level, visually framing the farm on three sides.
8. The appeal building is positioned at the lowest part of the site, somewhat apart from the farmhouse and other buildings at Deanstones Farm. Its low height and shallow pitched roof limits its visual impact within the wider landscape, with additional screening provided by farm buildings and structures, as well as the surrounding topography. From many vantage points the building is not readily visible, but where glimpses can be seen, it appears to form part of the existing farm complex, and is viewed in the context of the surrounding stone walls, farm buildings and agricultural machinery.
9. At the time of my site visit, additional screening was provided by the large quantity of hay bales stored at the site. At other times of year when there are less bales present, the appeal dwelling may be more visible from surrounding public vantage points, and the separation between the dwelling and other farm buildings may be more obvious. However, even without the bales, the visual impact of the building would not be particularly significant, due to its low form and siting.
10. Paragraph 137 of the Framework identifies openness as one of the essential characteristics of Green Belts. Openness can include both visual and spatial elements. In visual terms, the impact of the building on openness is limited, but the creation of additional built form on a previously undeveloped part of the

farm also has a spatial impact. Although not large, the building has a reasonable sized footprint, and this has led to a reduction in openness.

11. The combination of these spatial and visual impacts has resulted in the development causing modest harm to the openness of the Green Belt.

#### *Character and appearance*

12. The chalet-style appearance of the appeal property may be more reminiscent of a caravan park than a traditional farmstead, but such temporary dwellings are not uncommon in rural areas. The appeal building is functional in appearance, and its simple form with shallow roof pitch is not dissimilar to the form of the adjacent barns. The scale of the dwelling is not excessive for a family house, and although fairly long, the single storey design of the development helps to limit its visual impact. These factors, combined with the siting of the building within a well screened dip in an undulating landscape, ensure that it does not appear obtrusive or particularly out of place, despite being a darker colour than other buildings on the farm.
13. For these reasons, the development does not cause undue harm to the character and appearance of the area. There is no clear conflict with Core Strategy Policy DS1, which seeks to achieve good design.
14. Core Strategy Policy DS3 is specifically concerned with creating and reinforcing urban character. Despite its location adjacent to a settlement, the appeal site is predominately rural in character and the provisions of Policy DS3 are not directly applicable.

#### **Other considerations**

##### *Whether there is an essential need for an agricultural worker*

15. Both parties have referred to Framework paragraph 80a), which seeks to avoid the development of isolated homes in the countryside unless there is an essential need for a rural worker to live permanently at or near their place of work. The appeal site is separated from surrounding built development by open, predominately agricultural land on all sides, but the site is very close to the edge of Queensbury and the proximity of other built development around the site, particularly the cluster of buildings to the east, means that the location does not feel particularly isolated.
16. Nonetheless, the location of the appeal building does not accord with policies which seek to restrict new housing. Even if Framework paragraph 80a) is not directly applicable, the site is within the Green Belt where very special circumstances must be demonstrated to justify development that is otherwise inappropriate. As such, consideration must be given as to whether there is an essential need for an agricultural workers dwelling on the site.
17. The farm business is centred around two main activities, namely the breeding of suckler calves and the production of silage and hay bales for sale. The 38 hectare holding is split across several sites, including Deanstones Farm. The business owns a further land parcel a short distance to the south of the appeal site, and the rest of the holding, part of which is owned and part rented, is spread across the Halifax and Mixenden areas. The farmhouse is at Deanstones Farm, where the appellant and his wife live. The appeal dwelling is occupied by the appellant's son, who lives there with his partner and child.

18. The family has run the farm business for some 40 years, but the appellant is now past retirement age. Although he remains active in the day to day running of the farm, he is gradually scaling back his involvement and his son is taking on more responsibility. The appellant's son works at the farm for most of his time, although not exclusively. The intention is that the full-time operation of the enterprise will, at some stage, transfer from father to son, although there is no set timetable for this to happen. Other than occasional casual workers, no other staff work at the farm, the business being largely kept within the family.
19. According to the appellant, the business is financially viable and provides a reasonable return, although no accounts, business plan or other evidence has been provided to back this assertion up. I am therefore not in a position to comment on whether this is a sustainable business that could support an additional dwelling. However, assuming that the business is currently viable, the need to provide for the continued viability of the farming business through the farm succession process is a relevant consideration for this appeal, as identified in the Planning Practice Guidance (paragraph 010 Reference ID: 67-010-20190722).
20. It was explained at the hearing that the appellant's son's involvement is enabling the established farm business to continue operating. In this way, the proposal contributes to the objective of supporting a prosperous rural economy, contained in paragraph 84 of the Framework. However, whilst living on the family land holding may well have practical advantages as well as being cost effective, no clear reasons have been provided as to why it is essential for the appellant's son and his family to live at Deanstones Farm. The farmhouse already allows for a worker to be present on the site at all times of the day and night, and the appellant has not attempted to demonstrate that there is any functional need for a second agricultural worker to live on site.
21. There are undoubtedly benefits to living close to the farm in terms of convenience and limiting travel time, but the site is in very close proximity to nearby settlements, in particular Queensbury, where there appears to be a good range of residential accommodation. There is nothing before me to indicate that the option of living in nearby settlements has been explored. Clear justification for the appeal dwelling, which constitutes inappropriate development in the Green Belt, has therefore not been presented.
22. The appeal building is a mobile home rather than a permanent structure, and planning permission is sought for a temporary period. A suggested condition would require that, at the end of three years, the building would be removed, and the site restored to its previous condition. As it would be only temporary, the harm to the Green Belt would be time limited.
23. However, there is no suggestion that the appellant should move out of the farmhouse, and the accommodation arrangements for his son and family beyond the proposed three year period are unclear. It was suggested at the hearing that it may be possible to convert one of the existing buildings on the farm holding to residential use, which would avoid the need for a new building in the Green Belt. This would seem to be a good solution, but I have been provided with no clear information about the availability of other buildings at Deanstones Farm or elsewhere on the holding, or their potential suitability for conversion to residential use.

24. In the longer term, the conversion of an existing agricultural building could allow the appellant's son and his family to live on the holding, but there appears to be no clear plan to achieve this. The dwelling has already been in situ for at least two years, and if I were to allow the appeal for a further three years, it seems likely that the accommodation may well be required beyond that time period. This would further prolong the harm to the Green Belt.

### **Green Belt Balance and Conclusion**

25. The development constitutes inappropriate development which, by definition, causes harm to the Green Belt. The Framework establishes that substantial weight should be given to such harm. In addition, there has been a modest loss of openness.

26. A clear need for a second agricultural worker's dwelling on the site has not been established. When taken together, other considerations do not clearly outweigh the harm to the Green Belt, even taking into account the temporary nature of the proposal and the lack of harm to the character and appearance of the area. Consequently, very special circumstances to justify the proposal do not exist.

27. I conclude, therefore, that the appeal be dismissed.

*R Morgan*

INSPECTOR

### **APPEARANCES**

FOR THE APPELLANT:

Roger Lee                      Agent

FOR THE LOCAL PLANNING AUTHORITY:

Simon Eades                  Planning Officer