



Appeal Decision

Site visit made on 7 February 2023

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 March 2023

Appeal Ref: APP/W4705/W/22/3310252

Ivy Cottage, Hob Cote Lane, Oakworth, Keighley BD22 0RW

- 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 Mrs Kirstie Thompson against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 22/00126/FUL, dated 12 January 2022, was refused by notice dated 4 April 2022.
 - The development is 20ft x 8ft shipping container and wooden carport.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have based the description of the development on that in the Council's decision notice. It adequately and simply describes the development instead of the description given on the application form which includes details in support of the appeal scheme, which are not acts of development in themselves. Nevertheless, I have taken the points raised into account in my reasoning below.
3. I saw at my site visit that the carport has been constructed and the container installed. Therefore, I am considering this appeal retrospectively

Main Issues

4. The main issues are:
 - whether or not the appeal scheme is inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect of the appeal scheme on the openness of the Green Belt;
 - the effect of the appeal scheme on the Worth and North Beck Valleys (WNBV) landscape character area;
 - the effect of the appeal scheme on the setting of the listed buildings; and
 - 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 appeal scheme.

Reasons

Inappropriate Development in the Green Belt

5. The appeal site is located within the West Yorkshire Green Belt. The Framework attaches great importance to Green Belts, and the construction of new buildings should be regarded as inappropriate, subject to a limited number of exceptions as set out in paragraph 149 of the Framework.
6. The appeal scheme relates to a parcel of land adjacent to a row of properties on Hob Cote Lane, set within an open rural landscape. The site is associated with Ivy Cottage but is physically separated from it by other properties on Hob Cote Lane. The site accommodates a timber detached garage and the appeal scheme has two elements; a steel shipping container and a timber carport. The carport is a new building and does not meet any of the Framework's exceptions. Accordingly, this element of the appeal scheme is inappropriate development in the Green Belt.
7. Even if the container is a temporary structure and as such is not a form of development as suggested by the appellant, I have found the timber carport to be inappropriate development. Therefore, taken as a whole, I find the appeal scheme to be inappropriate development in the Green Belt.

Openness

8. A fundamental aim of Green Belt Policy, as set out in paragraph 133 of the Framework is to prevent urban sprawl by keeping land permanently open. Openness is an essential characteristic of the Green Belt that has spatial as well as visual aspects.
9. The construction of a carport and installation of a shipping container results in built development where there was previously none. This therefore causes harm to openness spatially. Given the prominent forward positioning of the appeal scheme, the overall bulk of the built form, and because the appeal scheme is very clearly visible from the adjacent highway, particularly on approach from the east, it inevitably leads to a loss of openness in a visual sense. As such the development leads to a significant loss of Green Belt openness, contrary to the Green Belt purpose of limiting the encroachment of development into the countryside.

Landscape Character

10. The appeal site is located within the WNBV landscape character area, which is identified in the Landscape Character Supplementary Planning Document (SPD) (2008) as being characterised by mixed upland pasture. With strong character, high historic continuity and visual prominence, and feelings of openness the SPD advises that this landscape type is sensitive to further development. It is a local landscape with such valued attributes it benefits from protection through Policy EN4 of the Local Plan for the Bradford District Core Strategy Development Plan Document (2017) (CS).
11. The appeal scheme introduces a prominent built form into the otherwise open character in the locality. Buildings in the area are predominantly constructed in traditional gritstone which the SPD indicates forms a harmonious component of the landscape. The introduction of steel and timber materials draws the eye

and is noticeable from public views, on approach to the site along Hob Cote Lane, to the detriment of the special qualities of the WNBV landscape.

12. While it may be that there are similar and larger barns and buildings in the local vicinity built to the same style and of the same materials to the appeal scheme, I do not have any clear details of any such examples. Moreover, I did not observe any within the area immediate to the appeal site. As such, any similar buildings are not directly comparable.
13. Consequently, the appeal scheme is harmful to the WNBV landscape character area, in conflict with policies EN4 and DS3 of the CS. These policies, amongst other things, require proposals to make a positive contribution towards the conservation, management and enhancement of the diversity of landscapes within the district, and seek new developments that are appropriate to their context. It is also contrary to the guidance within the SPD, with regard to protecting and enhancing the character, appearance and features which are important to the identified landscape character areas.

Listed Building

14. Nearby to the appeal site are two Grade II listed buildings. As such, having regard to the duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have assessed the appeal scheme against these heritage assets, having special regard to the desirability of preserving their settings or any features of special architectural or historic interest they possess.
15. The Grade II listed building known as High Hob Cote Farmhouse was previously two cottages and a house and is now all one. The cottages were constructed in the mid-late 18th Century and the house in the early 19th Century, constructed from coursed stone and stone slate roofs. The buildings significance derives from its special architectural and historical interest and its setting includes the streetscape within which it is located and the open fields to the front, rear and side.
16. The appeal site is immediately adjacent to this listed building and falls within its setting. The appeal scheme, forward of the building line of the cottages, obscures views of the listed building on approach from the east on Hob Cote Lane. Moreover, the use of steel and timber draws the eye, detracting from the stone-built cottages. While it may be that the land is kept tidy, and the use of wood and green roof panels blend in with local farm buildings and barns, I did not observe any farm buildings or barns in the area immediate to the appeal site, and the use of these materials in the setting of the listed building is incongruous.
17. I have considered the example of the shepherd's hut which I observed to be constructed from metal. However, the context of this example differs in relationship to the listed building. It is not in such a prominent location, being situated to the rear of the cottages, and as such does not obscure the listed building. It is smaller in size and further away from the listed building than the appeal scheme and as such, does not detract from the listed building in the way the appeal scheme does.
18. Accordingly, the appeal scheme would not preserve the significance of High Hob Cote Farmhouse's special architectural and historic interest. As set out in

the Framework, the harm that I have identified is 'less than substantial' harm. The Framework indicates that great weight should be given to the conservation of heritage assets, irrespective of the level of harm.

19. There are no public benefits sufficient to weigh against the permanent harm that arises to the significance of High Hob Cote Farmhouse. For the reasons given, the appeal scheme causes harm to the setting of this listed building, in conflict with policies SC1, EN3 and DS3 of the CS. These policies, amongst other things, requires high quality development that is appropriate to its context, which conserves and where appropriate enhances the significance and setting of Bradford's heritage assets. The appeal scheme is also contrary to the heritage protection policies of the Framework.
20. The Grade II listed building known as High Hob Cote Cottage was built in the mid-18th century, constructed of coursed stone with a stone slate roof. The building's significance derives from its special architectural and historic interest. The setting of the building includes the open fields surrounding it and the adjacent row of cottages fronting on to Hob Cote Lane. The appeal site is physically and visually separate from this designated heritage asset and does not inform its setting. Accordingly, the appeal scheme has no effect on the significance of the architectural or historic interest of High Hob Cote Farmhouse. In this regard, the appeal scheme accords with policies SC1, EN3 and DS3 of the CS and complies with the heritage protection policies in the Framework.

Other Considerations

21. The Framework at Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. There are no other considerations before me to weigh in favour of the appeal scheme.

Green Belt Balance and Conclusion

22. The appeal scheme is inappropriate development in the terms set out by the Framework and results in a harmful loss of openness to the Green Belt. The Framework indicates that substantial weight should be given to any harm identified to the Green Belt. The scheme would also result in harm to the WNBV landscape character area and the significance of a nearby listed building.
23. The harms to the Green Belt, and the other harms identified above are not clearly outweighed by any other considerations, and so very special circumstances do not exist.
24. My above findings bring the appeal scheme into conflict with the development plan, read as a whole. There are no material considerations that have been shown to have sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR