



Appeal Decision

Site visit made on 19 July 2023

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th September 2023

Appeal Ref: APP/W4705/W/23/3322555

Land at 5 Westy Bank Croft, Redcar Lane, Steeton, Keighley BD20 6QN

- 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 Matthew Rook against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 23/00822/FUL, dated 7 March 2023, was refused by notice dated 28 April 2023.
 - The development proposed is construction of agricultural shed and associated works (retrospective) (resubmission of 22/03095/FUL).
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Decision

1. The appeal is allowed. Planning permission is granted for agricultural shed and associated works at Land at 5 Westy Bank Croft, Redcar Lane, Steeton, Keighley BD20 6QN in accordance with the terms of the application Ref 23/00822/FUL dated 7 March 2023.

Procedural Matters

2. The description of the proposal in the formal decision above has been amended so that it omits wording that is not a description of development.
3. At the time of my site visit, from where I was able to observe the proposal from a range of viewpoints, a shed was present on the site that broadly accorded with that shown on the plans before me. For the avoidance of doubt my determination has been made on the basis of the plans.
4. Policy GB1 of the Replacement Unitary Development Plan (2005) deals with the Green Belt and seeks to protect it. This development specific Policy lacks full alignment with the Framework. I have afforded significant weight to the requirements of the more up to date Framework¹ with regard to the Green Belt approach. This appears to be the approach the Council have taken within their decision and I have no reason to disagree.

Main Issues

5. The main issues are:
 - i. whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; and
 - ii. the effect of the proposal on the character and appearance of the area.

¹ National Planning Policy Framework 2023.

Reasons

Green Belt

6. The Framework at paragraph 149 establishes that the construction of new buildings within the Green Belt should be regarded as inappropriate unless they are a type of building identified under a list of exceptions.
7. One such exception at a) relates to buildings for agriculture and forestry. As to whether the building is for agriculture, widely opposing views have been presented within the evidence.
8. The building however is set to the North of Westy Bank Croft directly adjacent to a modestly sized field. The building is limited in size and could be considered commensurate for storage purposes for tasks associated with the land of modest size with which it would be adjacent to.
9. Regardless of declarations made with regard to agricultural holdings, there is nothing compelling within the evidence which confirms that this is not a building for agriculture. I am therefore determining the proposal as applied for.
10. The development is not therefore inappropriate development within the Green Belt and there is therefore no conflict with the Framework in respect of this main issue.

Character and appearance

11. I was able to carry out a thorough site visit. The area is characterised by small buildings dotted around the fields that sit to the north, north-west and north-east of Westy Bank Croft. The building, which is tucked down the embankment from the properties to the south has very limited visual impact due to the landform. This visual impact is further reduced by the robust boundary hedgerow to the west of the appeal site.
12. The building is not therefore out of keeping with the area and does not form an unexpected or obtrusive feature within this setting and materials such as those used are often used within rural areas. The bear roof is not so uncomfortable within this set down location that it is necessary to add a condition/s to alter this. This could be a matter for the appellant to change, should they desire.
13. On this basis, the proposal does not result in any significant adverse impact on the character and appearance of the area. The proposal does not therefore conflict with policies DS1 or DS3 of the Bradford Core Strategy (2017) which amongst other things require that development proposals should contribute to achieving good design through being informed by a good understanding of the site/area and its context.

Other Matters

14. Concerns have been expressed with regard to flooding, the presence of a watercourse and sewerage effluent. However, the Council has not raised concern in this regard and nothing compelling has been put forward to make me consider there would be any significant adverse effects in relation to these matters.
15. Concern has been raised with regard to the ownership certificates that have been completed on the planning application forms. There is an admission that these were incorrectly completed at the time of the application.
16. However, there is nothing to indicate that this was anything other than an oversight. The evidence indicates that the freehold is owned by Westy Bank Croft

(Management) Limited. I am advised that all of the active directors were aware of the application and consider this likely to be the case given the close knit nature of the site and surrounding properties. I do not therefore consider that prejudice has occurred to these parties as a result of the position relating to the ownership certificates or that this matter compromises my determination of the appeal.

Conditions

17. The standard conditions relating to a time limit and approved plans are not necessary given that the building is present on site.

Planning balance and conclusion

18. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan and there is no conflict with the Framework with regard to Green Belt matters. I therefore conclude that the appeal should be allowed.

T J Burnham

INSPECTOR