



Appeal Decision

Site visit made on 21 November 2023

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 December 2023

Appeal Ref: APP/W4705/W/23/3328864

Land At Grid Ref 413275 446783, Hangingstone Road, Ilkley, Bradford LS29 8BT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr Holmes against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 23/01657/FUL, dated 12 May 2023, was refused by notice dated 10 August 2023.
 - The development proposed is replacement of existing stables.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt, including any effect on openness, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; and
 - Whether any harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development and effect on openness

3. The appeal site relates to a pasture field located within the Green Belt to the southeast of Ilkley. In the northwest corner of the field is a large timber shed and in the northeast corner of the field is a smaller building and what remains of a smaller structure which are the subject of this appeal. The field is otherwise open and slopes downwards to the north but is nevertheless visible from Moor Road located to the south including approaching the site along that road.
4. Policy GB1 of the City of Bradford Metropolitan District Council Replacement Unitary Development Plan, 2005 (RUDP) explains that except in very special circumstances, planning permission will not be given within the Green Belt as defined on the proposals maps for development for purposes other than 1) agriculture and forestry, essential facilities for outdoor sport and outdoor recreation, cemeteries; or 2) for other uses of land which preserve the

- openness of the Green Belt and which do not conflict with the purposes of including land in it.
5. The Council's officers report explains that saved Policy GB1 of the RUDP is not fully consistent with the Framework due to differences in wording and more limited exceptions to inappropriate development listed in Policy GB1. The report goes on to explain that Policy SC7 of the Core Strategy Development Plan Document, 2017 relates to Green Belt but is of limited relevance as it is concerned with the release of Green Belt land and review of its boundaries, rather than individual applications for development in the Green Belt. Consequently, the Council has given greater weight to the provisions of the Framework in this instance, and I have no reason to disagree.
 6. Paragraph 149 of the Framework explains that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions include the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
 7. The proposed development seeks permission for the removal of an existing stables building including what remains of a smaller structure onsite and construction of a new stables building to provide 4 stables, a tack room and a feed room. It is undisputed that the proposed stables would constitute a facility for outdoor recreation and thus subject to the above exception.
 8. Paragraph 137 of the Framework explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Openness of the Green Belt has a spatial aspect as well as a visual aspect. Both aspects therefore need to be considered. Paragraph 138 of the Framework explains that the Green Belt serves five purposes which include amongst others, c) to assist in safeguarding the countryside from encroachment.
 9. The proposed development would remove the existing buildings onsite and replace it with a single building which would have a larger footprint and overall volume in comparison to the existing buildings. In spatial terms, this would inevitably have an impact on the openness of the Green Belt even taking into account the height of the proposed building which would be lower than the existing buildings.
 10. Given the overall size of the building in comparison to the existing, this would result in encroachment into the countryside. As referred to above, the site is visible from Moor Road, being within an open field. Despite the screening that exists, the buildings mass and volume would be clearly visible from public vantage points and would result in a loss of openness in visual terms leading to a fundamental and permanent change to the Green Belt.
 11. For the above reasons, the proposed development would not preserve the openness of the Green Belt and would conflict with the purposes of including land within it. I therefore conclude that, for the purposes of the Framework, the proposed development would be inappropriate development in the Green

Belt which would by definition be harmful to the Green Belt. Consequently, the proposed development would be contrary to paragraph 149 of the Framework.

Other considerations

12. Paragraph 147 of the Framework explains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 goes on to explain that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
13. The appellant claims that a number of adjacent landowners have been granted permissions for similar developments and I acknowledge the photographs submitted. However, no further details have been provided for me to be able to comment on. In any event, I am considering the scheme that is before me, and I have identified the harm that would arise. Such matters therefore carry limited weight.
14. I am also aware that the development relates to the replacement of existing stables given that the existing buildings onsite have become beyond economic repair. However, this would not alter my findings as the development would still result in encroachment into the countryside and result in a loss of openness to the Green Belt. I am not persuaded that the proposed development would be the only option in this case or that the replacement of the buildings could not be achieved by a scheme that would preserve the openness of the Green Belt and not conflict with the purposes of including land within it. Such matters therefore also carry limited weight.
15. I appreciate claims that the land has been used for horses by the applicant's family for a number of years and that there is support shown for the scheme. However, this would not alter my findings as set out above and thus also carries limited weight.

Planning Balance and conclusion

16. Whilst I acknowledge the other considerations put forward by the appellant as set out above, the Framework makes it clear that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt which I have applied.
17. Therefore, those other considerations referred to above would not hold sufficient weight to outweigh the harm that I have found would be caused to the Green Belt by reason of inappropriateness. Furthermore, I have not received substantive evidence of any other considerations which would do so. The very special circumstances needed to justify the development do not therefore arise.
18. Accordingly, I conclude that the appeal is dismissed.

N Teasdale

INSPECTOR