



Appeal Decision

Site visit made on 9 January 2024

by N Kempton BA(Hons) PGDip MA IHBC MRTPI

an Inspector appointed by the Secretary of State of

Decision date: 27 February 2024

Appeal Ref: APP/N2739/W/23/3321128

Manor Farm, Main Street, Womersley, North Yorkshire DN6 9AY

- 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 Lee Nesbitt against the decision of Selby District Council.
 - The application Ref 2022/0595/FUL, dated 18 May 2022, was refused by notice dated 22 November 2022.
 - The development is the temporary use of land for the stationing of two static caravans for up to five years (retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The local plan has not yet reached its examination in public. There is, therefore, no certainty that the adopted plan will reflect the present policies, which limits the weight I can give it.
3. The development has already been implemented; the two static caravans are on site. While the planning application form describes the development as including gates, the Council has indicated that these were omitted before it determined the application.
4. Both parties were given the opportunity to comment on the amended National Planning Policy Framework (the Framework), published in December 2023 and I have taken into account representations received.
5. Notwithstanding the representations in the appellant's statement of case and the Council's evidence, I offered both parties the opportunity to make further representations on the effect of the development on the Womersley Conservation Area, with particular regard to the prospect of the conversion project- with works to the farmhouse and barns- being implemented, including the status of any planning application for the conversion.

Main Issues

6. The main issues are:
 - whether or not the development is inappropriate development in the Green Belt having regard to the development plan and the Framework;
 - if the proposal is inappropriate, the effect on the openness of the Green Belt;

- whether the development preserves or enhances the character or appearance of the Womersley Conservation Area; and,
- if the proposal is inappropriate development, 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 development.

Reasons

Inappropriate development

7. The appeal site includes a farmstead known as Manor Farm, which comprises the farmhouse, redundant farm buildings, agricultural yard, and associated land. The farmhouse and farm buildings appear in a neglected state.
8. The site lies in the Green Belt where policies SP2 and SP3 of the Selby District Core Strategy Local Plan 2013 (LP) require that development proposals be determined in accordance with national Green Belt policies. The Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; and that the essential characteristics of Green Belts are their openness and their permanence. The appeal proposal relates to the use of the land, as opposed to operational development.
9. Paragraph 155 of the Framework identifies certain forms of development that are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Material changes in the use of land are included in the list of exceptions (e).
10. Notwithstanding this exception (e), which relates to such changes of use for outdoor sport or recreation, or for cemeteries and burial grounds, the use of the land for the siting of caravans is inappropriate because it differs in nature and type of use compared with those identified in (e).
11. The development is therefore inappropriate development in the Green Belt. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, and that substantial weight is given to any harm to the Green Belt.

Effect on the openness of the Green Belt

12. The use of the land for the siting of caravans would have a greater impact on the openness of the Green Belt than the situation before the development, by reason of their footprint, height and volume, as well as their nature, function and type, which very clearly differ from that of the existing agricultural buildings comprising this farmstead.
13. The siting of the caravans beneath an existing open-sided, Dutch barn and adjacent to the building group of farm buildings diminishes their impact on the openness of the Green Belt in its spatial component, such that the volume of the caravans would not have a significant effect on the spatial dimension of its openness.
14. With regards to the visual component of openness, the caravans are apparent in views from Northfield Close and conspicuous by reason of their nature, type,

and purpose- which I address further below. The siting of the caravans lessens their visual impact. As such the proposal would result in moderate harm to openness.

Conservation Area

15. The appeal site is located within the Womersley Conservation Area (CA). The farmstead comprises vernacular stone-built barns, rectangular in form with simple gabled roofs covered with clay pantiles, typical of the farmsteads that characterise this small farming community and contribute to the rural, agricultural character of the CA. Local magnesium limestone is the principal building material, hand cut in small irregular blocks- often rubble stone. Tall boundary walls are an important feature in the CA, enclosing property and flanking roads, creating a corridor effect. This defensive character is reinforced by blank gables of farm buildings abutting the roads and, whilst houses are generally orientated eaves to the street, characteristically the window- to- wall ratio is low, with openings for doors and windows being small and few in number, such that the limestone walls dominate. Local vernacular detailing includes small paned timber windows, with stone heads and cills, though some brick lintels are evident. Some older properties feature mullioned windows and stone surrounds, but detailing is not elaborate.
16. Though the caravans are sited beneath an existing open-sided, Dutch barn and adjacent to the building group of farm buildings, they are prominent in views from Northfield Close to the east. Their appearance of pale coloured horizontal composite timber cladding, UPVC windows and doors, domestic detailing such as bay windows, decking bordered by balustrading, appears incompatible with the more traditional materials and vernacular detailing of the farmhouse which is a feature of the CA and which reflects its significance. In such proximity to the barns, the smaller scale and domestic character of the caravans jars with the more utilitarian, agricultural character of the large barns beside them. I acknowledge that the caravans are temporary. Nonetheless, during the period of their stationing, the harm identified above endures.
17. The Framework describes heritage assets as an irreplaceable resource, that should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. It advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
18. For the reasons above, the development fails to preserve the character or the appearance of the CA to the desirability of the preservation or enhancement of which I am required to pay special attention. Instead, it undermines its architectural significance. Though harm to the CA is less than substantial, it is nevertheless of considerable importance and weight. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
19. I understand that it is anticipated that this development will facilitate a project to renovate and convert the farmstead buildings. This may be a public benefit in terms of the CA. However, there is no detail of the works to enable me to assess the scale of the benefit in terms of the CA, nor any evidence to support the prospect of its implementation. There is no extant planning permission-

indeed, to date, a planning application for residential conversion of the barns has yet to be submitted. This limits the weight I can give this factor.

20. Overall, the public benefits advanced do not outweigh the harm to the significance of the CA, to the conservation of which the Framework requires that great weight be given and should require clear and convincing justification. The development does not preserve or enhance the character or appearance of the CA. It conflicts with the Framework which requires decisions to take account of the desirability of sustaining and enhancing the significance of heritage assets, and policy ENV25 of the Selby District Local Plan 2005 insofar as it is consistent with the Framework. The development also conflicts with the following policies of the Selby District Core Strategy Local Plan 2013: policy SP18 regarding the conservation of those historic assets which contribute most to the distinct character of the district; and policy SP19 which sets a key requirement for development to positively contribute to an area's identity and heritage in terms of scale, density and layout.

Other Considerations

21. I have found that the development causes harm to the Green Belt by reason of inappropriateness. It would also harm the CA. The Framework advises that inappropriate development in the Green Belt should not be approved, except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
22. I would give moderate weight to the limited duration of the harm to the Green Belt. However, this is tempered by the lack of evidence of the prospect of the renovation project being implemented and therefore the necessity for the caravans to be stationed here. Similarly, without details of the existing buildings and the proposed changes to them, I cannot be certain that the two caravans are necessary for the intended project, nor that the amount of accommodation the caravans provide is comparable to the existing buildings for conversion.
23. I acknowledge that people living on-site may increase the security of the farmstead. However, there is no evidence of the risks on this site, and it is unclear that any security required could not be provided by other means. This limits the weight I can give this factor. Though I understand the financial advantages of temporary accommodation on-site during construction work, the reasons above limit the weight I can give to this factor.
24. I find that the other considerations in this case do not clearly outweigh the harms that I have identified. Consequently, the very special circumstances necessary to justify the development in the Green Belt do not exist.

Conclusion

25. I have identified that the proposal constitutes inappropriate development in the Green Belt. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt. The harm by reason of inappropriateness, is not clearly outweighed by other considerations. I conclude that 'very special circumstances', necessary to justify the development, do not exist.

26. Therefore, the proposed development is contrary to Policies SP2(d) and SP3(B) of the SDCSLP (2013) and the Framework, which seek to protect the Green Belt from inappropriate development.

27. For the reasons given above, the appeal does not succeed.

N Kempton

INSPECTOR