



Appeal Decision

Site visit made on 1 October 2024

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 21st October 2024

Appeal Ref: APP/X4725/D/24/3347755

Goosehill Fold, Goosehill Lane, Warmfield, Wakefield WF6 2JB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Harvey Stringer against the decision of Wakefield Metropolitan District Council.
 - The application Ref is 24/00557/FUL.
 - The development proposed is domestic garage.
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Decision

1. The appeal is allowed and planning permission is granted for a domestic garage at Goosehill Fold, Goosehill Lane, Warmfield, Wakefield WF6 2JB in accordance with the terms of application Ref 24/00557/FUL, dated 27 March 2024 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing no: 2024-04-01 Rev C Plans and elevations as proposed.

Drawing no: 2024-04-02 Rev C Site plan.

Drawing no: 2024-04-03 Rev C Site location plan.
 - 3) No development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the garage hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved samples.
 - 4) The garage hereby permitted shall be kept available at all times for the parking of motor vehicles by the occupants of the dwellings and their visitors and for no other purpose.

Main Issue

2. The main issue is whether the proposed development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.

Reasons

3. The Government attaches great importance to Green Belts, with the Framework identifying that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.
4. The construction of new buildings is inappropriate in the Green Belt unless it satisfies one of a number of exceptions listed in the Framework. This includes at paragraph 154 c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
5. Goosehill Fold is a former stone-built barn that has been converted to a two-storey house¹. It is within a triangular area of land that is accessed from Goosehill Lane which runs to the side. It is separated from an adjoining field by a post and timber fence.
6. The asymmetrically designed garage would have a pitched roof and would be in a corner of the site. It would be used to house one car and would be located next to an existing area of gravel laid out as a parking and turning area. This part of the garden is significantly higher than Goosehill Lane, with small trees and bushes located on top of the adjoining bank.
7. The garage would be located 10 metres away from the host building but would be within the clearly defined and limited garden area surrounding the property. Whilst it would have a similar orientation to the host dwelling, it would be built parallel to the fence along the boundary with the field. However, there would be a clear visual connection between the two buildings, resulting in it not appearing incongruous within the garden area. Moreover, it would be partly hidden from certain positions along Goosehill Lane by the existing vegetation.
8. There is no other garage on the site, and the proposal would be limited in size. It would allow the parking of a vehicle and some storage for the modest house on the site. Therefore, whilst it would not be attached to the host dwelling, there would be a clear link between the two buildings and as such it would be a 'normal domestic adjunct'² to the dwelling.
9. Policy LP62 of the Wakefield District Local Plan 2036, Volume 1³, 2024, (LP) states that in the Green Belt, extensions and/or free standing buildings within an existing developed site and extensions and/or alterations to existing dwellings, may be appropriate where, amongst a number of criteria, extensions and alterations are not disproportionate over and above the size of the existing building when originally constructed; and the scale, materials and general design are in keeping with the character of the buildings and their surroundings.
10. There is no dispute between the main parties that the existing dwelling has a volume of 257m² and the proposed garage would have a volume of 124.5m². Therefore, the construction of the garage would represent a 49% increase in volume over and above the size of the original building. In addition, the evidence is that the floorspace of the proposed garage would be less than 50%

¹ Ref 22/02422/FUL

² Sevenoaks DC v SSE & Dawe [1997]

³ Development Strategy, Strategic and Local Policies

of the host dwelling. As such, this would not be disproportionate to the size of the existing building as originally constructed. Therefore, despite the garage being a new building within the Green Belt and a short distance from the host dwelling, it would, based on caselaw⁴, represent an extension to the existing building. Furthermore, as it would not be a disproportionate addition, it would accord with the relevant part of Policy LP62 and with paragraph 154 c) of the Framework.

11. Whilst the garage would be constructed of a red reclaimed brick, which would not match the host dwelling, and a metal clad roof, there are several brick buildings within the vicinity, considered by the Council to reflect an 'agricultural style'. The Council has not disputed that the design and appearance of the proposed garage would be acceptable. Therefore, the proposal would accord with the criteria in LP62 that requires the scale, materials and general design to be in keeping with the character of the buildings and their surroundings.
12. I therefore conclude that the proposed garage would not be inappropriate development in the Green Belt as it satisfies paragraph 154 c) of the Framework. In addition, it would accord with LP Policy LP62 as set out above.
13. As I have concluded that the proposal would accord with paragraph 154 c), which does not require an assessment of the effect of the proposal on openness, I do not need to consider this matter.

Conditions

14. In addition to the standard implementation condition, a condition listing the plans is necessary to provide certainty over what has been approved. Furthermore, to ensure the satisfactory appearance and form of development, a condition ensuring that the materials as set out in the application is necessary. In addition, a condition to ensure that the garage is only used for the parking of motor vehicles by the occupiers of the host dwelling is also necessary.

Conclusion

15. For the reasons given above, considering the development plan as a whole and all relevant material considerations, the appeal is allowed.

M J Francis

INSPECTOR

⁴ Warwick DC v SSLUHC, Mr J Storer & Mrs A Lowe [2022] EWHC 2145 (Admin)