



Appeal Decision

Site visit made on 14 January 2025

by A Caines BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2025

Appeal Ref: APP/W4705/W/24/3353412

Ghyll Clough Farm, Slaymaker Lane, Oakworth, Keighley BD22 7EU

- 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 Sofique Ullah against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 24/02914/FUL.
 - The development proposed is change of use from paddock to residential garden land.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from paddock to residential garden land at Ghyll Clough Farm, Slaymaker Lane, Keighley BD22 7EU in accordance with the terms of the application Ref 24/02914/FUL, 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 drawing: Location Plan.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by Classes E, F of Schedule 2 (Part 1), and Class A of Schedule 2 (Part 2) to the Order shall be undertaken on the land, except in the event that planning permission is granted for that development.

Main issue

2. The main issue in this appeal is whether the proposal would be inappropriate development in the Green Belt.

Reasons

3. The appeal site is within the Green Belt. The National Planning Policy Framework (the Framework) identifies 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.
4. Paragraph 154 of the Framework outlines that development in the Green Belt is inappropriate unless it meets one of the listed exceptions. The exception in subparagraph h)v concerns material changes in the use of land providing they

preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

5. In terms of development plan policies, the Council accepts that saved Policy GB1 of the Bradford Replacement Unitary Development Plan 2005 is not consistent with the Framework exceptions for the purposes of this proposal, while Policy SC7 of the Bradford Core Strategy Development Plan Document 2017 is concerned with future Green Belt land release and review of its boundaries rather than individual planning applications. My decision therefore relies on the approach in the Framework.
6. The appeal site is an area of undeveloped land immediately to the east of Ghyll Clough Farm, a residential dwelling. It is further flanked by a large agricultural building to the north and woodland to the east. A stone boundary wall provides clear separation from the pasture fields to the south. Consequently, the site is well contained in physical terms. Moreover, views from public vantage points, including from Slaymaker Lane and a public footpath which runs to the west and south, are minimal. It is not therefore perceived as part of the wider surrounding countryside, and other for its absence of built development, makes only a limited contribution to the openness of the Green Belt in this location.
7. The proposal does not involve any physical structures, operational development, or changes to the existing site boundaries. This could be further controlled by the removal of certain permitted development rights for incidental buildings, hard surfacing, and enclosures. Whilst it would not be possible to prevent associated paraphernalia, such as garden furniture and play equipment, such items would be small in scale and would not be permanent fixtures. Nor would they be particularly conspicuous due to the screening by the existing buildings, trees, and boundary treatment. As such, the proposal would not give rise to any significant change in respect of openness, both visually and spatially, and would not amount to encroachment into the surrounding countryside.
8. For these reasons, the proposal would preserve the openness of the Green Belt and would not conflict with any of its purposes, including to assist in safeguarding the countryside from encroachment. Accordingly, the proposal meets the exception under paragraph 154 h)v of the Framework, and so, is not inappropriate development in the Green Belt.

Conditions

9. The standard commencement and approved plans conditions are imposed for certainty. In addition, due to the nature of the proposal and extent of the site, there is clear justification to remove certain permitted development rights. Whilst this does not guarantee that proposals for further development would not come forward in the future, it would ensure that the merits of any such development can be properly assessed in the interests of protecting the Green Belt.

Conclusion

10. For the reasons given above the appeal should be allowed.

A Caines

INSPECTOR