



Appeal Decision

Site visit made on 29 April 2025

by **F Rafiq BSc (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 June 2025

Appeal Ref: APP/A4710/W/24/3353092

Longroyd Farm, Long Royd Road, Triangle, Sowerby Bridge HX6 1NX

- 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 James O'Shaughnessy against the decision of Calderdale Council.
 - The application Ref is 24/00424/FUL.
 - The development proposed is the conversion and extension of disused agricultural building to form a holiday let.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues:
 - whether the proposal is inappropriate development in the Green Belt; 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

Whether inappropriate development

3. The appeal site is situated in the Green Belt. The Government attaches great importance to Green Belts. 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. The National Planning Policy Framework (Framework) establishes that development in the Green Belt is inappropriate unless one of the exceptions set out at paragraph's 154 / 155 of the Framework apply. This includes the exception which has been referenced by the appellant relating to the re-use of buildings provided that the buildings are of permanent and substantial construction.
5. The appellant's Structural Appraisal Report¹ sets out the main structural members are free from defect, with the walls being vertically plumb with no structural movement. I was also able to see at my visit that there were no obvious visual defects.

¹ Marsh Design, 25 September 2024

6. Despite the appeal building being structurally sound, the proposal would result in the removal of the eastern wall to enable an extension, and the extensive rebuilding of the southern elevation which is currently largely formed of the steel sliding doors. Although the changes to the roof have been described as a modest reshaping and the submitted Structural Appraisal Report finds the existing roof is performing as intended with no signs of movement, the proposal would result in an entirely new roof with a different profile to the existing. What would remain of the existing structure would largely be limited to two walls.
7. As such, given the limited extent of the existing building that would remain, and the substantial amount of work required to facilitate the proposed development, I consider the proposal would not result in the re-use of a building as referenced at the Framework's paragraph 154 h) iv.
8. This exception also requires development to preserve the openness of the Green Belt and to not conflict with the purposes of including land within it. The proposal seeks to replace the existing roof with one of a lower height by up to 1.45m. It would however also result in an extension that would increase the footprint of the building and its overall volume which would have a greater spatial impact on the openness of the Green Belt.
9. The building is set down below the surrounding ground level and a natural ridge helps screen the building in views from the north. The proposal would see a reduction in visible wall surfaces due to a reduced roof height, an increase in soft landscaping and other alterations including the removal of the industrial style doors and the replacement of the paler coloured flat roof with a less prominent dark grey roof. Despite this, the proposed extension would increase the scale of the building, and its siting on the eastern side of the appeal building would result in it being highly visible in views across the valley. As such, the proposal would give rise to a visual reduction in the openness of the Green Belt.
10. In relation to the purposes of the Green Belt, as the proposal does not seek to extend beyond the curtilage, I do not consider that it would conflict with any of its purposes, including that purpose which seeks to safeguard the countryside from encroachment. The proposal would however fail to preserve the openness of the Green Belt, and it would not meet the requirements of paragraph 154 h) iv.
11. Reference has also been made by the appellant to the development being considered under the exception at paragraph 154 g) of the Framework relating to the limited infilling or the partial or complete redevelopment of previously developed land. The appellant has set out that newly revealed information confirms that the appeal building had been granted planning permission in 1994 as an agricultural implement shed which remains its authorised use. The definition of previously developed land however excludes land that is or was last occupied by agricultural buildings, and given the evidence before me on the use of the appeal site, it is not clear that this exception would apply to the proposal.
12. Paragraph 154 g) of the Framework also states that it is necessary for development to not cause substantial harm to the openness of the Green Belt. For the reasons set out above, the appeal proposal, by virtue of its increased footprint and massing as well as prominent positioning, would result in substantial harm to the openness of the Green Belt.

13. In relation to paragraph 154 c) of the Framework, given the substantial works proposed to the walls and roof, I do not consider this exception relating to the extension or alteration of a building would be applicable to a development which would effectively replace the existing building and be tantamount to a new build.
14. I therefore conclude that the proposal would be inappropriate development. As such, it would be contrary to Policy GB1 of the Calderdale Local Plan and Paragraph 153 of the Framework which state, amongst other matters, that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Other considerations

15. The proposal would make effective use of a building which no longer serves its original agricultural function, and it would increase the provision of overnight accommodation and promote tourism in the area. The introduction of native planting would provide screening and ecological benefits. The proposed building would also make use of renewable energy sources and utilise sympathetic external materials that would result in a development that will enhance the character of the area and the setting of a nearby listed building. Given the scale of the development, these matters attract moderate positive weight in favour of the proposal.

Other Matters

16. Reference has been made to a previous appeal decision on the appeal site², and the additional evidence that forms part of this submission that demonstrates that the agricultural implement shed, and the former garage are separate and distinct structures. I have also taken account of the changes that have been made in the appeal scheme and the differences with the previous appeal. I have however dealt with this appeal based on the evidence before me and have found it to be inappropriate development.

Conclusion

17. I have found that the appeal proposal would be inappropriate development, which the Framework clearly sets out is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework says that substantial weight should be given to any harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations.
18. I have set out the other considerations and, for the reason I have given, this leads me to attach moderate weight to them in favour of the scheme.
19. With this in mind, the substantial weight I have given to the Green Belt harm is not clearly outweighed by these other considerations sufficient to demonstrate very special circumstances.
20. I therefore conclude that the appeal should be dismissed.

F Rafiq INSPECTOR

² Ref: APP/A4710/W/24/3338053