



Appeal Decision

Site visit made on 3 July 2025

by **David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 July 2025

Appeal Ref: APP/X4725/W/25/3363596

Castlegate Stables, Castlegate, Stanley, Wakefield WF3 4FA

- 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 Mrs Elizabeth Spaven of MT Storage against the decision of Wakefield Metropolitan District Council.
 - The application Ref is 24/00292/FUL.
 - The development proposed is change of use of vacant land to open storage for open storage of vehicles (B8).
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of the development provided on the planning application form has been replaced by an amended version on the decision notice, which reflects the circumstances of the appeal as set out in subsequent appeal documents. I consider that subsequent description to accurately represent the proposal and I have therefore used it within this decision.

Main Issues

3. The main issues are:
 - Whether the appeal proposal would be inappropriate development in the Green Belt, with due regard to openness and highway safety;
 - The effect on the character and appearance of the area; and
 - Would 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 required to justify the proposal.

Reasons

Whether Inappropriate Development

4. The appeal site is located within the Green Belt, and is part of a larger plot of land located between the M62 and the through-road of the B6135. There is a large commercial estate to the south east of the site on the opposite side of the B6135. There is also a gypsy and traveller site to the east which has temporary planning permission. Despite the proximity of roads and other development, the site is apparent as an area of land projecting into the countryside. It is also in a relatively sensitive location in a gap between the commercial estate and extents of built

- development to the west, although these are not large built-up areas and the proposal would not lead to neighbouring towns merging into one another.
5. The application site includes an area of hardstanding which has been determined as lawful, and the site therefore represents previously developed land (PDL).
 6. Paragraph 154 of the National Planning Policy Framework (the Framework) sets out that certain forms of development are not inappropriate in the Green Belt. This includes Paragraph 154(g) with regards to the *“limited infilling or the partial or complete redevelopment of previously developed land, ... which would not cause substantial harm to the openness of the Green Belt”*.
 7. This area was in use for the parking of vehicles and storage, including storage containers, at the time of my visit. The appellant also refers to the hardstanding as being approved for use, but does not elaborate on what that use consists of or whether it would be of a similar scale to the appeal proposal. In contrast, the Council states that there is no lawful use of the hardstanding for open storage or any other use, and that the land was previously used for the grazing of horses. Based on the evidence before me the use of the land for storage is not included in the lawful development of the site as hardstanding. Therefore, despite the hardstanding, the lawful planning use of the site would be of an open nature and free from structures.
 8. The proposal relates to the storage of vehicles, and the appellant refers to the storage of roadworthy vehicles for a local car dealer. However, within the scope of the description of the proposal, the storage could include larger vehicles such as trucks, motorhomes and vans which would be of increased height and prominence.
 9. It is not proposed that the cars would be stacked on top of each other, and the stacking of vehicles could be controlled by condition. Reference has been made to the use of the site as a scrap yard, but this does not fall within the description of the development before me.
 10. The storage on the site would cover a relatively large area. Although there is screening provided by planting and means of enclosure on the site boundary, the extent of storage on the site would be visible in medium to longer distance views from the surrounding area due to the sloping topography. Although only glimpsed views would be enabled from the M62 and the B6135, they would still enable the intrusive extent of storage to be appreciated. The proposal would also increase the number of vehicle movements associated with the site, which would exacerbate the obtrusive effect of the development projecting into the countryside.
 11. Although further landscaping could be secured by condition, I do not consider that this would prevent the visual harm arising from the appeal proposal as views would still be enabled into the site including via the site entrance. In any event, landscaping would not override the spatial element of the projection of storage onto this open site.
 12. Due to its extent and location, I conclude that the proposal would lead to substantial harm to the openness of the Green Belt. The proposal would therefore not meet the exception of paragraph 154(g) of the Framework, or indeed any of the other exceptions of that paragraph.

13. However, paragraph 155 of the Framework sets out other criteria where development in the Green Belt should not be regarded as inappropriate. The appellant submits that the site represents 'grey belt' as the site is PDL. Having regard to the definition of the grey belt in the Framework, although I have concluded that the proposal would lead to substantial harm to the openness of the Green Belt, the site does not strongly contribute to the Green Belt purposes a, b or d of paragraph 143 of the Framework in respect of checking the unrestricted sprawl of large built-up areas; preventing neighbouring towns merging into one another, or preserving the setting and special character of historic towns. As a matter of fact and degree, I conclude that the appeal site represents grey belt land.
14. However, to be regarded as not inappropriate under paragraph 155, a further criterion is that there is a demonstrable unmet need for the development proposed. The appellant considers that the amount of vehicle storage and warehousing which either exists or is proposed indicates that there is clearly a need for this type of development. However, demand is not the same as need, and the extant and proposed development indicates that there is a suitable supply. The evidence provided by the appellant may show that there is demand for B8 storage uses in the area, but it has not been demonstrated that that demand is not being met. Furthermore, the circumstances referred to by the appellant include their personal circumstances, rather than a wider demonstration of unmet need.
15. Paragraph 155 also sets out that development should be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework. The appeal proposal would be located in the vicinity of other storage and distribution uses with good access to the highway network. The appellant refers to bus services in the vicinity of the site, but this is not critical given the nature of the proposal for car storage and the form of vehicle movements it would generate. On those terms, the proposal would be in no less a sustainable location than nearby storage and commercial uses.
16. However, paragraph 155 (with particular reference to paragraph 115) also requires that safe and suitable access can be provided to the site and that effects on highway safety can be mitigated. The proposal would use the existing vehicular access from the B6135. However, this is a long-standing access and it has not been shown how it would meet modern standards, including the provision of suitable visibility splays for vehicles generated by the proposal and the alignment of the dropped kerb. Due to the increase in the number of vehicles using this access, including larger vehicles, I also consider that the Council's request for a road safety audit is appropriate. Although there may be no recorded accidents or incidents relating to the use of the access, this does not override the need to demonstrate that safe access can be provided for the proposed use.
17. It has also not been demonstrated how vehicles would be able to enter the site and manoeuvre so that they could leave in forward gear. Reference has been made to the use of a medium sized truck as opposed to a large transporter, but even if that would be the case, details of vehicle tracking within the site have not been submitted with the application. I am mindful that the size of the site is such that it may be possible to incorporate manoeuvring space within it, but it has not been demonstrated how this would be feasible whilst still providing a functional storage area. I therefore conclude that it has not been shown that the proposal would provide safe access and would be acceptable in terms of highway safety.

18. Drawing the above together, the proposal would not meet the exception of paragraph 154(g) of the Framework regarding the development of PDL, or indeed any of the other exceptions of that paragraph. Even if the appeal site is grey belt land, it has not been shown that there is a demonstrable unmet need for the type of development proposed or that it would provide safe access and that highway safety concerns can be mitigated. The proposal would therefore be inappropriate development in the Green Belt. I will address development plan policy in respect of the Green Belt and other considerations as part of the planning balance later in this Decision.
19. However, given my conclusions on highway safety, the proposal would be contrary to the highway safety requirements of Policy LP27 of the Wakefield District Local Plan 2024 (the Local Plan) and the Framework.

Character and Appearance

20. For the reasons given above in respect of the Green Belt, the proposed storage would be apparent from the surrounding area as a feature projecting into the countryside.
21. Although there is existing development in the area, including a significant commercial estate as well as a gypsy and traveller site, these are set within a relatively cohesive boundary. In contrast, the appeal proposal would be viewed as an obtrusive feature projecting beyond the extent of built and other development and extending into the surrounding landscape. Even allowing for the location of the site between a road and a motorway as well as the extant hardstanding, the open appeal site would appear as being part of the countryside rather than the extents of built development. The clutter and intensive use introduced by the proposal would detract from the sites open character.
22. I therefore conclude that the proposal would lead to significant harm to the character and appearance of the area. The proposal would therefore be contrary to Policy LP56 of the Local Plan which seeks to ensure that development respects, and where appropriate enhances the character, function and overall quality of the locality. The proposal would also be contrary to the Framework with regards to achieving well-designed places.

Other Considerations

23. Reference has been made to the use of the site in connection with the construction of the M62 as well as in connection with works to the motorway in the 1990s. However, this was considered as part of a previous appeal for the site, when the Inspector concluded that “...it has not been demonstrated, on the balance of probability, that the site had been used as a material storage compound for not less than 10 years prior to the application. Accordingly, it has not been shown that such use was lawful at that time”. Based on the evidence before me, the previous use of the site in association with the M62 and highway works has ceased and is not the lawful use of the land. This matter does not therefore weigh in favour of the appeal.
24. The appellant refers to the formation of a business to allow them to support their family community. However, it has not been demonstrated that there are no other sites available for the proposed storage use or that there is an exceptional need for the proposal. The personal circumstances of particular individuals or families does not therefore weigh in favour of the proposal. I am also mindful that the appeal

proposal is for a permanent development, whereas the adjacent gypsy and traveller site only has permission for a temporary period. The appellant refers to potential extensions of time for the adjacent site, but there is no certainty that this will happen.

25. In considering this appeal I have had due regard to the Public Sector Equality Duty (PSED) contained in the Equality Act 2010 which sets out relevant protected characteristics, including race. The evidence suggests that the proposal would be used to form a business to support the family community on the adjacent gypsy and traveller site. Whilst I am mindful of the appellant's wish to provide support for this community, it has not been demonstrated that the proposal is specific to their needs or that it cannot be provided on a more suitable location elsewhere. The PSED considerations do not outweigh the significant harm that I have identified, and following careful consideration of these particular matters I am satisfied that the impact of dismissing this appeal is proportionate and justified.
26. In more general terms, the economic benefits arising from the proposal would be limited given the small number of employees stated on the planning application form.
27. The appellant also refers to the potential to construct a large barn on the site. However, this would be for an agricultural use and would not conflict with the agricultural character of the countryside. It has also not been demonstrated that a building of the size referred to by the appellant could be erected lawfully.
28. Although land in the area may have been released from the Green Belt to facilitate development, this does not alter the fact that the appeal site is within the Green Belt and the weight I attach to that.

Other Matter

29. I note the comments made from third parties in support of the proposal. However, the issues raised do not lead me to a different conclusion on the planning merits of the appeal.

Planning Balance and Conclusion

30. The proposal would be inappropriate development within the Green Belt. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and that substantial weight should be given to any harm. The proposal would also lead to substantial harm to the openness of the Green Belt. It has not been shown that the proposal would provide safe access and would be acceptable in terms of highway safety, and it would also lead to significant harm to the character and appearance of the area.
31. The other considerations arising from the proposal would carry no more than limited weight in favour of the appeal, considered individually and cumulatively. The Framework requires that inappropriate development in the Green Belt should not be approved except in very special circumstances. The other considerations in respect of this appeal do not clearly outweigh the substantial weight to be given to the harm to the Green Belt that would arise from the development as well as the other identified harm. On that basis, very special circumstances to justify the proposal do not exist.

32. The proposal would therefore be contrary to Policies SP3, SP10 and LP62 of the Local Plan with regards to the location of development in the Green Belt, and the location of development including that contributing to the local economy in respect of the settlement hierarchy.
33. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be dismissed.

David Cross

INSPECTOR