



Appeal Decision

Site visit made on 9 September 2025

by **L N Hughes BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 September 2025

Appeal Ref: APP/X4725/W/25/3362280

Land off Causeway Garth Lane, Thorpe Audlin, Pontefract WF8 3HD

- 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 K Lister against the decision of Wakefield Council.
 - The application Ref is 23/01558/FUL.
 - The development proposed is for demolition of existing buildings and the erection of 1 self-build dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing buildings and the erection of 1 self-build dwelling, at Land off Causeway Garth Lane, Thorpe Audlin, Pontefract, WF8 3HD, in accordance with the terms of the application, Ref 23/01558/FUL and the plans submitted with it, subject to the conditions in the attached Schedule.

Preliminary Matters

2. The application form description of development was '1 no dwelling'. I have instead used the more precise description from the decision notice and the appeal form, except that for better clarity I have referenced that more than one building would be demolished.

Main Issues

3. The main issues are:
 - whether the proposed development would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework ('the Framework') (2024) and any relevant development plan policies;
 - the effect of the proposed development on the openness of the Green Belt and the purposes of including land within it; and
 - whether other considerations clearly outweigh the harm to the Green Belt and any other harm so as to amount to very special circumstances.

Reasons

Inappropriate Development in the Green Belt

4. The appeal site comprises part of Manor Farm, on land defined as Green Belt by the Wakefield District Local Plan 2036 - Volume 1 (LP). The proposal is for the demolition of 5 existing derelict chicken sheds, and the erection of a detached, two storey self-build dwelling.

5. The Framework paragraph 142 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. This guidance is reiterated by the LP Policies SP3(f) and SP5(f), which identify that development in the Green Belt will conform to local and national Green Belt planning policy.
6. The Framework Paragraph 153 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions. The LP Policy LP1 also identifies exceptions whereby housing proposals in the Green Belt will not be regarded as inappropriate, although none would apply in this instance.
7. A potential exception falls under the Framework paragraph 154(e), being limited infilling in a village. Neither the Framework nor the LP define what can constitute a village. The Policies Map provides a defined settlement boundary for Thorpe Audlin, with the appeal site lying approximately 410m away. Although case law has established that development plan boundaries may not reflect the position on the ground, I find this a significant distance. Furthermore, the intervening fields provide clear visual and functional separation. This is experienced as leaving the village, travelling through a stretch of open countryside on either side, and then arriving in what I find to be a separate hamlet of approximately 20 houses with no services or facilities.
8. That local residents may consider themselves within the village in terms of community identity, does not alter this physical relationship. The appeal decisions suggested as precedents are not determinative due to their sufficiently different physical and historical contexts. As such, even though I class the proposed development as infilling due to the layout of the surrounding dwellings and other buildings, it is not within a village, and thus would not meet this exception under the Framework paragraph 154(e).
9. Another potential exception could fall under the Framework paragraph 155, whereby the development of homes in the Green Belt should not be regarded as inappropriate if all its criteria apply. Its criterion (b) requires a demonstrable unmet need for the type of development proposed. Footnote 56 explains that for new housing, this means the lack of a 5 year supply of deliverable housing sites, or where Housing Delivery Tests fell below 75% over the previous three years. It is undisputed that the Council can demonstrate more than a 5 year housing supply, and has not fallen below this threshold. I therefore find no demonstrable unmet need, and so no exception under paragraph 155, regardless of whether the site may comprise grey belt under 155(a). The proposal would thus be inappropriate development in the Green Belt, and so would conflict with the Framework Section 13, and the LP Policies SP3 and SP5.

Openness and Purposes of the Green Belt

10. Openness is an essential Green Belt characteristic with spatial and visual aspects, and is a matter of planning judgement. Spatially, although the site contains former chicken sheds, the erection of a taller and larger dwelling and its associated domestic paraphernalia would result in additional built development and massing. It would therefore result in a loss of openness in spatial terms.

11. Visually, the site would change from containing small-scale wooden agricultural buildings, to a wholly domestic plot with the increased presence of a 2-storey dwelling. As such this would affect visual openness. However, existing 2-storey dwellings lie directly adjacent to the north, west, and south, and there are clusters of sizeable agricultural buildings to the north east and south east. A further single storey barn lies adjacent to the appeal site boundary to the east, within a wider agricultural field. As such, the site would be very well-contained, and a domestic plot with a dwelling of this scale and position would not be untoward in this context.
12. Overall therefore, I find the proposal would result in harm to the spatial and visual openness of the Green Belt, but this would be small-scale and minor in extent. Nonetheless, the Framework requires that I give this harm substantial weight.
13. The Framework also identifies five essential purposes of the Green Belt at paragraph 143. The appeal site does not lie within a large built-up area (a), or in a gap between towns (b). As identified above, its positioning surrounded almost entirely by existing and substantial built form indicates no encroachment into the countryside (c). It does not form part of the setting of a historic town (d), and I see no reason why it would prevent the recycling of derelict and other urban land (e). I therefore find, as did the Council, no conflict with any of the Green Belt purposes.

Other Matters

14. I note the local resident objections, including the proximity of the access drive to other dwellings, construction traffic, and potential impact on amenity. However, for the same reasons as set out in the Officer Report, and in light of there being no objection from the Highway Authority, I find these matters to be satisfactory.

Other Considerations

15. The Framework seeks to significantly boost the supply of homes. Paragraph 73 identifies that small and medium sized sites can make an important contribution to meeting an area's housing requirement. Paragraph 73(d) further supports windfall sites, whereby decisions should give great weight to the benefits of using suitable sites within existing settlements for homes. Meeting the Council's identified rural housing targets relies on such windfall sites. Nonetheless, the provision of one dwelling on the appeal site would make a very small-scale contribution, and the Council can demonstrate more than a 5 year housing land supply. There would also be very small-scale social and economic benefits from local construction, and increased local expenditure and demand for local services.
16. The Framework paragraph 73(b) supports small sites coming forward for self-build housing. The development description identifies that the dwelling would be self-build, and the appellant intends to be its initial owner and occupier for a minimum of 3 years. They have clearly had primary input into its final design and layout, suggested by the Planning Practice Guidance (PPG) as indicative of such development¹. However, this status needs to be further secured through the planning permission, in order that I can give self-build due weight in the planning balance. It is also required to comply with the absence of Biodiversity Net Gain (BNG), as allowed for in the 'Interim Guidance for Developers to Achieve Net Gain for Biodiversity through Development Supplementary Planning Document' (SPD). I address this weight in my Planning Balance.

¹ Paragraph: 038 Reference ID: 57-038-20210508; Revision date: 08 02 2021

17. I have a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the proposal's impact on the special architectural and historic interest of listed buildings and their settings. The Framework Paragraph 212 requires great weight to be given to the conservation of designated heritage assets. The LP Policies LP63 and LP64 broadly align with this approach.
18. The site lies within the settings of two Grade II listed buildings to the north; 'Threshing Barn at Manor Farm' which is being converted to a dwelling, and the already converted '3 Storey Farm Building at Manor Farm'. They have significance as well-preserved examples of pre-1840 vernacular architecture, and their additional group value along with the Grade II listed Thorpe Manor further northwest, as being part of its manorial home farm. They are both nationally rare surviving examples of pre-Agricultural Revolution farm buildings. Thorpe Manor itself may be pre-C16 in origin, with remodelling and enlargement in the C17 and further C19 alterations. The appeal site was historically an orchard, likely associated with this farm grouping along with other land.
19. The Threshing Barn's form and construction includes the scale and style of the massive timber lintel for the cart opening, and the lack of a corresponding opposite opening. Carts could not have passed through, as was more typical with the improved farming practices developed in the later C18. The 3 Storey Farm Building was multifunctional, being a pigeon loft above a granary above stabling or livestock housing. Materials predominantly comprise coursed squared limestone rubble, and stone slate roofs.
20. The Council considers that the appeal proposal's visual impact would cause less than substantial harm to the setting of these listed buildings, albeit at the lower end of harm due to the dwelling design sitting comfortably within the plot and the agricultural setting, and the separation distances. The Council further considers this harm would be outweighed by the public benefits of the new dwelling.
21. However, despite the site's current agricultural character forming a historical link to the significance of the listed buildings, it contains negative elements which do not positively contribute to their settings. A couple of the existing chicken sheds are partially collapsed, and the southern boundary wall is dilapidated. Their condition would worsen over time. The proposed new dwelling and appropriate boundary treatment would thus be a positive benefit to the streetscene. I therefore find the appeal proposal would provide a minor positive visual impact, and thus the listed buildings' significance would be enhanced. Support would therefore be drawn from the LP Policy LP63, with no development plan conflict in this regard.
22. I also find there to be a fallback of resurrecting chicken farming, which while appropriate in terms of historic agricultural use, could introduce a plethora of buildings across the site with limited control over their appearance. There would also be no requirement to improve the site boundaries. This lends minor support in favour to the appeal proposal.

Conditions

23. I have imposed the Council's suggested conditions, subject to slight amendment to reflect the tests for conditions in the Framework paragraph 57 and the PPG. The statutory condition would limit the lifespan of the planning permission (1). Specifying approved plans would provide clarity for the terms of the permission (2).

24. For brevity and clarity I have incorporated hard and soft landscaping into a single condition, alongside details of existing and proposed site levels (3). These details are required pre-commencement as that would allow consideration against the site's current character. In combination alongside specification of external finishes (5) and boundary treatments (6), these multiple conditions are necessary in order to protect the character and amenity of the area, improve biodiversity, and ensure no undue impact on neighbouring amenity. Control over construction working hours (4) would also help protect the amenity of neighbouring residents. Provision of cycle parking (7) would help to minimise private vehicle travel, and bird and bat boxes (8) are necessary in the interests of improving biodiversity.
25. I have amended the Council's proposed self-build condition, as I find naming the appellant to be unreasonable as this would effectively be a restriction to a personal planning permission. This would be beyond the parameters sought, with no personal circumstance need put before me. It would also not be reasonable or enforceable for a condition to require the first occupants to live in the dwelling for 3 years. My alternately worded condition (9) based on the evidence before me in this instance, would ensure compliance with the operative description of development as determined, and with the SPD to ensure appropriate BNG.
26. The Council proposed a condition for a crime prevention scheme, because the LP Policies SP23(3) and LP60 require new development to create safe and secure environments that reduce the opportunities for crime, through taking into account aspects such as natural surveillance and defensible space. However, there appears nothing unusual about this proposal which would indicate a particular risk of crime, or that it has not been designed in accordance with these policies. Crime prevention measures would normally be implemented by a homeowner depending on their perceived need. The imposition of this condition would therefore be unreasonable.
27. I have not imposed the suggested condition for an electric vehicle charging point, as this is addressed by the Building Regulations. I have also not required on-site washing equipment for all vehicles, as this would be unreasonable for construction of a single dwelling in the absence of any specific issue raised in this regard.

Planning Balance

28. The Framework Paragraph 153 makes clear that substantial weight should be given to any harm to the Green Belt, and very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. The proposal would reduce the openness of the Green Belt. It would be inappropriate development in the Green Belt, which is harmful by definition. I therefore attach substantial weight to that harm as required by the Framework paragraph 153, albeit in this instance I find the harm would be minor.
29. Against the totality of this harm, there are several benefits. I am directed by the Framework paragraph 210(a) to take account of the desirability of sustaining and enhancing the significance of heritage assets, and by Paragraph 212 to give this great weight. The slight enhancement to the settings of the two listed buildings therefore attracts great weight, and development plan support.
30. The Framework paragraph 73(d) advises giving great beneficial weight for windfall sites. I temper this weight because the appeal site is not a fully suitable site due to

its Green Belt status, and I acknowledge that its future residents would likely rely heavily on the private car to undertake short journeys. However, it would only be a single dwelling, would lie within an existing hamlet, and would not cause harm to the purposes of the Green Belt. The Framework paragraph 110 also identifies that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and there are bus stops within Thorpe Audlin and on the Doncaster Road. Overall, as a single dwelling I give minor weight to the proposal's contribution to the housing supply, and to its general economic and social benefits.

31. In the absence of a legal agreement to provide full certainty that the proposal comes forward and is maintained as a self-build plot, and in the context that no specific information on self-build demand and supply has been put before me, I attach only very limited weight to the potential benefit of the proposal providing a self-build dwelling. I attach very limited weight to the site's fallback position.
32. Overall, I find these other considerations to be cumulatively sufficient such that they amount to the very special circumstances which clearly outweigh the harm to the Green Belt and any other harm, and thus justify the proposal in this instance. It therefore follows that as the LP Policies SP3 and SP5 refer that development in the Green Belt should conform to local and national Green Belt planning policy, and the proposal would be in accordance with such national policy by virtue of having demonstrated very special circumstances, there would be no development plan conflict.

Conclusion

33. For the reasons given above, and having regard to all other matters raised, the other material considerations amounting to the very special circumstances cited in this case indicate that permission should be granted, and that the development accords with the development plan taken as a whole. I therefore allow the appeal.

L N Hughes

INSPECTOR

SCHEDULE OF 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 plans:
 - Site layout and Location 2307/100 Rev A
 - Proposed Site Layout 2307/110 Rev B
 - Proposed Site Footprint 2307/111 Rev C
 - Proposed Layouts 2307/112 Rev C
 - Proposed Elevations 2307/113 Rev C
3. No development shall take place until a detailed landscaping scheme including details of hard and soft landscape works and implementation programme for the development has been submitted to and approved in writing by the local planning authority. These details shall include:
 - (a) Existing and finished ground levels within the site and adjacent to the site boundaries, and details of the finished floor levels for the dwelling;
 - (b) Construction and surfacing of the driveway and vehicle parking area, including details of directing water run-off;
 - (c) Planting plans and written specifications of species, plant sizes and proposed numbers and densities;
 - (d) A landscape maintenance schedule for a minimum period of five years;

The hard and soft landscaping works shall be carried out in accordance with the approved details and the agreed implementation programme. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree or shrub, or plant of the same species and size as that originally planted, shall be planted at the same place.
4. During demolition and construction works, any operation of machinery, carrying out of processes, and construction traffic entering or leaving the site, shall take place only between 0730 to 1800 on Mondays to Fridays and 0800 to 1300 on Saturdays, and shall not take place at any time on Sundays or on public and bank holidays.
5. No development above ground level shall take place until details of all materials and colour finishes to be used on the external surfaces of the dwelling have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details, and maintained as such thereafter.
6. Notwithstanding condition 2, the development hereby permitted shall not be occupied until details of the boundary treatments of the site have been submitted to and approved in writing by the local planning authority, and fully implemented. The approved boundary treatments shall be retained as such thereafter.
7. The development hereby permitted shall not be occupied until a scheme for the provision of cycle parking has been submitted to and approved in writing by the local planning authority. The cycle parking shall be carried out in accordance with the approved details, and maintained as such thereafter.

8. The development hereby approved shall not be occupied until one bat box and one bird box have been fully installed as identified in Section 6.3 of the Bat Survey Report (MBE/BAT/2023/064/1, Middleton Bell Ecology, 30 June 2023). The bat and bird boxes shall be retained thereafter for the lifetime of the development.
9. The development hereby approved shall only be constructed as a self-build dwelling within the definitions of self-build and custom build housing in the Self-Build and Custom Housebuilding Act 2015 (as amended). The first occupation of this dwelling shall be by a person or persons who had a primary input into the design and layout of the dwelling, and the Council shall be notified of the persons who intend to take up this first occupation at least two months prior to first occupation. If the property is sold or leased to any other party within the 3 year period following its first occupation, then prior to the property's secondary occupation a scheme to demonstrate a minimum of 10% Biodiversity Net Gain through appropriate on-site or off-site provision, and a programme of implementation and maintenance, shall be submitted to and approved in writing by the local planning authority. The agreed Biodiversity Net Gain shall be implemented and maintained in accordance with these approved details.

END OF SCHEDULE