



Appeal Decision

Site visit made on 23 September 2025

by **F Harrison BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 October 2025

Appeal Ref: APP/A4710/W/25/3367421

Bellcroft House, Pinnar Lane, Southowram, Halifax, Calderdale HX3 9QT

- 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 R Lesiak against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref is 24/00823/HSE.
 - The development proposed is extension of existing garage into field.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether or not the development is inappropriate in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect of the development on the openness of the Green Belt, and the purposes of including land within it;
 - the effect of the development on the character and appearance of the area; and
 - if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the development.

Reasons

Whether inappropriate development

3. It is not disputed that the appeal property itself is not in the Green Belt but that the proposed extension and alterations to the driveway would fall within land defined as Green Belt.
4. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Framework paragraph 154 establishes that the construction of new buildings is inappropriate in the Green Belt, subject to several exceptions. My attention has been drawn to the exception at Framework paragraph 154 a) with regard to buildings for agriculture and forestry and paragraph 154 c) which relates to 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. Policy GB1 of the Calderdale Local Plan 2018/19 – 2032/33 Written Statement (2023) (the LP) reflects the approach of the Framework, to the extent that that it is relevant to this appeal.

5. As the appeal property to be extended is not within the Green Belt, it therefore follows that the exception at Framework paragraph 154 c) cannot apply. Having reached this finding there is no need for me to consider further whether the proposal would be a disproportionate addition.
6. The description of development on the application form refers to the extension of the existing garage and the information on the form indicates that the proposal would add one internal car parking space, as shown on the submitted plans. Nevertheless, the appellant contends that the proposal should be considered as an agricultural building under Framework paragraph 154 a), that would provide storage space for equipment and machinery for the purposes of maintaining the adjacent field which is within their ownership.
7. The proposed extension would be severed from the adjacent field by a new drystone retaining wall. The nearest access to the field is to the rear of the appeal property, only accessible either through the property, or from a door at the rear of the existing garage. The plans do not show any openings to the rear of the proposed extension to provide access to the field. It is not therefore clear how, for example, the likes of a small tractor could conveniently gain access to the field for its maintenance. Nor has it been demonstrated that the scale and massing of the proposal would be inherently suitable for the storage of the machinery and equipment listed in the appellant's submissions, even if the tractor to be stored would be compact. This casts doubt as to whether the proposal would be used as indicated as an agricultural building for storage.
8. Moreover, the appearance of the proposal would be inherently domestic in nature, read as a garage attached to the appeal property and not as an agricultural building typically seen in the countryside. There is also limited clear evidence that the proposal would be of a functional design for its use to as an agricultural building. As such, this is not a matter that can be overcome through the imposition of a condition requiring the building to be used for the purposes of agriculture and for no other purpose.
9. There is no substantive evidence to firmly indicate that the proposal would be used as an agricultural building, and its appearance would not be of a characteristic agricultural building. Therefore, it is my view that the proposal cannot benefit from the exception under Framework paragraph 154 a).
10. The proposal would fail to meet any of the exceptions set out by Framework paragraph 154 and would therefore be inappropriate development, which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Effect on openness and Green Belt purposes

11. The Framework indicates that openness is an essential characteristic of the Green Belt which relates to the presence or otherwise of built development. Openness has a spatial aspect as well as a visual aspect. This means that the absence of visual intrusion does not in itself mean that there is no impact on the openness of

the Green Belt as a result, therefore openness can be harmed even when development is not readily visible from the public realm.

12. The appeal site is located at the edge of the built-up area, and the topography of the locality with the adjacent field on noticeably higher ground is such that the proposal would largely be screened from public view, particularly from the north. However, the proposal would extend into the Green Belt, into an area currently free from built form, reducing openness in spatial terms. While the erosion of openness would be localised, the proposal would, nevertheless, result in a limited degree of harm. It therefore follows that by introducing development where previously there was none, the proposal would encroach into the countryside, contrary to one of the five purposes of the Green Belt to assist in safeguarding the countryside from encroachment.

Character and appearance

13. The appeal site accommodates the property known as Bellcroft House and its curtilage with an incursion into the open countryside at its northern boundary. The open fields to the north have a rural character.
14. While the existing stone wall forms a clear boundary between the domestic curtilage and the open field beyond, the proposal's modest encroachment into the countryside would not bring development conspicuously into view. In coming to this conclusion, I have taken account that the scheme considers its local context and distinctiveness by utilising the topography of the locality and so the proposal would largely be screened from views from the north. There is currently a short-range view of the adjacent field when standing in the street immediately in front of the appeal site. While the proposal would fill this space, the proposed native hedgerow planting would help to soften the proposal and wider views of the field further along Pinnar Lane would still be evident. Overall, the distinctive qualities of the landscape area in which it would be situated would be generally retained.
15. The proposal has been designed to maintain architectural coherence with the appeal property and so would respect the character and appearance of existing buildings and surroundings. The proposal's design and appearance would comprise a sympathetic addition read alongside the existing property and would comply with the provisions of Framework paragraph 135 that seek well designed places.
16. To conclude, the proposal would not be unduly harmful to the character and appearance of the area and would be in accordance with LP Policies BT1 and GN4. Amongst other things, these policies require development to be of a high-quality design that is sensitive to its landscape setting.

Other considerations

17. The proposal is said to be required to provide space for the safe internal storage of equipment and machinery, and it is suggested that without the proposal, the machinery and equipment would suffer quick deterioration if left to the elements outside. However, it has not been shown that the proposal is the only way to achieve the appellant's aims, and I noted on my site visit there are a range of existing out buildings to the rear of the appeal property in proximity to the field entry for convenient access. This matter therefore attracts limited weight.

Green Belt Balance

18. I have not found the development to be harmful to the character and appearance of the area. However, the appeal scheme would be inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. There is a limited reduction of openness which is harmful to the purposes of including land within the Green Belt. The totality of the Green Belt harm attracts substantial weight. 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.
19. I attach limited weight to the provision of secure internal storage for equipment and machinery which makes up the other considerations. As such, the other considerations do not clearly outweigh the harm I have identified. Consequently, the very special circumstances necessary to justify the development do not exist and the development fails to accord with the Green Belt aims set out in LP Policy GB1 and the Framework.

Conclusion

20. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations, including the Framework, that indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR