



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: 20 October 2025

Appeal Ref: APP/A4710/W/25/3367855

Land off Rookes Lane, Norwood Green, Brighouse, Halifax

Grid Reference Easting: 414020 Northing: 425998

- 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 D Parker against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref is 23/00882/FUL.
 - The development proposed is an agricultural building.
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Decision

1. The appeal is allowed, and planning permission is granted for an agricultural building at Land off Rookes Lane, Norwood Green, Brighouse, Halifax, Grid Reference Easting: 414040 Northing: 425998, in accordance with the terms of the application, Ref 23/00882/FUL, subject to the conditions in the attached schedule.

Preliminary Matter

2. The description of development above is taken from the appeal form, as the proposal has changed from that stated on the application form. This was agreed with the Council.

Main Issue

3. The main issue is whether or not the development would be inappropriate in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.

Reasons

4. The appeal site falls within land defined as Green Belt. 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, including the exception at paragraph 154 a) with regard to buildings for agriculture and forestry. 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 it is relevant to this appeal.
5. The appellant's submissions set out that the appeal scheme is for agricultural purposes, as part of their wider farming business. The proposed building would provide accommodation for 500 piglets, working in partnership with a well-established pig producer. I have no compelling evidence to the contrary.

6. The Council allege that there is not a genuine agricultural use at the site and that the existing building near to the appeal site is underutilised. However, I observed livestock grazing in the lower field to the west of the appeal site that forms part of the appellant's wider land holdings. Furthermore, I saw that the existing agricultural building accommodates miscellaneous farming machinery, equipment and animal feed.
7. The appeal scheme may well be larger than previous schemes that have been refused by the Council and dismissed at appeal. However, the size and layout of the proposed building has been designed to meet operational requirements and welfare standards. Furthermore, the existing building is unsuitable for accommodating livestock given its lack of ventilation, is too small to meet the required intake of piglet and is required to assist with the keeping of other livestock and the existing farming business. In any event, I have reached my own findings based on the circumstances of the present case.
8. Overall, there is no clear evidence that the appeal site is not in agricultural use nor that the appellant does not intend to use the proposed building for agricultural purposes. The appeal scheme therefore falls within the exception at Framework paragraph 154 a) in relation to buildings for agriculture or forestry, and the exception set out in LP Policy GB1. Accordingly, the proposal would not be inappropriate development in the Green Belt, and it follows that the scheme would not be harmful to the openness of the Green Belt or to the purposes of including land within it. A case for very special circumstances is not therefore required.

Other Matters

9. I agree with the Council that the proposed building would have an agricultural appearance, typically seen in the countryside. In this regard, despite the scale of the proposal it would not be incongruous in views from the footpath that runs alongside the appeal site. Interested parties have also raised several other concerns, including the effect of the proposal on living conditions with regard to noise and odour, highway safety and pollution.
10. These matters were considered by the Council in the officer's report and did not amount to reasons to justify withholding planning permission. There is no clear evidence that would prompt me to disagree with the Council's conclusions in these respects, subject to the imposition of planning conditions as set out below.

Conditions

11. It is necessary to impose a condition identifying the approved plans for certainty. To protect and enhance biodiversity, conditions are imposed requiring the installation of a bat and bird box and to ensure the development is carried out in accordance with the preliminary ecological appraisal.
12. In the interest of protecting the living conditions of nearby occupiers and preventing pollution it is necessary to impose conditions in relation to waste storage and collection, and external lighting.

Conclusion

13. For the reasons given above the proposal accords 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 allowed.

F Harrison

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 approved plans: Elevations TS240-1A, Elevations TS240-2B, Floor and Roof Plan TS24-3A, Site Plan TS240-5A, and Biodiversity Net Gain Plan TS240-5.
- 3) The development hereby permitted shall be carried out in accordance with the mitigation and biodiversity enhancement measures identified in the Preliminary Ecological Appraisal, dated 15.01.2024, by Batworker Ecological Consultancy.
- 4) Prior to the development being brought into use, the bird and bat boxes shown on Elevations TS240-2B shall be installed within the fabric of the building, to be constructed of concrete, woodcrete, ecostycrete or similar material and retained as such thereafter.
- 5) Details of facilities to store waste arising from the development and access for its removal/disposal shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the development being brought into use and retained as such thereafter.
- 6) Prior to the installation of any external lighting, full details including height, design, location, intensity and hours of operation shall be submitted to and approved in writing by the local planning authority. The lighting installation shall then be carried out in accordance with the approved details and retained as such thereafter.

*****End of Conditions*****