



Appeal Decision

Site visit made on 30 September 2025

by **Andreea Spataru BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 3rd November 2025

Appeal Ref: APP/A4710/W/25/3370330

Abbey Farm, Abbey Lane, Warley, Halifax, HX2 7AW

- 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 A Bailey against the decision of Calderdale Metropolitan Borough Council.
- The application Ref is 25/00226/FUL.
- The development proposed is described as 'Conversion of existing building to two-bedroom dwelling.'

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - The effect of the proposal on the character and appearance of the area;
 - Whether the proposed development would provide acceptable living conditions for future occupants; and
 - Whether the appeal site is an appropriate location for the proposed development with respect to local and national policies and accessibility.

Reasons

Whether inappropriate development

3. Paragraph 154 of the Framework lists the types of development that are not considered inappropriate in the Green Belt. These include, for the purposes of the appeal scheme, h) iv. the re-use of buildings provided that the buildings are of permanent and substantial construction.
4. Insofar as is relevant to this main issue, Policy GB1 of the Calderdale Local Plan 2018/19 – 2032/33 adopted 2023 (LP) is broadly consistent with the aims of the Framework with regard to Green Belt policy. Part II d. of this policy refers specifically to the re-use of buildings provided that the buildings are of permanent and substantial construction.
5. It is accepted by both the appellant and the Council that the conversion of the existing building to a dwelling falls within paragraph 154 h) iv. exception of the Framework. Given the evidence before me, including the submitted structural report

dated 22 June 2022 and structural note dated 16 January 2024, I am satisfied that the proposed conversion would re-use a building of permanent and substantial construction. Furthermore, there is no substantive evidence before me to suggest any conflict with the Green Belt purposes. Accordingly, I find that the proposal would not be inappropriate development in the Green Belt and thus would accord with LP Policy GB1 and the provisions of the Framework.

6. With respect to openness and the purposes of the Green Belt, given my findings above, the proposal would, by definition, not have an adverse impact on the openness of the Green Belt or the purposes of including land within it.

Character and appearance

7. The appeal site is located within the countryside and is accessed via Abbey Lane. The appeal building is set well back from the road and sits adjacent to the public footpath known as Popple Wells Lane. The existing workshop has a distinctly functional appearance, with materials such as blockwork and profiled sheet cladding that reflect its utilitarian purpose. Overall, due to its use, design, and siting near other agricultural buildings, the structure maintains a low-key presence within the surrounding area.
8. Part III of LP Policy GB1 states that development which is not inappropriate in the Green Belt context should not detract from the visual amenity of the Green Belt by reason of, amongst other things, siting, materials or design.
9. The proposal seeks to convert the existing structure into a two-bedroom dwelling, involving the addition of several new openings, particularly on the north-east elevation. These new windows would increase the building's visual prominence, especially when viewed from Popple Wells Lane and nearby properties. While the proposed materials are commonly used in agricultural buildings within the area, they contrast sharply with the traditional stonework of neighbouring dwellings. As a result, the combination of inappropriate materials and increased prominence would render the proposal an incongruous addition, detracting from the character and appearance of the surrounding area.
10. I understand the purpose of the proposed materials, particularly with regard to the conversion of the building in the Green Belt context. However, this does not negate the need for the proposed dwelling to integrate well within the surrounding area, particularly in the context of the neighbouring dwellings.
11. Accordingly, the proposal would be detrimental to the character and appearance of the area. Thus, in this regard, it conflicts with the aims of Policies GB1, HS1, BT1 of the LP, which collectively require new developments to ensure high quality, inclusive design and demonstrate a holistic approach to design quality. The proposal also conflicts with the aims of the Framework, which, at paragraph 131, encourages the achievement of, amongst other things, high quality, beautiful and sustainable buildings.
12. Given the siting of the appeal building in relation to the neighbouring buildings, the proposal would not result in an isolated dwelling. Therefore, paragraph 84 of the Framework is not directly relevant for the appeal proposal.

Living conditions

13. The proposed dwelling would have a garden to the front/side and to the rear. The neighbouring buildings located next to the appeal site, to the north, appear to be in agricultural use. No substantive evidence has been provided regarding the relationship between the proposed dwelling and the buildings to the north. Due to the proximity of the proposed dwelling and its associated private amenity space to the agricultural buildings, I am not persuaded that the living conditions of the future occupiers would be adequate, particularly in terms of noise and pollution.
14. Bedroom 1 would be served by two windows and bedroom 2 would have one window. A large, tall, glazed opening is proposed for the north-east elevation. Given the layout of the dwelling and the proposed openings, each of the habitable rooms would have adequate light as to not affect the living conditions of the future occupiers in this regard.
15. Accordingly, in the absence of evidence to the contrary, I must find that the proposal would be harmful to the living conditions of the future occupiers. Thus, it is contrary to the aims of Policy HS1 of the LP, which states that development should not create, amongst other things, unacceptable amenity problems, and those of the Framework that require a high standard of amenity for existing and future users.

Location

16. The proposed dwelling would have its access from Abbey Lane. This lane is narrow and bounded by stone walls on both sides for most of its length, particularly in proximity to the appeal site. The land levels decrease when travelling west on Abbey Lane, from the junction of Abbey Lane with Butts Green Lane towards the appeal site. The change in the land levels affects visibility for a section of Abbey Lane. Given its limited width, only one car can pass at once and there is a very limited number of passing places along Abbey Lane. Due to its narrowness, pedestrians need to stop and stand next to the stone boundaries to allow a car to pass.
17. The nearest bus stop to the appeal site is approximately 305 metres away, on Warley Town Lane. The appellant's evidence indicates that this bus stop provides hourly services Monday to Saturday, and 4 times per day on Sundays, to nearby settlements, where a variety of services and facilities are available. In this regard, the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
18. The Sustainability and Access Statement dated April 2025 shows that there are large catchment areas reachable on foot or by cycling within a 20-minutes radius of the appeal site. The nearest rail station is said to be within 10 minutes cycling distance and there is a total of 3 rail stations within 20 minutes cycling distance. There are also several Public Rights of Way, which contribute to the overall road network. However, I have not been provided with specific details regarding the services and facilities that could be accessed within these catchment areas, particularly as most of the surrounding area appears to be countryside. It has also not been demonstrated that the routes available within those catchment areas are suitable for walking or cycling, particularly in terms of the layout of the roads, vehicles speed limit, street lighting, and availability of footpaths. This is particularly important in the context of the surrounding countryside.
19. In order to reach the bus station, future occupiers would have to walk on Abbey Lane. Whilst there is street lighting on Abbey Lane in proximity of the appeal site,

and the existing residents have been using Abbey Lane without any accidents in the recent years, due to the nature of the road, limited visibility, and the lack of footpaths, future occupants of the proposed development would be less likely to reach the essential services and facilities by walking or by public transport. Therefore, I find that future occupants would be likely dependant on private vehicles for accessing most day-to-day facilities and services.

20. Whilst the internal access and parking arrangements were found to be acceptable, this is not sufficient to make the proposal acceptable in terms of accessibility.
21. My attention has been drawn to other developments within the area, which have been approved. Whilst one of the approved developments¹ also has access off Abbey Lane, the development itself differs from the proposal because in that case it was for a replacement dwelling. The other schemes² for residential development have their accesses off different roads, and I note that for one of them the highway authority stated that it is not easily accessible by foot. Nevertheless, I have not been provided with full details of these developments, and it has not been demonstrated that the proposal is directly comparable with them. In any event, I have considered the proposal based on its own merits and site-specific circumstances.
22. Consequently, it has not been demonstrated that the appeal site is an appropriate location for the proposed development having regard to local and national policies and accessibility. Accordingly, the proposal is contrary to the aims of Policies HS1, BT4, IM4, and IM5 of the LP, which collectively require developments to provide convenient and safe pedestrian routes and connectivity within the site and with its surroundings, and to reduce travel demand, traffic growth and congestion through the promotion of sustainable development and travel modes. The proposal would also be contrary to the aims of the Framework, which at paragraph 83, states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities.

Planning Balance and Conclusion

23. I have found that the proposal would not be inappropriate development within the Green Belt context. However, it would be harmful to the character and appearance of the area, detrimental to the living conditions of the future occupiers, and the appeal site itself would not be an appropriate location for the proposed development in terms of local and national policies and accessibility.
24. I have taken into account the Accessible Homes Statement, which indicates that the proposal would provide an adaptable and accessible home. I have also had regard to the support expressed by a third party, particularly in terms of what improvements could be made to Abbey Lane and the benefits of adding another dwelling to the community. However, these benefits would not outweigh the identified harm.
25. In conclusion, for the reasons set out above the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework, that would outweigh that conflict. Therefore, the appeal is dismissed.

Andreea Spataru INSPECTOR

¹ LPA ref: 23/00482/FUL

² LPA refs: 19/01467/FUL & 20/00988/CON