



Appeal Decision

Site visit made on 14 May 2024

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd June 2024

Appeal Ref: APP/N4720/W/24/3339758

Brandon Golf Course, Holywell Lane, Shadwell, Leeds LS17 8EZ

- 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 D Binner against the decision of Leeds City Council.
 - The application Ref is 22/02602/FU.
 - The development proposed is construction of replacement club house and storage building; alterations to car park; new access road, cycle store and associated landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development that is common to the appeal form and Council's decision notice as this is more comprehensive than the original description on the planning application form.
3. The Council made its decision on the basis of amended plans. I have considered the appeal on the same basis.
4. On 19 December 2023, the Government published a revised National Planning Policy Framework (the Framework). Other than a change to the relevant paragraph numbers, the revised Framework does not materially alter the national policy approach in respect of the main issues raised in this appeal and I have had regard to the latest version in reaching my Decision.

Main Issues

5. As the appeal site is within the Green Belt, the main issues are:
 - whether the proposal is inappropriate development in the Green Belt including the effect on openness and purposes of Green Belt;
 - the effect on the character and appearance of the area; and
 - if the proposal is inappropriate development, whether harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

6. The appeal site is part of an established golf club located in the Green Belt at the edge of the village of Shadwell. The proposal includes various elements, including new buildings and engineering operations.
7. The Government attaches great importance to Green Belts. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.
8. Paragraph 154 of the Framework outlines that the construction of new buildings should be regarded as inappropriate in the Green Belt. One of the exceptions to this is subparagraph b) which concerns the provision of appropriate facilities (in connection with the existing use of land) for outdoor sport or outdoor recreation, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
9. Paragraph 155 b) of the Framework states that engineering operations are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.
10. Saved Policies N33 and GB20 of the Leeds City Council Unitary Development Plan (Review 2006) Volumes 1 and 2 (the UDP) contain similar provisions, so despite some inconsistencies with the Framework in other unrelated respects, can be afforded full weight in the determination of this appeal.
11. The existing club house building is a modest single-storey timber structure with limited club house facilities. Next to it are a pair of prefabricated garages. The replacement club house would provide a wider range of facilities, including a café, changing rooms, retail display area, offices, and buggy store. The evidence before me indicates that such facilities are reasonably commonplace at a golf course club house. The Council has concluded that the size and nature of the facilities are appropriate for their intended function, and I see no reason to disagree. Thus, I am satisfied that the replacement club house can be regarded as an appropriate facility in connection with an existing outdoor sport and recreation use.
12. Nonetheless, the new club house would be significantly larger than the existing buildings in terms of footprint, height, and overall volume. There would also be an increase in the amount of hard surfacing around the building. As a result, more of the site would be developed. In addition, despite some screening from the roadside hedge, the new club house would be far more noticeable from Holywell Lane, nearby houses, and from within the site itself. Consequently, when assessed both spatially and visually, I consider that openness would not be preserved. However, as the development would not extend beyond the boundaries of the golf course, it would not amount to urban sprawl or a level of encroachment that would be contrary to the purpose of the Green Belt.
13. The existing equipment store is an open fronted, flat roof, pole and sheet structure positioned tight up against the boundary hedge some 100m to the west of the club house, and next to it are some shipping containers used for storing golf carts. It is reasonable to expect some form of storage at the site. However, the replacement pitched roof storage building would be substantially larger than the existing structures and includes a staff room, toilets, and an

office. It would also have its own separate staff parking area. There is little evidence to justify the need for such facilities, particularly as similar facilities are proposed at the new clubhouse. Nor is there sufficient explanation for the considerable height of the building. Thus, on the evidence before me, I am not satisfied that the replacement storage building is an appropriate facility, notwithstanding its connection to the sport and recreation use at the site.

14. In any event, the new storage building would be located on land which is currently undeveloped and would lead to a significant increase in the amount and spread of development in this part of the site. In addition, its height and siting away from the boundary hedge would make it far more noticeable from within and outside the site. As such, there would be a marked loss of openness, both spatially and visually, although for the same reasons as above it would not amount to urban sprawl or encroachment in the countryside.
15. Therefore, when considered individually and cumulatively, neither the proposed club house nor storage building would fall under the exception of paragraph 154 b) of the Framework and Policies N33 and GB20 of the UDP. Accordingly, they represent inappropriate development in the Green Belt.
16. The new access road would run from the car park, past the club house, and to the new storage building. By my estimation, it would be over 140m in total length and approximately 3.4m wide. I have no doubt that some vehicle movements already take place between the car park and existing storage building, as evidenced by the slightly worn path which can be seen on aerial photographs. However, at my site visit I observed that there was no formal definition and surfacing to this route, such that it was barely perceptible when viewed on the ground.
17. Having regard to the length and width of the new road, it would likely bring about a significant change from undeveloped to developed land. In addition, the car parking provision at the proposed storage building means that there would likely be an intensification of activity in this part of the site due to increased vehicle movements. These urbanising effects would not be highly visible from outside the site, but nonetheless, would result in a small loss of openness in both a spatial and visual sense. As such, openness would not be preserved.
18. Consequently, the new access road would not fall under the exception of Paragraph 155 b) of the Framework and is therefore inappropriate development in the Green Belt.
19. The Council did not identify any concerns in relation to the works to the main car park, which mainly comprise resurfacing, delineation of parking spaces, and minor changes to the access. I have no reason to disagree, and I am satisfied that openness would be preserved, and that there would be no conflict with the Green Belt purposes. This element of the proposal would therefore fall under the exception of Paragraph 155 b) of the Framework, and so, is not inappropriate development in the Green Belt.
20. Nevertheless, my findings in relation to the proposed club house, storage building and access road means that the proposal as a whole would constitute inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Character and appearance

21. The appeal site lies within a Fringe Urban Area and on the edge of a Special Landscape Area (SLA) designation. Its relatively open and semi-rural character are positive attributes which contribute to the character and appearance of the area.
22. As I have already set out above, the proposed storage building would be substantially larger and noticeably more prominent than the existing storage structures. This would cause it to stand out as an unduly dominant and isolated feature in an otherwise predominantly open and semi-rural setting. Thus, as a result of its scale and siting, I find that the storage building would have an adverse effect on the character and appearance of the area.
23. The new access road would closely follow the line of the boundary hedge, and so, would be well screened from the south. However, in the absence of precise details of its construction and surfacing, there is potential for an adverse visual effect from within the site. I do not consider it appropriate for such matters to be left to a planning condition due to the level of uncertainty involved.
24. Although the new club house would also be larger and more prominent than the existing buildings, it would be largely confined to an area which already contains development, including the extensive car park. Moreover, while its contemporary design would be different to any of the surrounding buildings, I agree with the Council that it would be a well-designed feature. Thus, separate from its effect on the Green Belt, I consider that the new club house would not be harmful in general design and appearance terms. In addition, the works to the car park would be minor and unobtrusive.
25. Nevertheless, my findings in relation to the proposed storage building and access road means that the proposal would be harmful to the character and appearance of the area. As such, there is conflict with Policies P10 and P12 of the Leeds Core Strategy (Selective Review 2019) in so far as they encourage good design that is appropriate in scale and layout and respects the character and quality of its surroundings and landscapes. There is also conflict with saved Policy N37A of the UDP which requires new development in the countryside to have regard to the landscape and features that contribute to it.
26. However, I note that Policy N37 of the UDP seeks to guard against serious harm to the SLA. As the level of harm I have identified would fall below this, I do not identify conflict with this particular Policy. In addition, Policy N24 of the UDP only relates to proposals which 'abut' the Green Belt, so it has limited relevance to this case.

Other considerations

27. The new club house would bring the golf club on par with the facilities available at other comparable golf clubs in the area. This would undoubtedly make the sporting experience at the site more enjoyable and is likely to retain, and even attract, new patrons and other users to the facilities. There is also likely to be some associated direct and indirect economic benefits, although the appellant's claim that the golf course could otherwise become unviable financially is anecdotal and not supported by any firm evidence. I further note from the planning application form that the proposal would not increase the number of

employees at the site. Therefore, based on the evidence before me, these matters carry moderate weight in favour of the proposal.

28. The proposed storage building would be an upgrade of the existing provision, including in terms of the security it would provide for the items stored. However, there is little evidence before me to indicate a particular problem in these regards, and it is likely that similar benefits could be achieved in a less harmful manner. I therefore give limited weight to this matter.

Whether very special circumstances exist

29. When considered as a whole, the proposal represents inappropriate development in the Green Belt and openness would not be preserved. Having regard to the Framework, I attach substantial weight to this harm. Harm to the character and appearance of the area also weighs significantly against the proposal. The Framework makes clear that very special circumstances will not exist unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations.
30. Whilst I have had regard to the other considerations in favour of the scheme, I conclude that these other considerations taken together, do not clearly outweigh the totality of harm that I have identified. Consequently, the very special circumstances necessary to justify the proposal do not exist.
31. The proposal therefore conflicts with Policies N33 and GB20 of the UDP, and the Framework.

Other Matters

32. I have noted the variety of other concerns that were expressed by Shadwell Parish Council and interested parties, including in relation to traffic, noise, wildlife, and drainage. These matters did not form part of the Council's refusal reasons, and given my overall findings, it has not been necessary to reach a view on these matters.
33. The boundary of the Shadwell Holywell Triangle Conservation Area (the CA) follows Holywell Lane to the south of the site and I have considered the effect of the proposal on this designated heritage asset. However, the most harmful elements of the proposal would have limited intervisibility with the CA. Therefore, notwithstanding the harm I have identified, I am satisfied that the setting of the CA would be preserved. I note that the Council did not raise any concerns in this regard.
34. If the appellant thinks that further amendments or omission of certain elements of the proposal would overcome the Council's concerns then a fresh application should be made in the first instance.

Conclusion

35. The proposal is contrary to the development plan and the Framework. There are no material considerations which indicate a decision other than in accordance with the development plan. Accordingly, the appeal fails.

A Caines

INSPECTOR