



Appeal Decision

Site visit made on 20 May 2025

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Appeal Ref: APP/N4720/W/24/3357934

Land opposite Bramham Primary School, Bramham Road, Clifford, West Yorkshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mr Alec Colgan against the decision of Leeds City Council.
 - The application Ref is 23/00793/FU.
 - The development proposed is change of use of land to equestrian use, erection of stable block with 3no stables and associated hardstanding and groundworks.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The location of the appeal site and description of development in the above banner heading has been taken from the decision notice and appeal form as this accurately describes the location of the site and description of the proposed development.
3. A screening direction was issued under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). In exercise of the powers conferred by Regulation 14 (1) and 7 (5) of the EIA Regulations, the Secretary of State directed that the development is not EIA development.

Main Issues

4. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt, including any effect on openness, having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies; and
 - Whether any harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

5. The appeal site relates to a large open field to the east of Bramham Road, between the settlements of Bramham and Clifford. It is situated on the opposite side of the road to Bramham Primary School with an access gate leading from the main road. The site is bordered on all sides by shrubbery, hedgerows and trees and is predominantly surrounded by large open fields. The land is located within the designated Green Belt.
6. Policy N33 of the Leeds Unitary Development Plan (Review 2006) (UDPR) explains that except in very special circumstances, approval will only be given in the Leeds Green Belt for certain development including amongst others, essential facilities for outdoor sports and outdoor recreation and change of use of land for purposes which do not compromise Green Belt objectives. It then goes on to explain that development within the Green Belt will only be permitted if it conforms to the detailed Green Belt Policies contained in Appendix 5 in Volume 2 which amongst other policies, includes GB13 and GB20. These relate specifically to stables and other equestrian development as well as new buildings and other structures essential for outdoor sport and outdoor recreation. Such policies are broadly consistent with some aspects of the Framework but deviate from the Framework in respect of their consideration on openness. As a result, less weight should be afforded to these policies and the Framework should take precedence here.
7. Paragraph 154 of the Framework explains that development in the Green Belt is inappropriate unless one of a number of exceptions applies. This includes amongst others, b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Paragraph 154 h) also sets out that other forms of development are also not considered inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include amongst others, ii) engineering operations and v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds).
8. The proposed development seeks permission for the erection of a single storey L shaped stable block to house 3 no horses. The proposals involve the addition of hardstanding to form the access from the highway, with gravel hardstanding beyond the access gates to the stables structure and parking arrangement for 3 no parking spaces. It is proposed that the use of the land is to be equestrian for the exercising of horses. In respect of the proposed development, the parties identify paragraphs 154b) and 154h) ii and v as the relevant criteria in this case and I have no substantive basis to consider otherwise.
9. Paragraph 142 of the Framework explains 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. Openness of the Green Belt has a spatial aspect as well as a visual aspect. Both aspects therefore need to be considered. Paragraph 143 of the Framework sets out that the Green Belt serves five purposes which amongst others includes, c) to assist in safeguarding the countryside from encroachment.

10. Although it is undisputed that the size of the proposed development is capable of accommodating three horses, the proposed development would still introduce a sizable building with a new access driveway and parking area into an existing open parcel of land currently devoid of any permanent built development. Whilst I note certain features on site such as the remains of some structures and the appellant's comments regarding the history of the track, screening treatments and the installation of water and electricity supplies, I do not find the nature/extent of such elements to alter my findings that the site is an open and undeveloped green field. The proposed development would comprise a more substantial and permanent form of development to that of the existing and I must consider this accordingly.
11. In spatial terms, the footprint and bulk of the proposed building and amount of hard surfacing would inevitably have an impact on the openness of the Green Belt by introducing sizable and permanent built development into this undeveloped field. Although a good level of screening is provided which would help to screen views, it would still undoubtedly have a visual impact on openness and would pose a significant change from undeveloped land to developed land. The formalised access from Bramham Road would be visible and glimpsed views would still be available particularly from the non-definitive footpath to the south and would be more visible when trees are not in leaf. Additionally, the proposed use would intensify the use of the site, increasing the degree of activity on site, for example through comings and goings, parking etc. All of which would have a greater impact on the openness of the Green Belt.
12. Despite being a use commonly associated with the countryside, the scheme particularly the hardstanding element would represent an urbanising form of development which would in turn represent an encroachment into the countryside leading to a fundamental and permanent change to the Green Belt. I have had regard to the schemes overall design, level differences and layout/positioning within the field but this would not alter my findings. Even considering the appellant's suggestions regarding the materials of the access/parking areas and repairing/reinforcing of boundary treatments along with biodiversity enhancements, this would not sufficiently mitigate against the harm identified and I also have limited details on this.
13. I appreciate that Bramham Primary School generates a level of activity nearby including traffic etc although this would not alter my findings. This is because the nature and activity would be different and would be away from the adopted highway and school grounds where it would be more conspicuous within this setting compared to that of the existing.
14. For the above reasons, the proposed development would not preserve the openness of the Green Belt and would conflict with the purposes of including land within it. I therefore conclude on this issue that, for the purposes of the Framework, the proposed development would be inappropriate development in the Green Belt which would by definition be harmful to the Green Belt. Consequently, the proposed development would be contrary to paragraph 154 of the Framework and Policy N33 of the UDPR.
15. I am aware of other policies the appellant refers to, but the proposed development would still need to comply with the above Green Belt policies which this scheme does not.

Other considerations

16. My attention has been drawn to similar permissions granted at the site. However, I understand that these permissions have not been implemented nor are they extant. I also note from the information provided by the Council in their Statement of Case that neither decision was made in accordance with relevant Green Belt policy of their time and that the decisions in question were erroneous. To this end, I would agree with the Council that finding an error in the interpretation of policy would necessitate a deviation from previous decisions as continuing to take a consistent approach that is understood to be incorrect would not be a sensible approach. I do not afford any weight to these previous decisions. I appreciate the limited options available to the appellant in terms of other potential land although I am not convinced that this would attract any meaningful weight. This is because there is little evidence to justify the need for such development and that it is commonplace for owners of horses not to own land on which they are housed or indeed exercised.
17. Although it is undisputed that the site has been used for the grazing of horses which could continue, this has not amounted to a material change of use of the land or any permanent built development, hardstanding or parking on the site as shown by the appeal proposals. Its overall use and degree of activity would not therefore be the same. Should the site be used for the exercising of horses to such a degree that would constitute the change of use of the site, further permissions are likely to be needed. Any water and electricity supply or other associated paraphernalia would not alter this position and overall, such matters attract limited weight.
18. There would be some minor economic, social and environmental benefits arising from the scheme particularly through construction and materials and outdoor recreation. I am also mindful of the appellant's acceptance of planting/biodiversity improvements, and it is considered that the site is of a size that could reasonably accommodate landscaping and planting. Collectively, such matters attract moderate weight.
19. The site may not increase the risk of flooding and there may be no designated/non designated heritage features on or immediately adjacent the site. I am also aware of the matters which are not in dispute and changes made to the scheme. This would not however alter my findings in relation to the above main issues.

Planning Balance and conclusion

20. Paragraph 153 of the Framework explains that Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '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.
21. Whilst I acknowledge the other considerations put forward by the appellant as set out above, the Framework makes it clear that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt which I have applied.
22. Therefore, those other considerations referred to above would not hold sufficient weight to outweigh the harm that I have found would be caused to the Green Belt

by reason of inappropriateness. Furthermore, I have not received substantive evidence of any other considerations which would do so. The very special circumstances needed to justify the development do not therefore arise.

23. Accordingly, I conclude that the appeal is dismissed.

N Teasdale

INSPECTOR