



Appeal Decision

Site visit made on 23 July 2025

by **J D Clark BA (Hons) DpTRP MCD DMS MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12th August 2025

Appeal Ref: APP/N4720/D/25/3362302

Cragg Royd, Woodlands Drive, Rawdon, Leeds LS19 6JZ

- 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 & Mrs John & Hayley Lamb against the decision of Leeds City Council.
 - The application Ref is 24/07217/FU.
 - The development proposed is a detached double garage with car port.
-

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 and relevant development plan policies and its effect on openness;
 - whether the character or appearance of the Rawdon – Cragg Wood Conservation Area would be preserved or enhanced; and
 - whether any 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

Green Belt

3. Cragg Royd is a large, detached house set in extensive grounds. Due to the topography, parts of the grounds are terraced with a network of paths, landscaped areas and natural vegetated areas together with outbuildings. The proposal is for the erection of a garage, constructed in Yorkshire stone under a slate roof with three bays, two of which would have timber garage doors, the third would be open to create a car port. It would be located within a grassed area of land set away from the house close to an arch structure.
4. The National Planning Policy Framework (the Framework) explains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It makes it clear that development is considered inappropriate unless it satisfies one of the exceptions cited in paragraphs 154 or 155. Paragraph 154, sub-section c) allows 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.

5. UDP¹ Policy N33 is older than the Framework and its Green Belt policy is worded differently. However, the thrust of the policy is similar to the Framework citing an exception as limited extension, alteration or replacement of existing dwellings. The Council's Householder Design SPD² Policy HDG3 goes further than this, stating that extensions, additions and alterations to dwellings within the Green Belt should represent limited development and should not harm the character, appearance and openness of the Green Belt. Furthermore, the SPD indicates a threshold for limited development of 30% over and above the volume of the original house.
6. There is no dispute between the parties that the proposal would be less than the 30% threshold, but the Council consider that it would harm the openness of the Green Belt. However, case law³ has established that a garage or outbuilding could be considered an extension to the existing dwelling, therefore, paragraph 154 c) of the Framework is applicable. Thus, the test is whether the proposal would be disproportionate. I have no information about any other extensions but given the size of Cragg Royd, the scale of the proposed development and the agreement between the parties that the garage would not exceed the Council's threshold, I am satisfied that the proposal would not result in disproportionate additions.
7. With regard to openness, case law⁴ has established that openness is implicitly taken into account in the exceptions unless there is a specific requirement to consider the actual effect on openness. Therefore, in the case of paragraph 154 c) there is no requirement to assess the impact of the development on the openness of the Green Belt. Notwithstanding the Council's approach, and the advice in the Householder Design Guide SPD, there is no need for me to separately consider openness.
8. Consequently, I do not consider that the proposal would be inappropriate development in the Green Belt. It would not conflict with the Framework or the objectives of UDP Policy N33 or the Householder Design Guide SPD, insofar as it relates to Green Belt. As the proposal would not be inappropriate development, there is no need for me to consider any very special circumstances.

Conservation Area

9. The Rawdon Cragg Wood Conservation Area Appraisal⁵ describes the area as a largely agrarian landscape prior to the 1840's. In the 1850's, the Victorian development that typifies Cragg Wood began when Nathaniel Briggs started to develop the area as luxury villa residences for Bradford businessmen. Woodlands Drive, along with Cliffe Drive, Cragg Wood Drive and Underwood Drive represent four fashionable west/east carriage drives with lodges at the entrances to the villas and landscaped woods developed by Briggs.

¹ Leeds City Council – Leeds Unitary Development Plan (Review 2006) Volume 1: Written Statement – Adopted by Leeds City Council 19 July 2006.

² Leeds City Council – Householder Design Guide Leeds Local Development Framework Supplementary Planning Document April 2012 (SPD).

³ Warwickshire District Council and Secretary of State for Levelling Up, Housing and Communities {2022} EWHC 2145 (Admin).

⁴ Lee Valley Regional Park Authority, R (on the application of) v Epping Forest District Council & Anor (Rev 1) [2016] EWCA Civ 404.

⁵ Rawdon Cragg Wood Conservation Area Appraisal Community Consultation Draft February 2011.

10. The geology (sandstone and millstone grit), topography and landscape setting characterise the area. The Cragg Wood area is located on the side of a wooded valley which follows the course of the River Aire, with the land rising relatively steeply from the washlands on either side. The villa development took advantage of the sloping topography with houses built on the varying terraces of the valley side, allowing each to take advantage of the views across the valley. Closer in, the wooded setting, topography and position of the houses combine to provide mostly only glimpses of the villas.
11. These features collectively contribute to the character of the Conservation Area and the appeal site typifies the substantial villa development that took place in the mid-19th Century. Its significance is demonstrated by its location within the Conservation Area and the contribution it makes to the historical development of the area and the key features of it as explained in the Conservation Area Appraisal.
12. Cragg Royd has two entrances, and the proposed garage and car port would be accessed mainly from the western entrance. Close to this access a lane runs off Woodland Drive leading to Cragg Lodge, Orchard Way and Cragg Terrace. Whilst the house is largely screened from public viewpoints, the area of land proposed for the garage/car port is highly visible. Therefore, the proposal would be very prominent, especially when viewed from Cragg Terrace. I disagree that it would be sufficiently screened by existing landscape features. Whilst additional landscaping could be secured through a suitably worded condition, due to the difference in levels, I have no assurance that this would suffice. Likewise, levels could be altered but the degree to which this would be achievable is not clear, nor am I convinced that the impact of the garage/car port would be sufficiently lessened.
13. I note the reference to the arch structure in the garden which does not seem to serve any particular function but appears something of a folly in the garden. Although the Council describe it as an historical arch structure, the appellant states that it was constructed by the previous owner and does not have any historical merits. I have no reason to disagree with this as no historical evidence has suggested otherwise.
14. Cragg Royd is of interest for its architectural quality and typifies the original 19th Century villa developments that characterise the Conservation Area. There are buildings in prominent positions within the Conservation Area, the properties along Cragg Terrace are an example. As stated in the Conservation Area Appraisal, lodges close to the lanes or drives also characterise the area. However, the elevated position of this garage/car port would stand out as a prominent and disconnected building. I appreciate that its materials would include Yorkshire stone and timber, but this would not lessen the adverse impact of its bulk and prominence.
15. The proposal would not preserve or enhance the character or appearance of the Rawdon – Cragg Wood Conservation Area. In reaching this view, I have had regard to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area as required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act

1990 (the Act). This is reflected in Core Strategy Policy P11, UDP Policy N19, Rawdon Neighbourhood Development Plan⁶ Policy R6 a) and the Framework.

16. Paragraph 212 of the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to their conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. Given the scale of the development, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
17. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The appellant has not specified any public benefits and other than the short-term economic benefit during the construction phase, any benefits would be for the appellant only.
18. In the absence of any public benefit to outweigh the harm identified above, I conclude that the proposal would conflict with the heritage aims of the Framework, Core Strategy Policies P10 and P11, UDP Policy N19, the Rawdon Neighbourhood Development Plan Policy R6 a) and the aims of the Rawdon – Cragg Wood Conservation Area Appraisal, which includes a management plan. Collectively these aim to protect the historic environment. UDP Policy BC7 requires development in Conservation Areas to be in traditional local materials which the proposal would be. There is therefore no conflict with this Policy.
19. Furthermore, UDP Policy BD6 and SPD Policy HDG1 are referred to but relate mainly to the design details in relation to the main dwelling although the SPD makes reference to the character of the area, this in the context of respecting the main dwelling. UDP Policy GP5 is a general policy relating to detailed planning considerations and is of limited relevance to this issue.
20. UDP Policy N37 refers to designated landscape areas. Although the area is described as a special landscaped area, there is little information about this specifically other than in the context of the Conservation Area Appraisal. The harm I have found relates to the Conservation Area and not the wider landscape beyond this. Therefore, I do not find conflict with this policy.

Other Matters

21. I note the appellants' reference to an appeal decision at another property, Windrush⁷. From the information before me, the proposed car port would be sited quite close to the host dwelling so that the house and the car port would be seen in the context of each other whereas the garage/car port at Cragg Royd would be located away from the house itself. Also, although Windrush is within the same Conservation Area as Cragg Royd, due to the topography and extent of woodland and vegetation, the character of the two sites differs.
22. I also note the proposal for Cragg Cottage⁸. When complete, this will be very visible at the end of the terrace and although it would be a large structure, due to

⁶ Rawdon Neighbourhood Development Plan – Referendum Version, January 2024.

⁷ Appeal Ref: APP/N4720/D/23/3317047.

⁸ Planning Application No. 23/03080/FU.

its location and the topography it would not appear as visually intrusive as the appeal proposal.

23. I appreciate that these other developments have approval but there are sufficient differences in each case which means they do not overcome the harm I have identified. In any event, each development falls to be considered on its own merits and nothing presented causes me to alter my conclusions.

Conclusion

24. Whilst I have not found harm in terms of the Green Belt, I have found that the proposal would harm a designated heritage asset. This carries significant weight. Therefore, despite my findings on my first issue, my conclusions on my second issue would cause harm, as I have outlined, thereby making the proposal unacceptable.
25. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Consequently, the appeal should be dismissed.

J D Clark

INSPECTOR