



Appeal Decision

Site visit made on 14 October 2025

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 November 2025

Appeal Ref: APP/N4720/W/25/3367759

Penny Lane, Carlton Lane, Yeadon, Leeds LS19 7BG

- 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 Andrew Hollings against the decision of Leeds City Council.
 - The application Ref is 25/00292/FU.
 - The development proposed is retrospective application for erection of two storey outbuilding forming double garage and first floor store, raised platform, steps and container storage to rear.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the development provided on the planning application form has been replaced by an amended version on the decision notice and in subsequent appeal documents. I consider that subsequent description to accurately represent the proposal and I have therefore used it within this decision.
3. It is indicated that the planning application was submitted retrospectively, and the proposed development was in place at the time of my visit.
4. The appellant contends that the proposal is for an agricultural building, and not a domestic one. However, the application was submitted using the Householder Application form, and it is stated on that form that none of the land to which the application relates is part of an agricultural holding. I have had regard to the evidence provided by the appellant in respect of land ownership and agricultural land holdings, but this does not represent substantive evidence to demonstrate that details given on the planning application form were incorrect.
5. The proposed building is also within the curtilage of Penny Lane Bungalow which is a residential building, and it has not been demonstrated that this is a building primarily used in association with an agricultural operation. Although the appellant refers to the storage of feed and bedding for animals and poultry, based on what I have seen and read the proposal relates to a domestic building ancillary to Penny Lane Bungalow and I have determined the appeal on that basis.

Main Issues

6. The main issues are:
 - Whether the proposal is inappropriate development in the Green Belt, with due regard to openness;

- The effect on the character and appearance of the host property and the area; and
- The effect on protected trees.

Reasons

Whether Inappropriate Development

7. The appeal site is within the Green Belt. Paragraph 154 of the National Planning Policy Framework (the Framework) sets out that development within the Green Belt is inappropriate, subject to a number of exceptions.
8. The Council has assessed the proposal against paragraph 154(c) of the Framework which relates to 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.
9. However, the appellant submits that the appeal site should be classed as previously developed 'brownfield' land. In that regard, I am mindful that paragraph 154(g) of the Framework relates to the "limited infilling...of previously developed land... which would not cause substantial harm to the openness of the Green Belt".
10. The proposal is limited infilling or partial redevelopment within the curtilage of the existing dwelling. Residential gardens which are not in 'built-up areas' are not excluded from the general definition of previously developed land given in the Framework. Although the appeal site is part of a cluster of dwellings and buildings, this has the character of being a hamlet in the countryside rather than a built-up area. Evidence provided in the Council's Statement of Case also shows that this settlement is 'washed over' by the Green Belt rather than being excluded from it. Based on the evidence before me and my own observations, I consider that the appeal site is not in a built-up area and therefore represents previously developed land.
11. In respect of openness, reference has been made to extents of hardstanding and temporary structures located on the site. However, even if the proposal were to lead to a building where none previously existed, the impact on openness would be no more than moderate. On that basis, the proposal does not lead to substantial harm to the openness of the Green Belt.
12. I therefore conclude that the proposal is not inappropriate development in the Green Belt as it meets the exception of paragraph 154(g) of the Framework, and does not conflict with the Framework in respect of protecting Green Belt land.
13. The Council's reason for refusal on this issue refers to a number of development plan policies and guidance. However, saved Policies GP5, N33 and appendix 5 of the Leeds Unitary Development Plan - Review 2006 (the UDP) do not reflect the wording of the Framework in respect of the development of previously developed land in the Green Belt. I have also had regard to the advice of Policy HDG3 of the Householder Design Guide 2012 (the HDG) including volume calculations, but this also does not reflect the wording of the Framework. Although the proposal would not comply with these policies and advice in relation to development in the Green Belt, I give this conflict limited weight due to the inconsistency with the Framework in respect of the circumstances of the appeal proposal. These policies and advice

do not therefore lead me to a different conclusion that the proposal is not inappropriate development in the Green Belt within the terms of the Framework.

14. Policy P10 of the Core Strategy 2019 is not relevant to this main issue as it relates to general design matters rather than the Green Belt.

Character and Appearance

15. The appeal proposal is set over 2 storeys, with a garage on the ground floor and storage above. Although the building is of a smaller scale than the dwelling on the site, the design of the building gives it a clumsy top-heavy character and which is of a height and massing that contrasts awkwardly with the extant dwelling. The storage container to the rear and the first floor platform extending above it are also incongruous features that add to the harm to character and appearance arising from the unacceptable scale and design of the building.
16. The appellant refers to the mix of buildings and business operations in the area, but even within that context the building is of an unacceptable scale and design. The pitch of the roof and use of sympathetic materials are also not sufficient to mitigate for the unacceptable appearance of the building.
17. The building is not readily visible from the public realm as it is shielded by nearby structures and planting. However, it would be apparent from nearby land including residential properties, and even in glimpsed views its obtrusive scale and design would be apparent.
18. I therefore conclude that due to its scale and design that the proposal will lead to unacceptable harm to the character and appearance of the host property and the area. The proposal would therefore be contrary to the design requirements of Policy P10 of the Core Strategy and Saved Policy GP5 of the UDP. The proposal also conflicts with the Framework with regard to achieving well-designed places. The proposal is also contrary to the advice of Policy HDG1 of the HDG in respect of design and appearance.

Protected Trees

19. There are a number of trees to the rear of the site which are covered by a woodland tree preservation order (TPO). Although these trees are located outwith the site boundary, due to the proximity of the building this may have a detrimental effect on the root protection area and canopy of the trees. The proximity of the building, including the rear platform, may also lead to pressure for works to the canopy of the trees with subsequent harm to their amenity value.
20. Any harm to the trees will also lead to commensurate harm to the contribution they make to biodiversity and carbon capture.
21. Although these concerns relate to a limited number of trees rather than the whole of the woodland TPO, this does not reduce the weight I give to the harm to the affected trees.
22. Based on the evidence before me, I conclude that the proposal will lead to unacceptable harm to protected trees. The proposal therefore conflicts with Policies P10, P12 and G9 of the Core Strategy; Saved Policy GP5 of the UDP; and Policy LAND2 of the Natural Resources and Waste DPD with regards to character, landscape, biodiversity, pollution and the protection of trees. The proposal is also

contrary to the Framework with regards to achieving well-designed places as well as conserving and enhancing the natural environment.

Other Matters

23. The appellant refers to permitted development rights relating to agricultural buildings. However, the Council emphasises to the limitations of such rights due to the height of the proposal and its proximity to an aerodrome, as well as the prior approval required for siting, design and appearance. On the basis of the evidence before me, it has not been demonstrated that there is realistic potential for the development of an agricultural building of a similar scale under the property's permitted development rights, and this matter does not therefore weigh in favour of the appeal.
24. Reference has also been made to the setting of the Grade II Listed Building of Carlton Hall. However, the Council considers that the outbuilding does not harm the setting of the listed building and I see no reason to disagree. A lack of harm on this matter is not a benefit, and this does not negate the harm that I have identified in respect of the main issues of character and appearance as well as protected trees.

Conclusion

25. Notwithstanding my conclusions in respect of inappropriate development in the Green Belt, I conclude that the proposal would lead to unacceptable harm to the character and appearance of the host property and the area as well as to protected trees. The proposal would therefore conflict with the development plan when read as a whole in respect of character, design, landscape, biodiversity, pollution and the protection of trees.
26. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be dismissed.

David Cross

INSPECTOR