



Appeal Decision

Site visit made on 23 September 2025

by **G Robbie BA(Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6th November 2025

Appeal Ref: APP/Z4718/W/25/3367689

Denelands Farm, 74 Wakefield Road, Grange Moor, Wakefield, WF4 4BG

- 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 Phillip Cornell against the decision of Kirklees Metropolitan Council.
- The application Ref is 2024/62/93502/E.
- The development proposed was initially described as '*Detailed application for the formation of new vehicular access*'.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have adopted the usefully more concise description of development set out on the Council's decision notice in my decision, above. I am satisfied that in so doing neither party would be disadvantaged.

Main Issues

3. The main issues are:
 - Whether or not the proposed development would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
 - The effect of the proposed development on the character and appearance of the appeal site and surrounding area; and
 - Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate

4. Policy LP57 of the Kirklees Local Plan¹ (KLP) sets out the Council's approach to the extension, alteration or replacement of existing buildings in the Green Belt, whilst KLP Policy LP56 does the same in relation to facilities for outdoor sport, outdoor recreation and cemeteries. Along with KLP Policy LP24(a) which is a design policy that seeks to secure good design at the core of all proposals, both were cited in the refusal reason. None of the cited development plan policies refer expressly to engineering operations in the Green Belt although KLP Policy LP57 does refer to the treatment of outdoor areas, including areas of hardstanding and means of access in the context of proposals for the 'extension, alteration or

¹ Adopted 27 February 2019

replacement' of buildings in the Green Belt. Framework² paragraph 154 states that development in the Green Belt is inappropriate development unless it falls within one of the exceptions set out at (a) to (h).

5. Neither party advances a case that the proposal falls within the exceptions provided at Framework paragraph 154(a) to (g). Paragraph 154(h) recognises that other forms of development may also not be inappropriate provided they preserve openness and do not conflict with the purposes of including land within the Green Belt. Engineering operations (§154(h)(ii)) are listed as an exception, subject to the qualifying assessment set out above. The development plan is not therefore entirely consistent with the Framework in terms of its approach to certain types of development within the Green Belt.
6. The dwelling itself was granted planning permission³ in 2019 as a scheme to replace existing stables. Although the planning history is not disputed between the main parties, it appeared during my visit to the site that there were equestrian uses on land around the dwelling, to which the appellant's appeal submissions also refer.
7. The dwelling and equestrian activities that the proposed access track would serve are already accessed via an existing junction with the A642 Wakefield Road. That track, shared with a public right of way (PROW), leads towards the dwelling at the appeal property, before continuing beyond it in a southeasterly direction. The A642 and the track itself are bound by a mix of hedgerow with occasional hedgerow trees. The fields alongside and between are largely open, mostly flat and visible from both the road and the track / public right of way.
8. The route of the proposed access track would go through two paddocks. The point of access to the A642 would be positioned in a reasonably wide gap between existing trees within the roadside hedgerow. It would meander through the two paddocks, roughly splitting the front paddock in half, before angling across the second paddock towards the existing track and its hedgerow boundary.
9. Given the very obvious differences in ground levels between the A642 carriageway and the appeal site, the slope of the roadside embankment and the proposed gradual slope of the track into the lower level of the field would result in a lengthy and reasonably high (when compared with the surrounding paddock) area of reprofiled land. Both the raised track surface and embankment, and the proposed hedgelines alongside, would visually and spatially divide the first paddock and, to a lesser extent, the second paddock. Moreover, despite the road frontage's boundary treatment, the interior of the paddock is clearly visible from the road and pavement alongside it. It would also be clearly visible from various points along the existing track and PROW, particularly where it starts at the A642.
10. For most of the track's length it would consist of gravel / hardcore within a geogrid (or similar) system providing vehicle wheel tracks with a central grass strip. Whilst this may give the track an appearance akin to a farm track, and would avoid a three-dimensional presence, there would still be a significant length, in the most prominent part of the track, that would be entirely laid to gravel within a geogrid system but without the central grass strip and raised above the surrounding ground levels. Taken together with the hedgerows running alongside the track for

² December 2024

³ LPA Ref No: 2019/62/90308/E – approved 21/05/2019

much of its length, which seem to have been expressly employed and justified as a key element of the scheme to reduce the visual effects of the track, the proposal would also have a three-dimensional aspect, the result would be both the visual and spatial fragmentation of the open paddocks.

11. Whilst I agree with the appellant that the surrounding area could not be said to be characterised as 'open prairie land', that is not what is being suggested by the Council. I accept that the fields and paddocks in the surrounding area are, at least those visible from the road and the PROW, relatively modest in their size, and are bound by a mix of stone walls, post-and-rail fences and hedgerows. In this respect, the result of the proposal would be little different. However, the meandering nature of the track's alignment and the irregular sub-division of already modestly sized paddocks would be incongruous and inconsistent with the more open nature of these two paddocks, and the prevailing character of the neighbouring fields.
12. I accept too, that there are indeed accesses off the A642 leading to fields, farms, buildings and dwellings. The appellant seeks to characterise such accesses as sporadic. The proposed access would split two existing accesses on the southern side of the A642 across a relatively short stretch of the road, with a further track a short distance further east at the crest of the hill. This would, in my judgement, result in a more than just sporadic feature and rather than providing a defining characteristic to the area, cumulatively these would compound the effect that the proposal – another access and track in a relatively short stretch of road frontage – would have on Green Belt openness in this location.
13. There is no dispute that the proposal represents an engineering operation. As such, the Framework recognises that these may not amount to inappropriate development, provided that they preserve the Green Belt's openness and do not conflict with the purposes of including land within it. For the reasons I have set out, the proposed access track would result in a proliferation of accesses and tracks in a relatively short stretch of the A462 roadside and would thus fail to preserve the openness of the Green Belt, causing moderate harm to openness.
14. The appellant has provided limited extracts and evidence in relation to other schemes for access tracks and engineering operations in the Green Belt. Two are within Kirklees borough⁴ and one within Leeds City Council area⁵. Although I do not have the full details of those cases, from the available evidence it seems to me that the extent to which they are directly comparable is limited. Having carefully considered those examples I am satisfied that there are differences between them and matter before me including, but not limited to, the alignment of the access track across the land in question, the appearance of the track and measures taken to mitigate its presence, the extent and nature of visibility from public vantage points and the nature of the buildings that they serve. I cannot be certain as to the extent to which they are comparable to this appeal scheme and the weight I attribute to them is limited.
15. Framework paragraph 143 sets out the five purposes that Green Belts serve. The proposal to route the track through two paddocks, on a somewhat arbitrary, meandering alignment between hedgerows that bear little resemblance to the prevailing field-boundary pattern, with an extensive gravelled area close to its junction and a lengthy embankment, would cumulatively amount to encroachment

⁴ APP/Z4718/C/22/3313108 and APP/Z4718/W/22/3306224

⁵ APP/N4720/W/24/3357642

into the countryside. As such, the proposal would also conflict with one of the purposes of including land within the Green Belt.

16. The proposal does not therefore benefit from the exception provided by Framework paragraph 154(h)(ii) and as an engineering operation is inappropriate development in the Green Belt. The appellant has also referred to the proposal in connection with existing equestrian uses at and around Denelands Farm in the context of the Framework exception provided by paragraph 154(b) as facilities in connection with outdoor sport and recreation. Even if I were to accept this approach, that exception is, like that in relation to engineering operations, subject to assessment of whether openness would be preserved and that it would not conflict with the purposes of including land within the Green Belt.
17. The provisions of KLP Policies LP56 and LP57 were cited in the reason for refusal. Neither directly relate to engineering operations in the Green Belt, nor have I been directed to any other KLP policy that makes such specific reference. These policies have not therefore been determinative in reaching a conclusion on this main issue.

Character and appearance

18. The proposed surface material that would be employed in the construction of the track would, for a significant proportion of its length, give it an appearance akin to a farm track. The gravel 'vehicle tracks' with central grass strip would not therefore be dissimilar to the appearance of the current access track and PROW a short distance to the east of the appeal proposal.
19. However, the proposal would result in the creation of another junction and track from the A462 leading through or across fields to the south in just a short stretch. Whereas the existing tracks on either side of the paddock that the proposal would run through are direct and follow the prevailing field boundary pattern, the proposal would meander somewhat arbitrarily through two paddocks towards the dwelling and equestrian operations that it would intend to serve. Whilst I have no reason to believe, or evidence before me to persuade me, that the proposal would facilitate significant levels of vehicle movements to the detriment of the rural character of the site, the visual and spatial fragmentation of the paddocks would be at odds with the prevailing character, appearance and field boundary pattern of the surrounding area. This would be harmful to the character and appearance of the site and surrounding area and thus contrary to KLP Policy LP24(a).

Other considerations

20. The dwelling at Denelands Farm is currently accessed via a single-track access from Wakefield Road. I am advised that the current access also provided access to the stables that the dwelling replaced. The access track is also shared with a public right of way (PROW) that continues beyond the dwelling into and across the fields, beyond as well as providing agricultural vehicle access to those fields.
21. Although there appears to be some dispute between the parties as to the continued planning status of the equestrian uses at and around Denelands Farm those uses, and the occupation of the dwelling, can be expected to result in some comings and goings along the access track. The removal of those comings and goings from the current access track, it is argued by the appellant, would be to the benefit and safety of users of the PROW.

22. Should that be the case, I agree, and as such that would carry moderate weight in support of the appeal scheme. However, although it is stated that the existing access would be closed to use, it is not explained how that would be achieved, there is no indication on the submitted plans to that effect, and I have no mechanism before me to ensure that would be the case. Nor would the proposal entirely remove all potential for pedestrian / vehicle conflict which further tempers the weight I can afford this matter.
23. The new track would provide an enlarged and widened initial stretch of track close to the access sufficient to allow two cars to pass each other. The Council's Highways Development Management consultation response notes the potential benefits of reducing conflict between users of the access track and the PROW. The benefits of the wider section of proposed track in allowing two cars to be able to pass each other at the junction are also noted, albeit qualified that the width would not be sufficient to allow, for example, a car and tractor or two tractors to pass.
24. I am conscious from my visit to the site of the rise in the road and the bend at its crest a short distance to the east of the existing access track's junction. I also saw that this stretch of Wakefield Road is subject to a reduced speed limit (50mph), speed cameras and double central white lines. The proposal would, I note from the Council's Highway's Development Management consultation response, achieve satisfactory visibility splays in both directions as well as moving the junction further away from the crest and bend in the road. Nevertheless, these are benefits in terms of highway safety that would arise from the proposal and are matters to which I ascribe moderate weight in support of the appeal scheme.

Green Belt balance

25. Inappropriate development is, by definition, harmful to the Green Belt. Substantial weight should be given to any harm to the Green Belt and proposals should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.
26. The proposed development constitutes an engineering operation for the purposes of the Green Belt assessment. Such forms of development need not be inappropriate provided that they preserve Green Belt openness and do not conflict with the purposes of including land within it. For the reasons set out, the proposal would fail to preserve the openness of the Green Belt and would result in encroachment into the countryside. This would be contrary to one of the purposes of the Green Belt. The proposal would also result in harm to the character and appearance of the surrounding area by the fragmentation of the existing field pattern and the introduction of an additional access, access point and junction along a relatively short stretch of Wakefield Road. These are all matters to which I give substantial weight, in line with the Framework's approach to such matters.
27. There are elements of the scheme which carry weight in support of the proposal. I acknowledge the stated benefits of the proposal in terms of the potential to reduce conflict between pedestrians and vehicles along the currently shared access track and PROW. However, whilst it is stated that access would not then be taken along the current track to the site, I have no mechanism before me to demonstrate how that would, or could, be achieved. Nor do the submitted plans indicate a scheme or

layout to specifically prevent or otherwise block access to / egress from the site along the current track. Although this nevertheless carries some weight in support of the proposal, it is no more than limited as a consequence.

28. I note too, the content of the Council's Highways Development Management consultation response where the proposed access would achieve satisfactory visibility splays in both directions along Wakefield Road. Although it is not clear whether or not the existing access achieves these standards, the proposal would result in a junction and access point further away from the crest of a hill and a bend on Wakefield Road than the existing access is. This too carries moderate weight in support of the proposal.
29. The Framework is clear that not only should substantial weight be given to any Green Belt harm, but that 'very special circumstances' will not exist unless that harm, and any other harm, is clearly outweighed by other considerations. Thus, in this instance I have concluded that there is both Green Belt harm and harm to character and appearance. The improvements noted in respect of highway and pedestrian safety weigh in support of the proposal, they are not sufficient to clearly outweigh the Green Belt and other harm, sufficient to amount to the 'very special circumstances' envisaged by the Framework.

Other Matters

30. The appellant has referred to post-submission application correspondence the sought to provide refinements to, and the further justification of, the submitted scheme as part of wider comments expressing dissatisfaction on how the Council determined the planning application. No application for an award of costs has been made and these are not material considerations to which I attribute any significant weight to in relation to an appeal under section 78 of the Act. Should the appellant remain dissatisfied with the manner of the Council's determination of the matter this is a matter between the appellant and the Council.
31. I have also been provided with some, limited, information including appeal decisions regarding proposals that are stated to be comparable to the matter before me. I do not have the full details of those schemes, but from the available evidence I cannot be certain of the extent to which they provide similarities to the appeal scheme and I have, in any event, determined this appeal on the basis of the evidence before me.

Conclusion

32. For the reasons set out, and having considered all other matters raised, I conclude that the appeal be dismissed.

G Robbie

INSPECTOR