



Appeal Decision

Site visit made on 10 November 2025

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2025

Appeal Ref: APP/W4705/D/25/3371820

7 Chapel Lane, Esholt, Leeds BD17 7RD

- 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 Stephen Lee against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 25/00258/FUL.
 - The development proposed includes the raised platform, timber pergola, timber fencing replacing the stone wall and the timber decking and bird hide atop. the proposal describes alterations to the existing elements constructed on site and requests approval for remaining elements presently on site. The changes to the existing development include the removal of the timber fencing parallel to chapel lane and rebuilding of the stone wall that pre-existed, constructed of the same material as the remaining wall still existing on site.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the development is inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) including, where appropriate, its effect on openness;
 - The effect of the development on the character and appearance of the area, including the Esholt Conservation Area (CA) and the setting of the Grade II listed building (LB) known as Holme House; and
 - If the development is inappropriate, 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 the proposal would be inappropriate development in the Green Belt

3. The appeal site is located within the Green Belt. The Council has not referred to any development plan policies in their evidence relevant to development within the Green Belt, nor are there any such development plan policies before me. The proposal must therefore be assessed based on the policies in the Framework.
4. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 143 sets out

the five purposes of Green Belt, which includes: (c) to assist in safeguarding the countryside from encroachment.

5. Paragraph 153 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 clarifies that development in the Green Belt is inappropriate, unless it is in connection with a closed list of exceptions. The Framework does not make any specific reference to outbuildings associated to an existing dwelling. Such structures are thus inappropriate in the Green Belt, unless they could be considered to fall within any of the exceptions in the Framework.
6. The exceptions within Paragraph 154 include (c) 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 and (h)(ii) engineering operations, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
7. With respect to Paragraph 154(c), whether a detached structure would amount to an extension of the original building is a matter of fact and degree. The Framework also does not provide a definition of “disproportionate additions”. Whether the development, in combination with previous additions, would be disproportionate relative to the size of the original building is thus a matter of planning judgement.
8. The land to which the appeal relates was purchased by the appellant in 2018. However, the red line boundary on the location plan does not include the adjacent dwelling. Moreover, while the use of the structures may be incidental, the car port appears somewhat isolated and is sited further away than would typically be expected, with occupants having to walk along the road to access the dwelling.
9. Nevertheless, even if I were to consider the structures to be extensions to the original building, there is little evidence before me of the volume, floorspace, footprint, and external dimensions of the original building or any later extensions. No calculations setting out the size of the appeal buildings and any other additions as a proportion of the original building have been provided.
10. Based on the evidence and my own observations, the development does not comprise extension of a building that does not result in disproportionate additions over and above the size of the original building. The appeal scheme therefore does not benefit from the exception set out in Paragraph 154(c) of the Framework.
11. In respect of Paragraph 154(h)(ii), the development required engineering operations to provide a level surface for car parking and access to the site from the highway, including a raised platform and the laying of hard surfaces.
12. The site is enclosed by a low brick wall along its northern boundary and is largely free from development. It sits on an incline, in an elevated position comparative to the land to the south-east, which slopes away toward the River Aire. While there are several mature trees on the site, the area below the canopy remains relatively open and unobscured. Except for the appeal scheme, the openness and largely undeveloped nature of the site positively contribute to the Green Belt.
13. Given the low boundary enclosure around the site, the development is readily visible from public vantage points along Chapel Lane. Due to its elevated position,

it is also visible across the landscape to the south-east, particularly in winter months when deciduous trees provide less screening.

14. The changes to the topography of the land and hard surfacing themselves represent incursions into the openness of the site and the encroachment of the built environment into the countryside. The 2 buildings onsite have also eroded the openness of the site by increasing the volume of built development. While the carport structure is open sided, which partially mitigates its effect on openness, it remains particularly prominent given its siting adjacent to the highway.
15. I conclude that the proposal would harm the openness of the Green Belt in both visual and spatial terms. The development therefore also does not benefit from the exception set out in Paragraph 154(h)(ii).
16. The identified harm to the openness of the Green Belt would be mitigated to some limited extent by the factors mentioned above. However, paragraph 153 of the Framework is clear that substantial weight should be given to any harm to the Green Belt. This therefore weighs heavily against the proposal.

Character and appearance

17. The appeal site is located centrally within the Esholt Conversation Area. Holme House is a grade II listed building. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the CA. Sections 66(1) of the 1990 Act requires special regard to be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest.
18. The CA comprises a collection of traditional cottages in clusters to the east and west of the site with several more substantial properties, including the appeal building, scattered around the area. Most buildings have a stone finish with slate roof tiles and common decorative features that create a cohesive street scene. Traditional stone boundary walls are also a common feature found throughout the CA. The appearance and layout of the built environment and its landscape setting have been relatively well maintained, which contributes to the significance of the CA as a well-preserved example of the development of its time.
19. The significance of Holme House is derived from its early 19th century architecture, including its ashlar front and sandstone wing and rear elevation, decorative design features and traditional fenestration. The building sits on higher ground to the land to the south-east and so is relatively prominent in the landscape. The generous space around it, mature vegetation and characterful low stone boundary walls nearby provide an attractive and verdant setting.
20. The development has introduced 2 timber structures and additional hard surfacing into the immediate setting of the LB. To facilitate access to the car port, a section of the stone boundary wall near to the LB has been removed and part of it replaced with timber fencing. The structures are relatively prominent in the setting of the LB, particularly the car port which sits next to the road.
21. The structures are of a functional design with a simple timber finish. Neither are sympathetic in appearance to the historic nature of the LB or the surrounding CA.

Though subservient in scale to the LB, they are conspicuously sited, particularly the car port, which detracts from the prominence of the LB in the street scene.

22. I recognise that domestic outbuildings are not uncommon in residential settings, including in the CA. The appellant also notes that there have been outbuildings on the site previously, though no details of these have been provided. Ultimately, the overall prominence of the current development from public vantage points and its relationship to Holme House and its landscape setting means that it detracts from the prevailing character and appearance of the CA and the significance of the LB.
23. While amendments to reinstate part of the stone walling are proposed, this would not overcome the harm arising from the loss of the wall to facilitate access to the car port, nor from the other elements of the development that remain. While the structures can be removed, there is a significant degree of permanence to their construction and no indication that the development would be temporary.
24. The development has a harmful effect on the character and appearance of the area, including the Esholt Conservation Area and the setting of the Grade II listed building known as Holme House. It therefore fails to preserve or enhance the character or appearance of the CA and the listed building or its setting or its features of special architectural or historic interest.
25. The development thus conflicts with Policy EN3 of the Local Plan for the Bradford District Core Strategy Development Plan Document (DPD) Adopted July 2017. This policy, among other provisions, seeks to ensure that development decisions proactively preserve, protect and enhance the character, appearance and historic value and significance of the District's designated and undesignated heritage assets and their settings.
26. With respect to paragraph 215 of the Framework, less than substantial harm would be caused to the significance of the CA and the LB, which are both designated heritage assets. Paragraph 212 of the Framework is clear that great weight should be given to the assets' conservation. The dual-purpose shed / bird hide provides amenity space for the appellant and supports biodiversity engagement. The car port provides parking off the road, which may help alleviate congestion on Chapel Lane to a limited extent. The development may have stimulated economic activity during construction however this was temporary. Having regard to these factors and the scale and context of the development, I consider the public benefits are very modest and insufficient to outweigh the identified harm.

Other considerations

27. While the sale of the land may have included a covenant for a driveway being an option for construction, this is a separate legal matter and does not demonstrate that the appeal scheme is in accordance with the development plan or acceptable with regard to the main issues.
28. I acknowledge previous planning decisions¹ have granted consent for removal of part of the boundary wall and construction of a driveway. Limited details of those proposals or the circumstances that led to those decisions are before me. The evidence indicates that they related to the wall to the south-west of the dwelling and, in any event, were not lawfully implemented. The decisions were also made

¹ Council Refs 00/01958/LBC and 14/01964/LBC

prior to the adoption of the Core Strategy DPD. They thus carry little weight as a fallback position and do not provide justification for the harm identified in this case.

29. Other than where set out above, I have not identified conflict with any other relevant parts of the development plan or national policy and guidance. However, the absence of harm or development plan conflict with respect to other relevant matters weighs neither for nor against the proposal.
30. The Planning Practice Guidance and the Framework encourage the Council to take a positive approach and work proactively with applicants. While the appellant's frustrations with the level of engagement offered by the Council are noted, this cannot lead me to a different conclusion on the main issues.

Conclusion

31. The development comprises inappropriate development that is harmful to the Green Belt. I give this harm substantial weight as required by the Framework. The development is also harmful to the character and appearance of the area, including the CA and the setting of the LB.
32. I have considered the matters put before me in favour of the scheme. However, I conclude that these other considerations taken together do not clearly outweigh the substantial weight I have afforded to the Green Belt harm and the other harm arising from the development. Consequently, the very special circumstances necessary to justify the development do not exist.
33. The development conflicts with the development plan, taken as a whole, and I have found no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Consequently, I conclude that the appeal should be dismissed.

Ryan Cowley

INSPECTOR