



Appeal Decision

Site visit made on 27 January 2026

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 February 2026

Appeal Ref: APP/W4705/D/25/3376382

Thorntree Farm, Low Lane, Clayton, Bradford BD14 6QA

- 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 Sajid Aziz against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 25/01704/FUL.
 - The development proposed is construction of detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the above banner heading has been taken from the Council's decision notice as this accurately describes the proposed development. The original application form describes the proposed development as double-storey conversion/extension to existing garage forming 1 no. C3 use class dwellinghouse. However, demolition works have taken place onsite and there is no existing building to convert/extend. The proposal would therefore be for the construction of a dwelling on the land.

Main Issues

3. The main issues of the appeal 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;
 - The effect of the proposed development on the character and appearance of the site and surrounding area, including whether it would preserve the setting of the nearby Grade II listed building (Thorntree Farmhouse);
 - The effect of the proposed development on the living conditions of the neighbouring property (the bungalow) with particular regard to outlook and light; 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

4. The appeal site relates to an area of land located to the north of Low Lane, to the northwest of the village of Clayton in Bradford. It comprises an enclosed open field located to the northeast of a former Grade II listed nursing home which has become a private residence and to the east of a detached residential bungalow occupied by the appellant. The site is set back from Low Lane at the end of an existing single gated driveway and is located within a rural setting.
5. Saved policies GB1 and GB2 of the Replacement Unitary Development Plan, 2001 (RUDP) relate to the Green Belt where it sets out instances where certain new buildings may be acceptable in principle in the Green Belt. It also sets out how development should not injure the visual amenities of the Green Belt and provides a number of principles that will apply. Policy SC7 of the Core Strategy Development Plan Document, 2017 (CS) also relates to the Green Belt. It explains that the Green Belt in the District has a valuable role in supporting urban renaissance and transformation, keeping settlements separate, and the concentration of development, as well as conserving the countryside.
6. Paragraph 153 of the Framework explains that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. 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.
7. Paragraph 154 goes on to explain that development in the Green Belt is inappropriate unless one of a number of exceptions applies. This includes, amongst others, e) limited infilling in villages and g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
8. It is my understanding that the bungalow to the west received planning consent for amongst other works, a detached garage under reference 20/03202/FUL. I have been provided with the approved plans for that permission which show the location of the detached garage to be in the approximate position of the proposed dwelling which is the subject of this appeal. The Garage Plan and Elevations drawing associated with that permission shows the structure to comprise a single storey double bay garage with a pitched roof.
9. It is the appellant's intention to convert/extend the existing garage to form 1 no. C3 use class dwellinghouse. Demolition works have however taken place onsite and thus there is no existing building to convert/extend. As such, the proposals would be for the construction of a dwelling on the land.
10. The Council considered that the construction of a new detached dwelling does not fall under the exceptions outlined within paragraph 154 of the Framework. The Officer's report also explains that there is no evidence of the garage being granted

consent at the site. I have however been provided with sufficient evidence to demonstrate that a garage has been previously approved on the site in the approximate position as the proposed development. I will deal with this further in my decision.

11. The appeal site is located relatively close to the other residential properties to the west and southwest of the site. However, the land surrounding the proposed dwelling to the north and east would largely be open with a generous distance separating the appeal site from built development to the southeast. The proposed development would not infill a gap but instead would extend the domestic built form into open land. The proposed development would not therefore constitute limited infilling.
12. Although the site benefits from a previous planning permission for amongst other works, a detached garage, I cannot assume that the land comprises previously developed land. I would need more details relating to the previous permission and its implementation/developed status as well as further details relating to the building of the garage and demolition works to be able to conclude with certainty that the land comprises previously developed land. This would need to accord with the definition contained within the glossary of the Framework¹. Notwithstanding this and even if I were to consider the land to comprise previously developed land, paragraph 154 g) of the Framework also requires development to not cause substantial harm to the openness of the Green Belt.
13. 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.
14. The proposed development would introduce a sizable building into an existing open parcel of land. Even considering the garage that has previously been approved on the site, the proposed dwelling would be materially larger than the garage in terms of width, depth and height comprising a ground, first and second floor. It would also have parking provision to the side with the plot to be enclosed. The proposed dwelling would have a significant footprint, height, volume, bulk and mass and overall, it would be substantially larger in comparison to the previously approved garage. This would inevitably have an impact on the openness of the Green Belt in spatial terms.
15. The site is set back from Low Lane and is an enclosed field. Despite its proximity to residential properties to the west and screening to its boundaries, the site is still visible from public vantage points including from Low Lane and Chat Hill Road. It is read as part of an open field with views available across the wider landscape. I recognise that the Council does not raise particular concern in relation to the visual aspect of the Green Belt. However, I disagree and I find that the introduction of a sizable building into this open land would result in a loss of openness in visual terms, where its mass, height and volume would be clearly visible from public vantage points. This would detrimentally alter the way in which the site is viewed/experienced which would not be sufficiently mitigated by the material

¹ Page 77 of the National Planning Policy Framework – December 2024

choice nor the enclosed garden. The previously approved garage was single storey and of smaller scale and thus its overall impact would be different.

16. The proposal would introduce substantial and permanent built form onto the land which would be over and above that of the previously approved garage which would lead to a fundamental and permanent change to the Green Belt.
17. My attention has been drawn to other properties in the Green Belt which have grown in size over the years. I have limited information in relation to such schemes and thus I am not able to consider these fully. I have determined this appeal based on its own merits.
18. For the above reasons, the proposed development would cause substantial harm to the openness of the Green Belt and would conflict with the aims of Green Belt policy. 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 Chapter 13 of the Framework relating to protecting Green Belt land. For the same reasons, the proposed development would also be contrary to saved policies GB1 and GB2 of the RUDP as well as Policy SC7 of the CS.

Character and appearance

19. The appeal site lies within the Landscape Character Area of Thornton and Queensbury as defined within the Council's Landscape Character Supplementary Planning Document. This document states that within this area over 60% of the land is characterised as 'mixed upland pasture' and it concludes that the landscape has moderate strength of character, medium historic continuity, and is prominent and open. It can therefore be seen as sensitive to change. Whilst there is a previous consent for a detached garage, it is still within an open site, and the proposed dwelling would be materially larger than the previously approved garage. Its substantial size, scale and mass would erode the open quality of the landscape, resulting in adverse landscape and visual amenity effects and harming the landscape character of the Queensbury and Thornton Area.
20. The appellant claims that the scheme would improve the site, which is claimed to be unsightly and unmaintained, but this would be to the detriment of not only the Green Belt and its aims as set out above but also the landscape character which is unacceptable. Further, the setting is rural in character aligned with its rural location and is read in this context. I did not find the appeal site to be so unmaintained as to benefit from the proposals and its maintenance could be achieved by other means.
21. The site sits within close proximity to a Grade II listed building (Thorntree Farmhouse). I therefore have a statutory duty under Section S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. I have also had regard to paragraph 212 of the Framework which states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of

whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

22. Thorntree Farmhouse is recognised for its special architectural and historic significance. It is described in its official list entry as, early C19 farmhouse and barn under one roof. Two-storey's, sandstone "brick", stone slate roofs, kneelers. Two light square mullion windows and single light over door. Plain Venetian window in west gable end. Segmental arched barn doorway.
23. It is my understanding that the Council's Conservation Officer has provided advice within their consultee comments on changes to be made to the proposed dwelling to ensure that the setting, appearance and significance of the designated heritage asset is maintained. Such changes relate to dimensions of the dormer windows, style of skylights, stone lintels and sills, timber windows and doors, fenestration opening style, black rainwater goods and stone corbels or traditional brackets for the gutters.
24. Based on the evidence before me and my own observations onsite, I would agree that such changes would be required to maintain the appearance and significance of the designated assets setting. Without such details being provided, then the proposed development would raise visual and amenity concerns in relation to the nearby heritage asset.
25. For the above reasons, the proposed development would unacceptably harm the character and appearance of the site and surrounding area. It would also fail to preserve the setting of the nearby Grade II listed building (Thorntree Farmhouse). This would result in less than substantial harm to the significance of this designated heritage asset. Given the relationship that exists and nature of the works/changes required, the extent of harm would be at the lower end of the spectrum.
26. Paragraph 215 of the Framework explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
27. The benefits associated with the scheme are set out further in my decision. However, I am not persuaded there would be public benefits of sufficient magnitude to outweigh the great weight to the assets' conservation and the considerable importance and weight to this harm.
28. The proposed development would therefore be contrary to Policies DS1, DS2, DS3, EN3 and EN4 of the CS which together, amongst other matters, seek to conserve, manage and enhance the diversity of the landscapes within the district. They also seek to preserve, protect and enhance the character, appearance and historic value and significance of the districts designated and undesignated heritage assets and their settings.
29. The proposed development would not conserve the heritage asset in a manner appropriate to its significance, or positively contribute to local character or distinctiveness in line with the aims of Section 16 of the Framework relating to conserving and enhancing the historic environment.

Living conditions

30. The proposed dwelling would be located at the end of the existing driveway adjacent to the bungalow which is located to the west. The bungalow has habitable room windows which face onto the appeal site with their enclosed amenity space immediately adjacent to the appeal site. The windows facing north serving the existing property would remain largely unaltered by the proposed development given their angle away from the appeal site. The proposed dwelling would be more apparent from the windows serving the eastern elevation of the existing bungalow. However, the positioning of the windows and the relationship/distance that exists would ensure that the proposed development would not detrimentally affect the outlook when viewed from such windows. Additionally, the bungalow is served by several windows where it has a good level of outlook more generally.
31. The main amenity space serving the bungalow extends northwards in a direction away from the proposed dwelling and is of a good size. Due to the relationship that exists and distance, the proposed development would not result in an overbearing impact on the private garden space. Whilst there may be some reduced light to the garden area, the extent would be limited given the relationship that exists and separation distance between properties. As set out, the garden area of the bungalow extends north and is of a good size, any overshadowing would not cause a detrimental impact to the living conditions of existing or future occupiers of this property as the majority would remain largely unaffected.
32. I acknowledge the Council's concerns regarding reduced levels of natural light into the habitable room windows of the bungalow. However, whilst there may be some impact, this would not be severe given the relationship that exists, positioning of windows and the separation distances. Additionally, the bungalow is served by several windows where it would still receive adequate levels of natural light.
33. For the above reasons, the proposed development would not unacceptably harm the living conditions of the neighbouring property (the bungalow) with particular regard to outlook and light. It would therefore comply with Policy DS5 of the CS which amongst other matters, seeks to protect the amenity of existing and prospective users and residents. A lack of harm in this respect would not however outweigh the other harm that I have identified.

Other considerations

34. I appreciate that the site benefits from a previous permission for amongst other works, a detached garage. However, as already explained, the proposed dwelling would be materially larger than the previously approved garage and I find the proposals to be more harmful in terms of its overall impact on the openness of the Green Belt and character and appearance of the site and surrounding area. I attach limited weight to this.
35. The proposed development would include the provision of a new dwelling, and I am aware of the location of the site to services/amenities. It would also be for a self-build/custom built dwelling. However, given the small-scale nature of the scheme, I can only attract moderate weight to such matters. There would be some economic benefits associated with the scheme but the extent to which this would be beneficial is limited by the small-scale nature of the scheme. It therefore carries limited weight.

36. Those other matters not in dispute would not weigh in favour of the appeal but rather be a neutral factor in my overall decision. Interested parties have provided comments regarding a reduction in fly tipping and increased security around the area as a result of the proposed development. However, there is no evidence before me that such is an issue which requires attention and there would also be other means to achieve this. I am also not sufficiently satisfied that an additional dwelling on the appeal site would stop speeding in the area nor is this sufficient to justify harmful development. Such matters would not receive any meaningful weight in the planning balance.
37. While the Council may not offer pre-application advice services, this would not alter my findings on the above main issues. I am aware that the dwelling would provide housing for the appellant's extended family to reside in, and I acknowledge the personal circumstances put forward in this regard along with the evidence supplied. However, this would also not alter my findings in relation to the above main issues nor justify harmful development. I give limited weight to this.

Planning Balance and Conclusion

38. As set out earlier, paragraph 153 of the Framework explains that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Additionally, the proposed development would unacceptably harm the character and appearance of the site and surrounding area whilst failing to preserve the setting of the nearby listed building.
39. Paragraph 153 goes on to explain that '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.
40. The 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 and character and appearance. Furthermore, there are no wider public benefits of sufficient magnitude to offset the identified harm to the setting of the nearby listed building to which I have attached great weight given the requirements of the Framework.
41. The very special circumstances needed to justify the development do not therefore arise.
42. In considering this appeal, I have had due regard to the Public Sector Equality Duty (PSED) set out under Section 149 of the Equality Act 2010, in particular the need to eliminate discrimination against persons with the protected characteristics of age and/or disability, advancing equality of opportunity for those persons and fostering good relations between them and others. Following careful consideration of the family circumstances, I am satisfied that the impact of dismissing the appeal is proportionate and necessary.
43. Accordingly, I conclude that the appeal is dismissed.

N Teasdale

INSPECTOR