



Appeal Decisions

Site visit made on 3 February 2026

by **E Heron MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

Appeal A: APP/N4720/W/25/3376454

Spear Fir Farm, Spear Fir, Bardsey, Leeds LS17 9EA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mrs E M Burns and Mr H L Burns against the decision of Leeds City Council.
 - The application Ref is 25/04818/DAG.
 - The development proposed is described as, 'Agricultural Building.'
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Appeal B: APP/N4720/W/25/3376455

Spear Fir Farm, Spear Fir, Bardsey, Leeds LS17 9EA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mrs E M Burns and Mr H L Burns against the decision of Leeds City Council.
 - The application Ref is 25/05678/DAG.
 - The development proposed is described as, 'Agricultural Building.'
-

Decision (Appeal A)

1. The appeal is dismissed.

Decision (Appeal B)

2. The appeal is dismissed.

Preliminary Matters

3. The appellant refers me to a barn at 'land off Woodacre Lane' as a precedent example in relation to siting, design and external appearance. I am told by the Council that this building is the subject of an enforcement investigation¹, and this is not disputed by the appellant. As the lawfulness of this building is in doubt, I have not taken account of it in my decision.

Legislative Context

4. Both applications were submitted under the provisions of Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), (the GPDO). Paragraph A of Class A allows the carrying out, on agricultural land comprised in an agricultural unit of five hectares or more in area, of works for the erection of a building. Such development must be reasonably necessary for the purposes of agriculture within that unit.

¹ 25/00325/NCP3

5. Development permitted by Class A, is also subject to various conditions, one of which is that the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required for the siting, design and external appearance of the building.

Procedural Matter

6. Appeal A is for an agricultural building located close to Spear Fir Lane. Appeal B is for an agricultural building located further west. Both building locations are on the same wider parcel of land defined within the blue-edge on the location plans that have been submitted with both appeals. The Council considered each application and refused to grant Prior Approval in respect of both Appeal A and Appeal B on the grounds of siting and external appearance. In both applications for Prior Approval, based on the information presented, there was no dispute that a building is reasonably necessary for the purposes of agriculture, and that the limitations set out in Paragraph A.1 to Class A of the GPDO were satisfied. I have no reason to take a different view. Moreover, the Council has not raised a concern in respect of design.

Main Issues

7. The main issues in respect of both Appeal A and Appeal B, are whether or not prior approval can be given, having regard to siting and external appearance.

Reasons

8. Spear Fir Farm is a 25 hectare land holding. It occupies a portion of hill slope on one side of a wide valley, which has Wyke Lane and Gill Beck running through the bottom. The land slopes uphill from north to south between Wyke Lane and Blackmoor Lane, with the latter sited on the hill ridge. The lane, Spear Fir, forms the eastern boundary of the land holding. Spear Fir Farm comprising the farmhouse and other buildings is accessed from Spear Fir and occupies a position approximately two thirds up the hillslope.

Appeal A:

9. The proposed building² would be orientated in an approximate east to west alignment. Its long elevation would be broadly north facing towards the wider valley. Beyond the proposed site, the land begins to slope away. The building would be sited very close to the ridge of the hillside. Rather than being closely related to other building groups, it would be set apart from Spear Fir Farm farmhouse and associated buildings and also, apart from the closest unrelated building, which is a dwelling.
10. In the context of the topography of the site, and due to its height, scale, length and isolation, the building would be particularly prominent when viewed from Wyke Lane, and from public rights of way on the opposite side of the valley. Rather than being a sympathetic addition, and even though it would be agricultural in use in a rural area, it would appear as a substantial incongruous mass, occupying a commanding position on the ridge line. From some wider vantage points lower down in elevation, the building would also appear above the tree-lined skyline, accentuating its conspicuous presence. Whilst there is a line of buildings located along the ridge line further east, these are primarily bungalows that have a smaller

² approximately 18.9 m in length, 9.15 m wide, 6.11 m to its ridge and 4.88 m to eaves

massing, and their presence does not alleviate the harm that would be caused by the building's siting and appearance.

11. The building would be less conspicuous from closer range vantage points, at the top of Spear Fir and from Blackmoor Lane. This is due to existing intervening features partially blocking views towards it, such as trees, hedges, and the unrelated dwelling. Moreover, the proposal is capable of making use of the existing access on Spear Fir, by way of the simple removal of a section of post and wire fencing to secure operation access. However, these factors do not outweigh the harm the development would cause to the wider landscape setting.
12. The appellant's stance is that the building would improve visual amenity by enabling bales, equipment and machinery to be stored indoors. However, it is not shown that the development must be sited in the proposed location in order to improve the visual appearance of the wider site. Neither would there be a guarantee that such items would necessarily be removed as a result of the appeal development. As such, I attribute limited weight to this matter.
13. I acknowledge the Council's perspective that the appeal building would be more appropriately located close to the farmhouse. However, the appeal site is approximately 150 metres from the main building complex and easily accessible across the appellant's land, and a short distance along Spear Fir utilising an existing access. Accordingly, it is not so removed from the farmhouse, that it would be operationally and functionally isolated.
14. Even so, due to its siting and external appearance the proposal would be an intrusive and incongruous feature in the local landscape. For these reasons prior approval should not be granted.

Appeal B:

15. The proposed building would be the same dimensions as that for Appeal A and would be orientated in a similar east to west alignment. It would be positioned further west within the field, closer to a private track, and further south. Due to its positioning, the proposed building would be set apart from Spear Fir Farm farmhouse and associated buildings, and apart from the unrelated dwelling. It would also be positioned very close to the top of the hillside ridge.
16. The topography of the area, coupled with the height, scale, length and isolated siting of the building, mean that it would be prominent when viewed from Wyke Lane, and from public rights of way on the opposite side of the valley. Rather than being a sympathetic addition, and even though it would be agricultural in use in a rural area, it would appear as a substantial incongruous mass, occupying a commanding position on the ridge line. From some wider vantage points, the building would also appear above the tree-lined skyline, accentuating its conspicuous presence. Whilst there is a line of buildings located along the ridge line further east, these are primarily bungalows that have a smaller massing, and their presence does not alleviate the harm that would be caused by the building's siting and appearance.
17. From closer range vantage points, whilst it would be set well back from Blackmoor Lane, it would appear as an isolated and bulky feature from this vantage point, as it would not be grounded into the landscape by existing features such as walls, tracks or landscaping.

18. The building would not be conspicuous when viewed from Spear Fir as it would be sited some distance from it and would be largely screened by hedgerows and trees. However, this does not outweigh the harm the development would cause to the wider landscape setting.
19. The appellant's stance is that the building would improve visual amenity by enabling bales, equipment and machinery to be stored indoors. However, it is not shown that the development must be sited in the proposed location in order to improve the visual appearance of the wider site. Neither would there be a guarantee that such items would necessarily be removed as a result of the appeal development. As such, I attribute limited weight to this matter.
20. I acknowledge the Council's perspective that the appeal building would be more appropriately located close to the farmhouse. I am told that the appeal site is approximately 150 metres from the main building complex and accessible across the appellant's land and is capable of being accessed from Spear Fir utilising the existing access. Accordingly, it is not so removed from the farmhouse, that it would be operationally and functionally isolated.
21. Even so, due to its siting and external appearance the proposal would be an intrusive and incongruous feature in the local landscape. For these reasons prior approval should not be granted.

Other Matters

23. The appellant cites caselaw on the approach to permitted development³, that addresses the issue of matters that can be considered under the prior approval process, and an assessment of harm. However, I am satisfied that the Council's assessment of both applications remained within the parameters and conditions of the Prior Approval process. The appellant's aforementioned references, therefore, do not undermine my findings in respect of the siting and external appearance of the proposed building, in respect of both Appeal A and Appeal B.
24. There is common ground between the main parties that Spear Fir Farm and a holding on Woodacre Lane are separate agricultural units with different ownership arrangements and agricultural operations. Based on the evidence presented to me, I have no reason to take a different view.

Conclusion

Appeal A

24. Prior approval of the siting, design and external appearance of the building is required. For the reasons set out above, the proposal's siting and external appearance would be unacceptable. Consequently prior approval is refused. The proposal is therefore not permitted development under the provisions of Class A of Part 6 to Schedule 2 of the GPDO and the appeal is dismissed.

Appeal B

25. Prior approval of the siting, design and external appearance of the building is required. For the reasons set out above, the proposal's siting and external appearance would be unacceptable. Consequently prior approval is refused. The

³ R (Marshall) v East Dorset District Council [2018] EWHC 226 (Admin); R (Smolas v Herefordshire Council [2021] EWHC 1663 (Admin)

proposal is therefore not permitted development under the provisions of Class A of Part 6 to Schedule 2 of the GPDO and the appeal is dismissed.

E Heron

INSPECTOR