



Appeal Decision

Site visit made on 10 February 2026

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2026

Appeal Ref: APP/N4720/D/25/3376447

Intwood House, Acacia Park Drive, Rawdon, BD10 0PL

- 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 S Gupta against the decision of Leeds City Council.
 - The application Ref is 25/05537/FU.
 - The development proposed is for the infilling of existing outdoor pool; demolition of associated sauna and plant room buildings, extension of parking area to front; new stone wall to match existing with balustrade to support car parking above and soft landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development is inappropriate in the Green Belt having regard to the effect on the openness and purposes of the Green Belt; and
 - The effect of the proposal on the character and appearance of the surrounding area, including the Rawdon Cragg Wood Conservation Area (the CA) and Special Landscape Area (SLA).
 - If it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development within the Green Belt.

3. The appeal site is located close to the terminal end of Acacia Park Drive, within the Green Belt and the Rawdon Cragg Wood Conservation Area. It comprises a large detached dwelling set within a split-level residential plot. The upper level, accessed from the private drive, accommodates the main entrance and a parking and turning area. Directly below this, at a noticeably lower level, lies an extensive garden terrace containing a disused swimming pool, surrounding hardstanding, and an ancillary building positioned perpendicular to the long stone retaining wall. The ancillary structure sits at broadly the same height as the retaining wall. Beyond the garden, the land descends towards open countryside, with trees and vegetation marking the transition from garden to wider open landscape.

4. Planning permission is sought for the infilling of the existing outdoor pool and the demolition of the associated sauna and plant room building. The proposal includes the extension of the parking area at the upper level to the front of the property, supported by a new stone retaining wall with soft landscaping. The enlarged parking area would remain within the residential curtilage and is intended to provide safer and more convenient manoeuvring space for residents, guests and delivery vehicles, thereby removing the need to reverse onto the private access road or the public highway.
5. Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It further requires that substantial weight be given to any Green Belt harm. "Very special circumstances" will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other identified harm, is clearly outweighed by other considerations.
6. The Council has assessed the proposal against the listed exceptions in paragraph 154 of the Framework, specifically exception (h), which confirms that engineering operations are not inappropriate development in the Green Belt provided they preserve openness and do not conflict with the purposes of including land within it. Openness has both spatial and visual dimensions. Spatial openness relates to the absence of built form, while visual openness concerns the degree of visibility and perception of development.
7. Paragraph 154 (h) of the Framework does not mean that all effects on openness must be avoided. The listed exceptions within that paragraph show that some degree of change to openness is anticipated and accepted in principle. Therefore, development does not have to leave the openness of the Green Belt entirely unchanged in order to be classed as "not inappropriate." What matters is that any effect on openness is not harmful overall.
8. The removal of the ancillary building as part of the proposals would reduce enclosed built form by around 65 cubic metres. However, no volumetric calculations have been provided by either party. On the information before me, those works would introduce additional constructed elements at a wider and higher level than the ancillary building and likely to exceed the built mass that is being removed from the lower terrace.
9. Projecting a new engineered parking platform outward from the existing upper terrace would carry built development into space that is currently free of such construction. Regardless of its domestic purpose, the platform would be a solid permanent addition, extending development laterally across the plot and altering the site's internal pattern of open and developed areas. In spatial terms, that shift would reduce the degree of unbuilt, uninterrupted space when compared with the present arrangement, thereby diminishing spatial openness.
10. In visual terms, the platform would push built form beyond the established line of the upper garden/residential parking area. It would be appreciable from nearby roads and neighbouring properties, and from surrounding land, even if not visible, or glimpsed from the set down Public Right of Way to the south east. The elevated position, combined with reflective balustrade glazing would make both the platform and the regular presence of parked vehicles more conspicuous than the current,

arrangement. The effect would therefore be to erode visual openness by introducing a more overt and enduring engineered element.

11. Several factors would serve to moderate the visual effects. The property is situated within an established semi-rural residential context where a level of domestic activity can reasonably be expected. The split-level nature of the site, together with existing domestic elements at garden and terrace level, would interrupt intervening views. The use of materials matching those of the host dwelling would ensure that the proposal is visually and physically associated with the existing built form. As the works represent an extension of the existing driveway, it is unlikely that they would give rise to any significant increase in vehicle activity.
12. The proposal would also result in the removal of an older structure and the disused pool. A landscaping scheme would, once established, soften the edges of the platform. However, there are limited details provided regarding the species, sizes and it is not clear how successful this would be given the hard landscape lower level, and boundary retaining walls. These measures also do not alter the fact that the scheme would introduce a new permanent engineered feature in an area that is currently open. It would be a significant structure in a prominent position in front of the house and current access road which has an open facing aspect.
13. The Council does not allege conflict with the purposes of including land within the Green Belt, and I have no substantive basis to disagree with that position. Nevertheless, openness is an essential Green Belt characteristic in its own right, and it is clear from the preceding analysis that the proposal would introduce a new, permanent engineered form into an area that currently reads as open. Even allowing for the moderating effects identified, the development would still result in a discernible and harmful reduction in both the spatial and visual openness of the Green Belt.
14. Overall, I conclude that the proposal would not preserve the openness of the Green Belt and would therefore amount to inappropriate development. Such development is, by definition, harmful. The proposal is therefore contrary to the provisions within the Framework paragraph 154 (h), which is afforded substantial weight. The proposal would conflict with Policy GP5 of the Leeds Unitary Development Plan (Review 2006) (UDP) as it would not align with the Framework in this respect. Whilst the development does not accord with UDP Policy N33, I afford this little weight given its inconsistency with the Framework in respect of engineering operations in the Green Belt. The proposal would also not align with HDG 3 of the Householder Design Guide Supplementary Planning Guidance, which requires proposals within the Green Belt to not harm openness.
15. Notwithstanding the harm identified above, paragraph 153 of the Framework requires decision-makers to have regard to whether there are any other considerations which would clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal, thus amounting to very special circumstances.

Character and appearance

16. The Rawdon Cragg Wood Conservation Area Appraisal and Management Plan, October 2012 (the CAAMP), advises the CA is a distinctive rural suburb developed during the latter half of the 19th century, comprising substantial Victorian villas set within generous, mature wooded grounds. The surviving woodland, together with

vernacular farmsteads and traditional cottage terraces, reflect the agricultural landscape that predated suburban expansion. The area continues to retain a strong sense of its historic, wooded setting. This combination of architectural quality, landscape character, and continuity of historic development underpins the area's special interest. Intwood House reflects the ethos of the area as a detached house in relatively sizable plots built into the sloping topography, and therefore the appeal site makes a general positive contribution in this regard.

17. Although the site does not command extensive public views, the works would inevitably change how this part of the plot reads within the Conservation Area. However, the introduction of the platform within a relatively contained and already domesticated part of the site would limit the extent of that change. The structure would be seen against the backdrop of established residential development and which would continue to provide the dominant visual context. As such, any contrast with surrounding landscape would be limited and would not undermine the area's overall character or special interest.
18. Within the SLA, the platform would introduce a more defined built form into the existing landform, but the effect would remain localised. The established topography, existing boundary treatments and backdrop of woodland would continue to shape the wider landscape character, and the proposal would sit within a setting already influenced by residential use. Even when parked vehicles are present, the resulting change would be modest and would not harmfully erode the landscape character.
19. While the engineered nature of the intervention, including the glazed balustrade, would be perceptible, these features would replace existing elements, the pool and outbuilding, which are themselves not characteristic of the wider area or strongly contributory to its significance. The use of appropriate materials within the retaining wall would help integrate the scheme into its surroundings, and the overall composition would appear no more incongruous than the structures it replaces. On balance, although some change would occur, I am not persuaded that it would amount to harmful change, or that it would detract from the character or appearance of the site or its surroundings. Accordingly, I find that in accordance with my duty under section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, proposal would have a neutral effect on the character and appearance of the Conservation Area.
20. The proposal would therefore not result in harm to the character or appearance of the area, the SLA and would preserve the CA. In reaching this view, I recognise that this judgement is distinct from the separate matter of the development's effect on the openness of the Green Belt. The proposal would accord with UDP Policies GP5, N19, and N37. The proposal would also accord with Policies P10 and P11 of Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019). Taken together, and insofar as they are relevant to the proposal, these policies aim to secure high-quality, contextually responsive design that maintains visual qualities, heritage significance and landscape character of the area.

Other considerations

21. Very special circumstances capable of justifying inappropriate development will not exist unless the harm by reason of inappropriateness, together with any other identified harm, is clearly outweighed by other considerations. The appellants do

not contend that very special circumstances are present. However, it seems to me that the proposal would offer some benefit in terms of highway safety, by enabling the appellant, residents or visitors to undertake turning manoeuvres within the confines of the site rather than reversing down the access drive shared with other properties. While existing residents would be familiar with the nature of the road, visiting drivers would nonetheless experience some advantage. However, although the plans indicate a dedicated turning area, no equivalent drawing is provided regarding parking arrangements, and I cannot be certain that parking would not encroach into the turning space. Nor is it clear that a reorganisation of the existing on-site parking could not also provide an adequate turning facility. As such, I can only conclude the benefit is likely to be very small.

22. The Council raises no objections to the proposal in respect of its impact on the living conditions of nearby occupants or on highway safety. The absence of harm in these respects, and in relation to design, landscape character and the effect on the Conservation Area, is a neutral matter in the overall planning balance.

Planning and Green Belt Balance

23. The proposal would constitute inappropriate development in the Green Belt. Although the proposal would also result in a small degree of harm to openness in both spatial and visual terms, nevertheless inappropriate development is, by definition, harmful to the Green Belt. Notwithstanding the inconsistency of UDP Policy N33 with the current national policy approach, the Framework makes clear at paragraph 153 that substantial weight must be given to any harm to the Green Belt, including harm to openness.
24. On the other hand, the proposal would, not cause harm to the character or appearance of the area, nor to the SLA, and it would preserve the character and appearance of the CA. In these respects, it would accord with the relevant provisions of the development plan but weigh neither for nor against the proposal. The proposal could also offer a modest, though unquantified, improvement in highway safety by reducing the likelihood of reversing manoeuvres along the shared access drive, however it is not clear whether the aims could be achieved or through other measures, which limits the weight of the benefits.
25. I understand the proposal has been significantly amended, removing all living accommodation. However, this is an aspect which does not weigh for or against the proposal.
26. Bringing all matters together, I consider that even in combination, the other considerations advanced in support of the scheme do not clearly outweigh the substantial weight to the harm identified. Accordingly, the very special circumstances necessary to justify the development do not exist.

Conclusion

27. The development conflicts with the development plan. The other considerations do not indicate that a decision should be made other than in accordance with it and the Framework. I therefore conclude, for the reasons given above the appeal should be dismissed.

K Williams INSPECTOR