



Appeal Decision

Site visit made on 24 March 2026

by N Armstrong BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th May 2026

Appeal Ref: APP/N4720/W/26/3377277

Hawthornth Equestrian Centre, Hillings Lane, Hawthornth, Leeds LS20 8PB

- 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 and Mrs Sandham against the decision of Leeds City Council.
 - The application Ref is 25/03233/FU.
 - The development proposed is house on previously developed menage site.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A draft National Planning Policy Framework 'Plan-making and national decision-making policies' was issued by the Government for consultation on 16 December 2025. I afford this limited weight as a material planning consideration. This is relative to the published National Planning Policy Framework (December 2024) (the Framework) to which I afford full weight as a material planning consideration.

Main Issues

3. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and relevant development plan policies, including the effect upon the openness of the Green Belt;
 - the effect of the proposal on the character and appearance of the area; and
 - if the proposal 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 required to justify the proposal.

Reasons

Whether inappropriate development

4. The appeal site lies within the Green Belt. The Framework states 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. Development within the Green Belt is inappropriate, with the exception of certain types of development as set out in the Framework.

5. Policy H2 of the Core Strategy (as amended by the Core Strategy Selective Review 2019) Leeds Local Plan (September 2019) (the CS) states, amongst other things, that new housing will be acceptable in principle on non-allocated land providing that Green Belt Policy is satisfied for sites in the Green Belt. Policy N33 of the Leeds Unitary Development Plan (Review 2006) (the UDP) is similar to the Framework in that it lists types of development that are permissible in the Green Belt. Policy N33 also refers to further policies within Appendix 5 of the UDP that describe the acceptability of various types of development in the Green Belt. However, the list is not consistent with the exceptions as set out in the Framework and so the policy is afforded limited weight in my assessment.
6. The appeal site comprises land that has been used as a menage in association with equestrian use. The ground level of the menage sits at a lower level in comparison to parts of the surrounding land, with steeper sloping embankments to its northern and eastern sides. At the time of my visit, the rubber chippings top layer of the menage referenced in the existing site layout plan had been largely removed with areas of sand and hardcore below evident to the surface. It did not appear that the menage was in use and there were no floodlights at the site.
7. The appeal site is located to the rear of a large, detached dwelling that has been extended and altered, and a detached outbuilding that sit within a large plot. Access to the dwelling is from Hillings Road, and a hard surfaced drive around the dwelling provides access to the appeal site. Part of this drive forms a section of a public right of way that passes the appeal site and continues its route, rising into the countryside beyond, and there are views of the site from parts of this. The land surrounding the appeal site comprises open fields that are interspersed with stone walls and low-level fencing to boundaries, hedges and trees. This contributes to the prevailing rural, open countryside setting of the surrounding area in which the site is located, which is detached from the nearest settlement at Hawksworth. Some small groups of buildings were also evident in the wider area.
8. Adjacent to the appeal site is land granted planning permission¹ for the demolition of a barn and outbuildings, the erection of a new dwelling and associated works. That site forms intervening land between the proposed location of the new dwelling on the appeal site and the existing dwelling. At the time of my site visit, this area had been cleared with the barn and outbuildings removed.
9. Parts of the appeal site are screened in views from Hillings Lane by existing hedgerows and landscaping, as well as the existing dwelling and outbuilding. However, there are open views down and towards the appeal site from further south on Hillings Lane, which rises to a higher level at a crest in the road. The majority of the surface of the menage, its embankments and some boundary treatments were clearly apparent from this area. The openness of the menage and its relationship with the surrounding landscape and open countryside is also clearly evident in views from Hillings Lane. This openness contrasts with the built form of the existing buildings sited closer to the road, as well as the group this would have formed with the buildings that have been removed adjacent to the appeal site.
10. The parties agree that the appeal site comprises previously developed land as defined by the Framework, and from the information before me I have no reason to disagree. However, there is dispute as to whether the proposal would satisfy the

¹ Planning application ref: 25/00572/FU

exception to inappropriate development in the Green Belt at paragraph 154 g) of the Framework. This states that the redevelopment of previously developed land is not inappropriate development, provided it would not cause substantial harm to the openness of the Green Belt.

11. Openness is an essential characteristic of the Green Belt and is capable of having both spatial and visual aspects. The menage is a form of development associated with outdoor equestrian use and activity. Whilst it previously featured a different surface material from its existing appearance, it is largely free from built form and volume. Features around its boundaries currently comprise the grassed embankments and some modest walls and post and rail fencing at the higher ground levels. The embankments appear as natural and open features seen alongside the sloping topography of the adjacent and surrounding countryside. The boundary treatments are limited in scale and do not have significant effects on the visual or spatial aspects of openness. In the absence of floodlights at my visit, I am unable to fully assess the effects of that element. However, these appear to have been relatively slimline and not significantly tall, sited to the lower level of the menage as shown in the photograph at Fig. 5 of the appellants' Planning Statement, which would have likely reduced their visual impact to some extent.
12. The proposed dwelling would be sited to one corner of the menage and use the existing embankments to the boundaries. Due to the different ground levels and the embankments, the submitted plans show that the proposed north and east elevations and the low-profile roof of the dwelling would extend partly above the relative ground level. However, the two-storey height of the dwelling at the south and west elevations would appear larger in scale where it would be constructed above the lower ground level of the menage. The almost full height glazed areas at the lower ground and ground floor levels within a section of the south elevation, and the orientation and layout of the dwelling on the site, would exacerbate the prominence and visual impact of the development in views from Hillings Road. The submitted plans are not clear on the extent of garden land serving the dwelling. These appear to indicate some space to the southern side of the dwelling, as well as a larger area of grass and wildflower planting covering a large part of the menage area, which would likely see some new domestic activity in these areas.
13. Despite being constructed at a lower level compared to parts of the surrounding land and the use of a low-profile sedum roof, the footprint, scale and appearance of the new dwelling, as well as its permanence, would reduce the openness of the Green Belt in both visual and spatial terms. The proposed dwelling and its residential curtilage would also be sited beyond the established building line of the existing dwelling, as well as the area of the buildings that have been removed from the adjacent site. Whilst the majority of the menage area would remain open and feature improved landscaping, the development would increase the extent of built form into an area where none currently exists. This would also be materially different in scale, form and appearance to the boundary treatments and former floodlights, and would significantly increase the visual impact of development in this location. Although the dwelling would be screened from parts of Hillings Road, it would be seen as new built form in this part of the Green Belt that is significantly more open than other parts of the adjacent land.
14. The proposal would use the existing access drive and a modest area of new driveway adjacent to this is proposed for parking space, which would limit the potential visual and spatial impacts of these elements. It would result in new

domestic activity at the appeal site associated with comings and goings related to residential use and domestic use of its curtilage. There is limited information before me to demonstrate the level of use and activity associated with the menage and the equestrian centre use of the site. However, the Council's officer report notes the proposed development will likely generate less comings and goings throughout the day.

15. Whilst that assessment was made in respect of highway and pedestrian safety, it appears there would likely be some reduction in overall activity arising from the proposal in comparison to the previous equestrian use. This could potentially limit impacts of the proposal in this respect on spatial openness. However, the construction of a dwelling and domestic activity at the site would be materially different from any previous outdoor equestrian use and would likely be for more prolonged periods throughout the day. Whilst there may be some reduction in activity at the site, in the absence of sufficient information to clearly demonstrate the extent of this, the proposal could still result in a reduction to spatial openness.
16. The proposal would be sited on land that appears as more open within the context of the surrounding open countryside and compared to the existing dwelling and former buildings. Due to the rural characteristics of the site and the surrounding area, the introduction of housing as proposed would result in a more domestic character in this open area. This would be materially different from the site's existing rural context and harm the openness of the Green Belt, both visually and spatially.
17. Despite the use of the embankment and low profile design, the proposal would be clearly discernible from Hillings Road, as well as from the adjacent public right of way. Having regard to the above factors, rather than improve openness, the proposal would increase the potential for significant adverse effects and harm to the visual and spatial openness of the Green Belt, particularly given the site's open and rural setting. From the information before me and for the reasons stated, the proposed development would cause substantial harm to the openness of the Green Belt. Consequently, it would not meet the exception to inappropriate development in the Green Belt at paragraph 154 g) of the Framework.
18. The appellants rely on the extant permission for a dwelling on the adjacent site and the removal of the former buildings 'in aggregate' with the proposal before me to support it. However, these are separate applications and proposals. Furthermore, the full details of the approved dwelling are not before me, although the appeal submissions indicate this would be much lower in height than the former agricultural building. It would also be positioned within the envelope of the group of buildings that existed rather than beyond as is the case with the current proposal. From the information before me, including the photograph at Fig. 9 of the appellants' Planning Statement, even if a dwelling were to be constructed on that site, I am not satisfied it would fully obscure the proposal from Hillings Road. The details and extent of any additional landscaping associated with that approval that may screen the proposal are also not before me.
19. There are some similarities with the Council's assessment for the permission on the adjacent site and the proposal in considering the requirements of paragraph 154 g) of the Framework. However, that is a significantly and materially different development to the scheme before me, given that it proposed the demolition of existing buildings and the construction of a new dwelling. Whilst the

implementation of that permission would appear to reduce the extent of built form on the adjacent site, the current proposal would substantially increase built development on the appeal site. Due to its siting, scale and appearance, the proposal would result in a harmful loss of openness, including when considered in combination with existing and approved development adjacent.

20. The appellants highlight that the Council did not refer to the exception at paragraph 154 d) of the Framework when assessing the application on the adjacent site and has relied on paragraph 154 g) for both applications. That is understandable given the exception at paragraph 154 d) relates to the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces. As that earlier proposal was not replacing an existing dwelling, it would not have been relevant. However, for the reasons set out above, and notwithstanding their proximity, the two applications and sites are materially different. I therefore find it entirely reasonable that different conclusions could be reached on whether they are inappropriate development, despite both being assessed having regard to paragraph 154 g).
21. For the above reasons, the proposal would be inappropriate development in the Green Belt. 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. I consider this further below.

Character and appearance

22. The appeal site's more open appearance and position adjoining the surrounding countryside in comparison to the existing dwelling and site of the former buildings mean it is seen within this context and the immediate rural setting, which is noted to be in a Special Landscape Area (SLA). There is limited information before me of the specific qualities of the SLA. However, as established above, the undulating land surrounding the appeal site predominantly comprises open fields with low-level boundary treatments, hedges and trees. Although there are, and have been, buildings on adjacent land, the menage is an open feature with grassed embankments to its boundaries and is surrounded by the open countryside. The site therefore contributes to the openness of the wider landscape and rural setting.
23. A dwelling appears to have been established on the adjacent land for some time, whilst the former buildings that have been removed appear to have been of a use, scale and design typically seen within a rural setting. Despite some improvements in appearance with additional landscaping to parts of the menage site, the proposal would alter the existing character of the appeal site, introducing new housing into a more open setting within this part of the landscape in comparison to the established built form. Due to its siting and scale, I am not persuaded that it would blend entirely within the landscape, and it would more likely appear as a visually intrusive form of development within the prevailing rural setting. This would significantly alter and diminish the more open character and appearance of the appeal site and the surrounding countryside and landscape.
24. The Council acknowledges that when considered in isolation, the proposed dwelling is well designed, and the use of timber cladding would be appropriate with regard to the rural character of the site. Following my site visit I see no reason to

take a different view, whilst the design also appears to have some similarities with the form of development permitted on the adjacent site. Existing and proposed landscaping would reduce some of the adverse visual impact, however, this would not adequately mitigate the harm from the proposal in this location. Again, although development has been permitted on the adjacent land, these are materially different circumstances, one replacing a larger building with a lower dwelling, and the other a new dwelling on an otherwise open site.

25. For these reasons, the proposal would have an adverse impact on the character and appearance of the area. It would therefore conflict with Policies P10 and P12 of the CS and Policies GP5 and N37 of the UDP. Amongst other things, these policies aim for development to respect, conserve and enhance existing landscapes, be appropriate to its context and respect the character and quality of the wider locality, avoid serious harm to the character and appearance of the landscape and be sympathetic to its setting.

Other Considerations

26. The proposal would result in one additional dwelling, contributing to the housing supply in the area and use previously developed land, albeit I do not find this to be a suitable location for the proposal given my findings. The application indicates that the dwelling would be a self-build development, but there is no detailed mechanism before me to ensure it would be secured as such. Whilst the proposal could potentially contribute to the Council's supply of self-build housing, and despite the appellants' suggestion there is a substantial level of unmet need, there is limited information before me to sufficiently demonstrate the extent of such supply and the contribution the proposal would make to this. In any event, and having regard to the economic, social and environmental objectives of the Framework, I give limited weight to such benefits arising from one dwelling.
27. There would be some improvements to the appearance of the appeal site through new landscaping in place of the current surface of the menage and around the site. Whilst the appellants refer to the need for cross-subsidy to remediate the site, it has not been sufficiently demonstrated that this can only be achieved through the proposal. Furthermore, the top surface layer, lower-level fencing and floodlights have already been removed, suggesting that some improvements to the appearance of the site are not wholly reliant on the construction of a dwelling. I therefore give moderate weight to landscape improvements as benefits.
28. As a standalone design, the proposed dwelling has some similarities with the development approved on the adjacent site and would use materials appropriate to its rural setting. Notwithstanding this, and any sustainable design and energy efficiency credentials, it has not been demonstrated that this would amount to an especially high-quality design that would justify inappropriate development in the Green Belt in this location, rather than policy compliance. I therefore give this limited weight.
29. Where the proposal has been found to be acceptable in other respects, including effects on the living conditions of existing residents and future occupants, highway and pedestrian safety, flood risk and drainage, these are neutral matters and do not weigh in favour of the proposal.
30. The appellants highlight a potential fallback position for the erection of a wall or fence up to 2 metres in height to the ridge of the menage under the Town and

Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO). It is suggested this would have a more significant impact on the openness of the Green Belt than the proposed dwelling, and would have an impact on the baseline assessment for openness.

31. The appellants also suggest a fallback that the site would benefit from permitted development rights whereby a building may be constructed on the appeal site under Schedule 2, Part 1, Class E of the GPDO. For such a building to be permitted development it would need to be incidental to the enjoyment of the existing dwelling and within its curtilage, which is not clear from the information before me. In any event, there are no details of such schemes, and without such information a full and detailed comparison with the appeal proposal and impacts on openness and the SLA cannot be made. Additionally, there is no compelling evidence that the fallback positions are a greater than theoretical possibility, or that if the appeal is dismissed, the fallback positions would be pursued, therefore I give these limited weight.

Other Matters

32. The lack of a detailed mechanism to secure the proposal as a self-build dwelling has implications for any exemption from biodiversity net gain and subsequent assessment. However, as I am dismissing the appeal for other reasons, I have not pursued this further with the parties.

Conclusion

33. The Framework requires that substantial weight should be given to any harm to the Green Belt, including harm to its openness. Footnote 55 of the Framework is clear that substantial weight would not be given to such harm only in circumstances where development on previously developed land is not inappropriate, which does not apply in this case. For the reasons set out above, the proposal would be inappropriate development as set out by the Framework.
34. The development would also result in harm to the character and appearance of the area. This harm renders the development contrary to the development plan, and this additional harm carries significant weight.
35. When taken together, the potential benefits of the proposal attract moderate weight in favour of the proposal. The other considerations in this case do not clearly outweigh the harm identified. Consequently, the very special circumstances necessary to justify the proposal do not exist. It would therefore be contrary to Policy H2 of the CS and Policy N33 of the UDP, the aims of which are set out above, and it would also conflict with the Framework.
36. The proposal would conflict with the development plan taken as a whole and there are no material considerations, including the Framework, to suggest the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

N Armstrong

INSPECTOR