
Appeal Decision

Site visit made on 15 October 2025

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2025

Appeal Ref: APP/U2750/W/25/3369477

Land known as Teesside Farm, Stapleton, North Yorkshire DL2 2QJ

- 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 Robert Wytcherley against the decision of North Yorkshire Council.
 - The application Ref is ZD23/00515/AORM.
 - The development proposed is Approval of Reserved Matters Application Following Outline Approval of Planning Permission 16/00630/OUT for Access, Appearance, Landscaping, Layout and Scale.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. An application for outline planning permission was approved by the council for development with all matters reserved¹. This application seeks reserved matters for access, appearance, landscaping, layout and scale.

Main Issues

3. The main issues of the proposal are:
 - The effect upon the character and appearance of the local area; and
 - Whether or not the housing mix would support housing need.

Reasons

Character and appearance

4. The appeal site is located outside the development limits on the northern edge of the village of Stapleton and is a redundant farm with evidence of dilapidated farm buildings. It sits alongside the main arterial route through Stapleton with natural hedgerows framing the road and the River Tees behind.
5. Stapleton is a rural settlement with a verdant character and the countryside beyond. The buildings within the historic village core are largely set back behind Village Greens. It has an attractive rural character with buildings constructed from natural materials, small-scale, with variety to their appearance. The set piece of the Bridge Inn public house is the dominant community building. The village has grown organically and transitions from the core of the settlement to the fringes of the village where the density of dwellings is lower and the pattern more sporadic.

¹ Application ref 16/00630/OUT

6. The characteristics of the appeal site with its modest farm buildings and natural hedgerows reinforces its rural character with no residential houses directly to its north side along this side of Stapleton Road.
7. The proposed layout of the houses would follow the sweep of the road with vehicular access taken from Stapleton Road and the houses set back to allow driveways and front gardens to be formed, facing the main road. The final finish of the houses indicates to me that they have taken some cues from the built environment of the existing settlement using materials that would blend with the existing vernacular.
8. All dwellings would be detached and large in scale and massing and follow a very linear pattern. This would not be representative of the characteristics of the dwellings within the historic core of the settlement set together in a concentrated and unconventional layout of different scales, styles, materiality, ages and designs, positioned behind a village green which adds positively to their setting. The proposed design solution is one of very similarly designed houses and their large scale throughout the five dwellings have the overall form more akin to an urban housing development than that of the rural environs of Stapleton with its random pattern and variety of residential development arising from the village growing organically.
9. On the edge of the village, there is a looser grain to and scale of development as it transitions and filters out to agricultural fields and sporadic development. Their scale would look proportionately large and incongruous and the impact of the proposal would be made more severe given there is no built development adjacent to the north of the appeal site on this side of the road where it is otherwise undeveloped and verdant in character. The proposal would not respect the intrinsic character and beauty of the countryside that is experienced in this context and although there is an outline approval at the site, irrespective of indicative plans that supported the outline application, all matters were reserved to be considered at a later reserved matters stage. On that basis, whilst the principle of houses in this location has been accepted by the Council, the full extent of the impact of the scheme can only be considered at this reserved matters stage.
10. Other houses approved by the Council have also been brought to my attention by the appellant. I have considered these examples although I find they do not precisely represent the same context as the appeal site before me, and I therefore afford them limited weight. The development allowed on appeal does not directly compare especially as the appeal decision relates to a different settlement. The circumstance of that appeal was assessed by the Inspector and the effect upon character and appearance found to be acceptable. It however does not represent the same situation as the appeal site before me. I afford this decision limited weight in my decision-making process.
11. Therefore, all things considered, to conclude on this main issue, the proposal would not meet the requirements of the Richmondshire Local Plan 2012-2028 Core Strategy 2014 Policy CP3 in particular regard to preserving the distinctiveness of the local area, CP4 which states that development should not impact adversely on the character of the settlement or its setting, important open spaces and views and the character of the landscape amongst other considerations, CP8 in its broad aims for development not to conflict with landscape character and amenity, and policies CP12 and CP13 in their objectives to safeguard the natural environment and to

respect and enhance the local context. Nor would also accord with the design objectives of the National Planning Policy Framework (the Framework).

Housing Mix

12. The Council Strategic Housing Market Needs Assessment 2019 (SHMA) is an evidence based assessment to inform housing needs within the district. The Council require a housing mix to sustain and grow communities.
13. The houses proposed would be in the main either three or four beds with one dwelling a two-bed home. Although the Council have concerns to deliver appropriate housing needs within the district, they comment on the large-scale size of units despite the modest number of bedrooms proposed, and potential for the roof space to be converted into living accommodation, thus having the potential to increase the number of bedrooms. This, they argue would adversely affect the housing needs of the district. I note there are no staircases leading to the roof space floor. The presence of roof lights does not by itself indicate the space would be converted into bedroom quarters or just because these houses are of a large scale.
14. I am therefore satisfied that an acceptable housing mix would be available to meet the aspirations of policy CP5 of the Richmondshire Local Plan 2012-2028 Core Strategy 2014.

Other Considerations and Planning Balance

15. Section 38(6) of the Planning and Compulsory Purchase Act states that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. The proposed development that conflicts with the development plan should normally be refused unless material considerations indicate otherwise. The National Planning Policy Framework (the Framework) is clear that weight should be afforded to policies according to their degree of consistency with the Framework, rather than their age. In that regard, the Framework considers high quality design to be fundamental to the planning process. Paragraph 131 of the Framework states, amongst other things, that planning decisions should be sympathetic to local character and the surrounding built environment. Therefore, I attach significant weight to the conflict with the policies of the local plan that align with this objective. can be afforded full weight.
16. The appellant asserts that as the Council cannot demonstrate a 5 year housing land supply but rather a 2.8-year supply. This has not been disputed by the Council and I have no reason to come to a different view on the matter. I refer to the advice given within the Framework that explains in this circumstance where the policies which are most important for determining the application are out-of-date, there is a presumption in favour of sustainable development; 11d of the Framework is therefore engaged.
17. In addition, as part of my assessment, I must consider the benefits of the proposal. The site would remove redundant and dilapidated buildings, employment would be generated from development at the site and local spend, biodiversity enhancements and contributions towards nutrient neutrality would be achieved. According to the appellant they would deliver 'attractive' houses. Five new homes would contribute to the supply of housing within the district.

18. Although the site would be cleared of derelict buildings, this could be achieved at any time and is not reliant on the proposal before me. It would contribute to increased housing supply albeit the contribution would be at a modest level. In any case, an outline approval has been granted at the site and therefore the principle of housing at the site was deemed to be acceptable by the Council. There would be financial advantages to the proposal in the form of local economic spend from employment potential and other local spend. However, this would be of a moderate scale. Landscaping would provide biodiversity enhancements and there would be nutrient neutrality contributions. Some of these 'benefits' are however required to make the development acceptable in planning terms and there is nothing before me to indicate that what would be provided by the appellant would be over and above the minimum requirements. Overall, I apportion only a small amount of weight to these things.
19. I have identified that adverse effects would arise to the character and appearance of the local area. This is an important matter and I apply considerable weight to this conflict with the development plan. The benefits to the proposal, including where I have found in favour of the proposal with regards to local housing needs, are afforded only moderate weight as a totality. Therefore, on balance, the adverse impacts of granting planning permission would significantly and demonstrably outweigh those benefits.

Conclusion

20. The proposed development would lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR