



Appeal Decision

Site visit made on 15 October 2025

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2025

Appeal Ref: APP/U2750/W/25/3369355

The Coppins, The Green, Low Hutton, North Yorkshire YO60 7HF

- 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 & Mrs Ieuan & Mary Pritchard against the decision of North Yorkshire Council.
 - The application Ref is ZE25/00410/FUL.
 - The development proposed is change of use from residential annex to dwellinghouse.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The original description included wording that is not a description of development and I have removed the reference to 'retrospective' from the banner heading above.
3. The evidence indicates that the building is already being used as a dwellinghouse and I have been supplied with floor and elevation plans. However, the details on the plan that is before me differ from what I observed on my site visit.
4. Whilst at the site I observed that the locations of the kitchen and shower room have been swapped when compared to the plan such that the kitchen is accessed immediately on entry to the building with the shower room beyond that. I also noted changes to the north elevation whereby a larger window is located in a different position than shown on the plan. It was also apparent on site that there was no wall between the lounge and what is identified as a hall area on the plan, but which formed the kitchen area on site.
5. For the avoidance of doubt, I have made my decision on the basis of the plan.

Main Issue

6. The main issue is the effect of the proposal on the living conditions of occupants of the building.

Reasons

7. The dwelling would be located within the curtilage of The Coppins, a detached residential property attractively set on the southern edge of the peaceful village of Low Hutton, a short distance from Malton within the Yorkshire countryside.
8. The evidence indicates that there are no local space standards for dwellings. Nonetheless, the building would provide a very limited floorspace of 26.5m² which

would be significantly less than the NDSS¹ minimum standard of 37m² for a 1 bed 1 person dwelling with shower room.

9. I am very aware that the evidence indicates that the existing resident is content with the level of accommodation and enjoys living at the building having done so since October 2023.
10. However, I have a duty to look beyond the current arrangement and many other residents would be likely to occupy the building during its lifetime.
11. The level of accommodation that would be available would be limited, allowing for a small shower room, kitchen with single work bench and a compact bedroom and lounge. For many other people, due to the limitations in the size of the building, such space has the potential to feel claustrophobic and cramped.
12. Further, it is also the case that whilst the current arrangement appears to work well for the current occupier of the building, that could be in part down to their apparent good relationship with the current occupants of The Coppins. I must consider that the occupants of both the appeal building and The Coppins are unlikely to remain the same in perpetuity.
13. Much of the land surrounding the proposed dwelling would be set outside of the red line boundary for the appeal proposal. Some of that land comprises the shared driveway and amenity areas for The Coppins.
14. That close relationship raises concerns around privacy. Further, it may be that future occupants of the appeal building could become more reliant on blinds or curtains to preserve their privacy in the future. That possible reduction in outlook has the potential to cause substantial erosion to the living conditions of occupiers especially within the context of the deficiency of the proposed dwelling in terms of its floor space.
15. In conclusion, the building would be likely to provide unsuitable accommodation as a dwelling for future occupants. Its use as such would subsequently conflict with Policy SP20 of the Ryedale Local Plan Strategy (2013) which amongst other things requires that new development will not have a material adverse impact on the amenity of future occupants.

Other Matters

16. I accept that traffic and noise impacts associated with such a small dwelling are likely to be limited. I also accept that the dwelling would contribute to the local housing stock, although the weight I afford to that contribution is limited given the proposal only relates to one dwelling.
17. I am not convinced that a condition suggested by the Council which would seek to restrict permitted development rights at The Coppins would fully address concerns around the amenity of occupiers of the building. Such a condition would fail the conditions tests as on that basis it would not be reasonable.

¹ Department for Communities and Local Government – Technical housing standards – nationally described space standard – March 2015.

Planning Balance and Conclusion

18. The proposal would conflict with the development plan and there are no considerations that indicate a decision should be made otherwise than in accordance with it. The appeal should therefore be dismissed.

T Burnham

INSPECTOR