



Appeal Decision

Site visit made on 21 October 2025

by **L Clark BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10th December 2025

Appeal Ref: APP/U2750/W/25/3365803

Land north of Cradock Row, east of the A167, Sandhutton.

Grid References Eastings: 438231, Northing: 482245

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
- The appeal is made by Mr Harry Dee against the decision of North Yorkshire Council.
- The application Ref is ZB24/01112/OUT.
- The development proposed is outline planning application, with all matters reserved except for access to (but not within) the site, for the erection of 3no. self or custom build dwelling plots.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site address and grid reference listed in the banner heading are taken from the application form. The grid reference locates the site as shown on the submitted drawings, which is accessed via the A167.
3. There are discrepancies within the evidence with regard to the spelling of Cradock Row/Craddock Row. Whilst I saw that the road sign displays 'Craddock Row', the appellant's site location plan and planning application form states 'Cradock Row'. I have therefore used 'Cradock Row' in my decision.
4. The planning application is submitted in outline with all matters reserved except access. All other details in respect of other reserved matters have been treated as being indicative.
5. The appellant has submitted a Self-Build and Custom Housebuilding Statement dated February 2025 with their appeal which seeks to address the Council's concern. I have considered this, taking into account the tests on Holborn Studios Ltd¹. The document contains no substantive changes and only seeks to clarify concerns raised by the Council and to support the appellant's proposal. As such, no interested parties have been prejudiced in the determination of this appeal.
6. The Council have referred to Sandhutton as being both a Service Village and a Secondary Village in its evidence. Policy S3 of the Hambleton Local Plan 2022 (HLP) states Sandhutton is within a Secondary Village. Given there is no dispute that Sandhutton falls within the Council's defined settlement hierarchy, I have not felt the need to go back to the parties on this matter. I have therefore determined the appeal on the basis of it being in a Secondary Village.

¹ Holborn Studios Ltd v The Council of the London Borough of Hackney [2017] EWHC 2823 (Admin)

Main Issues

7. The main issues are:

- whether the size and mix of the houses is appropriate; and,
- the effect of the proposal on the character and appearance of the surrounding area.

Reasons

Housing size and mix

8. Hambleton Local Plan 2022 (HLP) policy HG2 sets out the Council's approach to achieving housing development and seeks to address not only the overall housing requirements, but also specific types of housing to meet the district's housing.
9. HLP Policy HG5 relates to windfall housing developments and states, amongst other matters, that housing development adjacent to the built form of service, secondary and small villages will be supported where it is demonstrated that it meets a. and b. and that all proposals individually or cumulatively meet c. to e.
10. There is no dispute that the appeal site is situated adjacent to the defined settlement and secondary village of Sandhutton or that it is currently an open field.
11. The Council contend in its decision notice that the proposed development would be contrary to criterion b. of HLP policy HG5. This seeks to ensure housing adjacent to the built form of a secondary village will provide a housing mix in terms of size, type and tenure, in accordance with the Council's Housing and Economic Development Needs Assessment (HEDNA) and Strategic Housing Market Assessment (SHMA) or successor documents.
12. The indicative site plan shows that three dwellings can be accommodated on site. This plan and the supporting Design and Access Statement describes them as being 2 x 3-bed bungalows and 1 x 4-bed bungalow.
13. The Council's Housing Supplementary Planning Document (2022) (the SPD) is based on the requirements of the HEDNA and the SHMA. The SPD states that the target ranges for every housing development should provide 40-45% 2 and 3 bedrooms, 5-10% to be 1 bedroomed, and 0-10% to be 4+ bedroomed. The Council have drawn my attention to paragraph 3.7 of the SPD, which states that the Council is keen for developers to include 2 bedroomed bungalows, and paragraph 3.8 which states that 3 bedroomed bungalows will be supported where they meet an identified need.
14. In the case before me, there would be 2 x 3-bedroom dwellings and a 4-bedroom dwelling. This equates to approximately 66.6% being 3 bedroomed and approximately 33.3% being 4 bedroomed. These figures far exceed the desired housing mix set out in the SPD. Whilst I am mindful that the SPD indicates that the Council are keen for developers to include more two-bedroom bungalows in their schemes, in the case before me there would be none. Additionally, a 4-bedroom property is also proposed. However, the SPD identifies that there is a low need for such a dwelling due to the housing stock already containing a significant number of larger homes. The proposal, therefore, would exceed the Council's targets for

housing and there is nothing within the evidence to persuade me that the proposed mix would address an identified demand.

15. The appellant has drawn my attention to appeal². Whilst the percentages in this case exceed targets set out in the SPD, the Inspector was content with the housing mix based on the indicative plans which included 2 bedroomed units. In the appeal before me, there would be no 2 bedroomed units and, as such, the circumstances of this appeal are not directly comparable. In any case, I have considered the appeal proposal on its own merits. I therefore give this consideration limited weight.
16. For the reasons above, I conclude that there would not be an appropriate housing mix. Accordingly, the proposed development would be contrary to the requirements of HLP Policies HG2(f) and HG5(b).

Character and appearance

17. Sandhutton is a small village situated in rural surroundings. The site is a parcel of open land located immediately to the rear of Cradock Row and to the northern edge of the settlement. It has a predominantly rural character, viewed in the context of agricultural fields when approaching Sandhutton from the north, and is a clear marker of the countryside when travelling through Sandhutton from the south. The A167 runs parallel to the site along its western edge, with a tall hedge along the majority of its length and separating it from the main road.
18. The appellant has drawn my attention to a summary of the key characteristics of the area, which includes, amongst other matters, areas being flat and open with small-scale pasture on the edge of Thirsk and surrounding villages. From my observations on site and the evidence before me, I have no reason to take a different view.
19. Currently, the existing gap between the northern edge of the main settlement and the outlying buildings further north creates a visual buffer and sense of openness on the approach into the village from the north. This is due to the largely uninterrupted hedgerows which line both sides of the A167, interspersed by a number of trees, beyond which are open agricultural fields. These features make a positive contribution to the setting of the settlement, which can be experienced by both drivers and pedestrians.
20. HLP policy HG5 criterion e. seeks to ensure all proposals will, individually or cumulatively, have no detrimental impact on the character and appearance of the village, surrounding area and countryside or result in the loss of countryside that makes a significant contribution to the character or setting of that part of the village.
21. HLP policy E7 relates to Hambleton's landscape and seeks to protect and enhance the distinctive landscapes of the district. It states that a proposal will be supported where, amongst other matters, criterion a. takes into consideration the degree of openness and special characteristics of Hambleton's landscapes, and criterion e. protects the landscape setting of individual settlements and helps to maintain their distinct character and separate identity by preventing coalescence with other settlements.
22. The proposed access to the development is shown to be approximately 8.5 metres in width and would include an approximately 2 metre wide footway on each side,

² APP/U2750/W/24/3350480

and an approximately 4.5 metre private drive. The indicative layout shows that the dwellings would be set back into the site behind a proposed hedge to the west, with a private drive which varies in width, and would project from the entrance approximately the full depth of the site and terminate at a detached garage towards the eastern boundary.

23. The submitted Landscape and Visual Impact Assessment (LVIA) highlight a number of viewpoints. I have viewed the site from the majority of these, and I am satisfied that I saw everything I needed to assess the impact of the development. I saw that the existing hedge and trees obscure the majority of views when travelling south on the A167 towards the site, especially when the trees are in full leaf. Whilst the majority of Cradock Row was largely obscured by the boundary hedge, in close-up views the roofs of these properties were clearly visible above the hedge line in long-range views from the north.
24. I acknowledge that matters of layout are reserved at this stage and, as such, the positioning of the dwellings, the private drive and amount of open space shown may change. However, the creation of such a large gap in the boundary hedge for the access and formation of a wide mouth to the private drive would alter the rural character and setting of the village. I acknowledge any additional hedging could soften the entrance; however, this would likely take time to establish and would not fully conceal the access or entrance to the private drive.
25. Furthermore, whilst the proposal would not physically coalesce the settlement with outlying buildings to the west of the A167, it would, despite its low density and indicative low-rise, still visually erode the current openness of Sandhutton which is visible above the current boundary hedge. This would create little visual break between the outlying buildings and Sandhutton when approaching from the north. It would also extend the village when exiting from the south. This physical extension beyond the settlement boundary would erode the openness and would fail to protect the landscape setting of the settlement. This would result in harm to the visual relationship Sandhutton has with the surrounding countryside.
26. The appellant contends that their submitted plans demonstrate that the proposed development would not extend further towards the cluster of outlying buildings than the consented scheme on the western side of the A167 now named Field Stone Court. However, the submitted Indicative Site Plan does show the appeal site extends significantly beyond the 'Planning approved layout' of Field Stone Court.
27. The appellant in their LVIA has drawn my attention to Field Stone Court, which they contend benefits from planning permission³. Whilst I saw that there had been a number of new properties constructed, I have nothing before me with regard to this site and nothing to demonstrate that the circumstances are directly comparable to the proposal before me, which I have assessed on their own merits.
28. I acknowledge that the submitted site plan does show an area of open space nearest to the A167; however, given my findings above, this carries little weight in my assessment.
29. The appellant contends that the access road would preserve areas of hardstanding within the appeal site. However, none were visible on site, and I have not been directed to their presence. This, therefore, has limited weight in my assessment.

³ 22/02600/REM

30. For the above reasons, I conclude that the proposal would harm the character and appearance of the area due to the loss of open space important to the layout of the village. The proposal would therefore conflict with HLP policies S5, HG5(e), E1 and E7, which collectively seek to protect and enhance the distinctive landscapes of the district, and respect and positively contributes to visual relationships with regard to views and vistas.

Other Matters

31. Even if the appeal site may be capable of accommodating the quantum of development proposed, and notwithstanding the appellant's suggested condition which restricts the height of the properties to be 1.5 storeys, such matters would not be sufficient to outweigh the harm I have identified above.
32. The appellant contends that the appeal site is in a sustainable location and would have easy access to nearby facilities and services. Whilst I saw there was a public house, village hall and bus stops, there were few other services or facilities. Moreover, there was no footway beyond the settlement boundary linking Sandhutton to the surrounding areas.
33. I appreciate that the appellant has attempted to overcome the concerns previously raised; however, the amendments would still result in a proposal which would harm the character and appearance of the surrounding area and would fail to provide a housing mix which addresses the need identified in the SHMA.

Planning Balance and Conclusion

34. The creation of three additional dwellings would support the Government's objective of significantly boosting the supply of homes. It would also bring some limited economic benefits to the construction industry and thereafter through additional consumer spending in the local economy. However, even if the council has a shortfall in self-build housing, I have found that the proposed development would fail to provide an appropriate housing mix to address an identified need, and that the proposed access would harm the character and appearance of the area.
35. Even if there would be no harm in respect to flood risk and living conditions of nearby residents with regard to outlook, noise, odour or light, and the retention of hedgerows to the east and western boundaries would assist in minimising ecological impacts, the benefits would not outweigh the modest benefits of the proposal and there is no substantive evidence leading me to reach a different conclusion.
36. On balance, the proposal has been found to conflict with the development plan as a whole, and material considerations do not indicate a decision otherwise than in accordance with it.
37. For the reasons given above, the appeal should be dismissed.

L Clark

INSPECTOR