
Appeal Decision

Site visit made on 16 December 2025

by **Paul Martinson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025

Appeal Ref: APP/U2750/W/25/3373221

Land at Moor Lane, South Duffield, Selby YO8 6TA

- 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 Holman, Holman & Walker against the decision of North Yorkshire Council.
 - The application Ref is ZG2025/0747/PIP.
 - The development proposed is described as 'Permission in principle for up to 9 residential dwellings'.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs has been received from Holman, Holman & Walker against North Yorkshire Council. That forms a separate decision.

Preliminary Matters

3. The proposal is for permission in principle. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.
4. There is reference in the appellants' statement to the policies and evidence base for a draft Local Plan, the Selby Local Plan Revised Publication 2024 (the draft LP), on which work has now ceased due to the incorporation of the former district, alongside others, into the North Yorkshire Council area. I have been directed to the draft LP's evidence base, and I have taken this into account as a material consideration where appropriate. My assessment is however based on the adopted development plan policies in the first instance, as set out below.

Main Issues

5. The main issues are whether the appeal site is a suitable location for the proposed development, having regard to the development plan policies, and the effect on the character and appearance of the area.

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

Reasons

Location

6. Policy SP2 of the Selby District Core Strategy (2013) (CS) supports the delivery of the housing strategy by setting out a sequential approach to development, focused on Selby as the Principal Town, Tadcaster and Sherburn in Elmet as Local Service Centres and the designated Service Villages.
7. South Duffield is defined as a Secondary Village, which have limited local services and facilities. Some more minor development such as infilling or replacement dwellings is nonetheless supported by Policy SP2, within the defined development limits.
8. The appeal site lies outside of the defined development limits for South Duffield and so it falls within the countryside. That the site abuts the limit has a minimal bearing under this Policy. Part A) c) of Policy SP2 states that development within the open countryside will be restricted to special circumstances such as the replacement or extension of existing buildings, the re-use of existing buildings, and new buildings which would enhance or maintain the vitality of rural communities and contribute towards improving the local economy. The construction of the nine new dwellings proposed does not accord with the forms of development permitted under these policies.
9. I therefore conclude that the proposal would not be in a suitable location for housing with regard to development plan policy. As such, in this regard, it would conflict with Policy SP2 of the CS.

Character and appearance

10. The settlement of South Duffield primarily comprises of ribbon development to both sides of Moor Lane and to the west of Main Street. The appeal site is an agricultural field located to the south side of Moor Lane within the village. It forms a sizeable gap between housing development along this side of Moor Lane. The appeal site has no boundary definition between it and the highway verge and as such it allows for uninterrupted views of the open, flat agricultural landscape within the streetscene. These views contribute positively to the landscape setting of the village, giving it a rural character.
11. The development of the majority of the site's road frontage for nine houses would represent an encroachment into the countryside here. It would likely limit the streetscene views of the agricultural landscape to a considerable degree and would diminish the rural character of this part of Moor Lane.
12. I acknowledge that the proposal would maintain the ribbon development that is characteristic of South Duffield, and that the landscape is not protected by any national or local designation. Nonetheless, through its incursion into the countryside and its limiting of countryside views, it would inevitably result in some, albeit localised, harm to the character and appearance of the area. This would be contrary to Policy ENV1 of the Selby District Local Plan (2005) and Policy SP19 of the CS. Together, these seek to ensure proposals demonstrate good design that has regard to the character of the area and the context of its surroundings, including open countryside.

Other Matters

13. The appellants have referenced appeal decisions in their final comments. The first of these relates to a scheme for six new houses on the edge of a settlement in Worcestershire allowed² by an Inspector. Notwithstanding the difference in scale, the Worcestershire appeal related to a village which has a school and a public house within walking distance. This is significantly different to South Duffield which has no services. The appeal decision therefore does not represent a parallel with the appeal scheme.
14. I am provided with more limited information in respect of the appeal decision³ at Perrins Farm, Childswickham, also in Worcestershire, where the Inspector allowed a proposal for nine dwellings outside but adjoining a small Category 4 village. It is unclear whether the service provision in this village or its access to sustainable transport modes were similar to South Duffield. I therefore cannot be certain that this represents a parallel with the appeal scheme. I have, in any case, reached my own conclusions on the appeal proposal on the basis of the evidence before me.

Planning Balance and Conclusion

15. The main parties agree that the Council cannot demonstrate a five year supply of deliverable housing sites. In its delegated report, the Council sets out that it can only demonstrate 2.6 years supply. This represents a substantial shortfall.
16. In such situations Paragraph 11. d) of the National Planning Policy Framework (the Framework) states that the most important policies for determining the application are considered to be out-of-date and that there should be a presumption in favour of development, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
17. Being the erection of nine dwellings, the proposal would make a contribution towards housing supply to help reduce that shortfall and contribute towards the Framework objective of significantly boosting the supply of homes. Whilst I am mindful of the importance of the contribution of small and medium sized sites in meeting the housing requirement of an area, nine new homes is nonetheless a relatively small number in the context of the shortfall. This contribution to housing supply carries moderate weight in favour of the appeal scheme.
18. The proposal would also lead to some minor economic benefits through the construction and occupation of the dwellings, that would be limited by the scale of the proposal. The proposed development of housing would also likely support the services and facilities in the nearby villages of Cliffe and Hemingbrough. Both of these larger settlements have primary schools, convenience stores and places of worship which could benefit from the proposal. Limited by the scale of the scheme, however, this support to local services would represent a limited benefit.
19. South Duffield itself, however, has few, if any, services. Access to public transport is poor, with a bus stop around 300 metres walking distance from the appeal site accommodating a single bus service that runs once a day (to Selby). Whilst the villages of Cliffe and Hemingbrough are reasonably short car journeys away, future occupiers of the proposed development are unlikely to view walking as a realistic

² APP/H1840/W/24/3337833.

³ APP/H1840/W/24/3340406.

means of accessing the services in them, given the lack of a footway. The roads to both settlements are also narrow and unlit. For these reasons, cycling, as a means of accessing services in nearby villages is also likely to prove impractical for most residents.

20. I recognise that opportunities to maximise sustainable transport solutions will vary between urban and rural areas⁴, however, South Duffield appears to be especially deficient in terms of its service provision and access to sustainable transport modes, including walking or cycling. On this basis, future occupiers of the proposed development would likely be wholly reliant on the private car and sustainable travel choices would be generally unavailable to them. The provision of nine new dwellings would represent substantial growth of a village of this size, resulting in a significant increase in private car journeys. This would undermine the key aims of the Framework with regard to directing development to sustainable locations, and the provisions that seek to prioritise sustainable transport modes and limit future car use. This weighs substantially against the appeal scheme.
21. Mindful of South Duffield's place in the housing strategy, the appeal site lies adjacent to the development limits and is bounded by housing development on two sides with an unbroken row of houses opposite. However, it would nonetheless represent a considerable amount of infilling in the context of the size of the village. This could therefore not be considered to be the infilling of a 'small gap' in a Secondary Village as envisaged by the housing strategy and Policy SP2 of the CS.
22. I note that the settlement scores particularly poorly in terms of its available services, even in comparison to other 'smaller villages' within the evidence base for the draft LP. This reinforces my above assessment. Whilst the evidence base states that '*Some very small-scale development to support the sustainability of these villages may be appropriate*', this is similar to the provisions of the adopted CS Policy SP2, allowing for, amongst other things, infilling of small gaps within development limits. Nevertheless, for the reasons set out above, the appeal scheme is not very small-scale in the context of the village. On this basis and having regard to the lack of services, and the conflict with the Framework set out above, the proposed development would not be appropriate in this regard.
23. Given that I have also found limited harm to the character and appearance of the area, for these reasons, the adverse impacts would significantly and demonstrably outweigh the benefits when considered against the policies of the Framework, taken as a whole. Notwithstanding the moderate benefits arising from the proposal as considered above, the application of policies in the Framework provides a strong reason for refusing the development proposed, as set out in Paragraph 11. d). Consequently, the presumption in favour of sustainable development is not engaged.
24. The proposal conflicts with the development plan as a whole and there are no material considerations to outweigh this conflict. Accordingly, the appeal should be dismissed.

Paul Martinson

INSPECTOR

⁴ Framework paragraph 110.