



Appeal Decision

Site visit made on 29 October 2025

by **G Robbie BA(Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6th January 2026

Appeal Ref: APP/U2750/W/25/3370350

Grange View, Stapleton, Darlington, North Yorkshire DL2 2QR

- 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 Mrs T Abel & Mr T Swinhoe against the decision of North Yorkshire Council.
 - The application Ref is ZD24/00140/FULL.
 - The development proposed is demolition of existing bungalow and garage, with the replacement of a 4 bedroom traditional dwelling with detached garage and ancillary accommodation.
-

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing bungalow and garage with the replacement of a 4 bedroom traditional dwelling with detached garage and ancillary accommodation at Grange View, Stapleton, Darlington, North Yorkshire DL2 2QR in accordance with the terms of the application, Ref ZD24/00140/FULL, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. I have adopted the appeal site address from the Council's decision notice in the banner heading, above. Whilst it differs slightly from the format set out in the application form, I am satisfied that it conveys the correct detail without repetition. I am also satisfied that in doing so neither main party would be prejudiced, and I have determined the appeal accordingly.
3. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the changes, and in reaching my decision, I have had regard to the Framework published in December 2024

Background and Main Issues

4. Planning permission was granted in 2023¹ for the demolition of the existing bungalow and detached garage. It is agreed by both parties, and I have no reason to disagree, that that permission remains extant, the appellant has progressed the submission of information in respect of pre-commencement conditions attached thereto and it provides an implementable fallback position. The principle of a larger replacement dwelling, as measured in terms of footprint area, floorspace, height, bulk and scale is therefore agreed to be acceptable in principle.
5. The main issue is whether or not the appeal site is an appropriate location for the proposed development, with particular regard to national and local planning policy,

¹ LPA Ref No: 22/00494/FULL – approved 9 June 2023

the scale of the proposed replacement dwelling and the effect of the proposed development on the appearance of the site.

Reasons

6. The appeal site is comprised of a modest detached bungalow and detached garage on a large triangular-shaped residential plot on the western side of Stapleton Bank. The property sits along in an open, expansive and gently rolling landscape, between the settlements of Barton to the southwest and Stapleton to the northeast.
7. The appellant's calculations as to the extent of increase in the size and scale of the extant replacement dwelling when compared with the existing building is not disputed by the Council. Thus, the extant replacement dwelling would be some 272m² larger than the existing dwelling, whilst the replacement detached garage would be some 82.5m² larger.
8. Policy CP8 of the Richmondshire Local Plan (RLP) sets out the Council's approach to achieving rural sustainability. To this end, it states that support will be given to the social and economic needs of rural areas beyond defined settlements by encouraging a range of development types including development involving replacement buildings. This support is, however, subject to the proviso that the replacement is of a similar scale and of an appropriate design.
9. Helpfully, the appeal scheme's replacement dwelling is also compared in the same terms and confirms that what is now proposed would be larger still; the house some 288.5m² larger and the garage in the region of 120.7m² larger. When compared with the existing dwelling (excluding the detached garage) with a footprint area in the region of 110m², the footprint area of the proposed replacement dwelling would amount to a substantial increase.
10. The comparative footprint areas are not the sole metric of comparison however and the appellant has provided a useful overlay outline of the appeal scheme against the four main elevations of the extant scheme. It is clear from the comparative sketch that the front and rear elevations of the proposed replacement dwelling as set out in the appeal scheme would be comfortably wider than those of the extant scheme.
11. So too, its height to eaves and roof ridge levels when viewed from the front and rear elevations. Whilst the appeal scheme would not be as deep from front to rear as the extant scheme, its width and height of its roof elements would result in a dwelling clearly larger in visual terms (as well as numerical terms). It also goes without saying that the appeal scheme would be significantly larger than the existing bungalow, to the extent that I am not persuaded that it would satisfy the RLP Policy CP8 'test' of being a 'similar' scale.
12. However, the extant scheme provides a readily implementable fallback position for the appellant and is therefore a matter to which I give considerable weight. The appellant seeks to draw further comparison between the elevational and roof forms of the extant scheme and the current appeal scheme. Accepting that the appeal scheme would be taller to eaves and roof ridge levels than the extant scheme, the appellant instead seeks to downplay this by noting the differing roof forms.

13. I agree that a hipped roofs can appear more visually recessive than gable elevations by removing the bulk and mass of a full gable elevation and replacing that with a sloping hipped roof. That comparison would withstand scrutiny in this instance were it not for the appeal scheme's facades being substantially taller than the extant scheme's. Thus, what might have been gained by losing some of the vertical element of the gable would in turn be lost by the additional height to eaves level of the appeal scheme's facades. Even taking in to account the appeal scheme's hipped roofs, the additional height, bulk and massing to eaves level would not be offset by the recessive nature of the hipped roofs. The appellant's overlay plans for comparison are instructive in this respect, notwithstanding the slightly shorter flank elevations of the appeal scheme.
14. Despite the proposal's substantial dimensions however, the appeal site is generously proportioned. The dwelling would be set a substantial distance back from the site frontage and roadside, at a distance in the region of 42metres. Longer views towards the site's interior from along Stapleton Bank are largely intercepted by boundary vegetation and planting, more so from the southwest than the northeast, whilst the site frontage itself is marked by dense vegetation such that it is only possible to see the existing building from the driveway entrance.
15. Although the proposal would open up the entrance slightly, the plot would continue to benefit from the existing substantial boundary vegetation, whilst additional boundary planting would supplement that which already exists. The proposed dwelling, despite its size, would sit comfortably within the centre of the plot, well removed from boundaries. It would not appear cramped within the plot, nor prominent in views along, and from, Stapleton Bank.
16. Whilst a paper-based comparison of the extant and appeal schemes reveals differences between the two proposed resulting dwellings, the two would clearly not be seen together. In either respect, each dwelling would be significantly larger than the existing bungalow and the principle of a significantly larger replacement dwelling has been established by the granting of planning permission for the extant scheme.
17. The appeal scheme proposes a 'Georgian style' dwelling which emphasises its greater scale when compared with the extant scheme's more compact proportions. Nevertheless, and for similar reasons as with the overall scale of the proposal, the proposal would not appear as an excessively large dwelling in what is open, gently rolling and expansive countryside. The large plot mitigates the scale of the proposal, whilst the already extensive and, in places, dense boundary vegetation would provide an established context and setting within which the proposed dwelling would discretely sit.
18. Where the appeal scheme differs most significantly from the extant scheme in terms of the scale of the constituent parts however is in relation to that of the detached garage and workshop building. Rather than being located to the side of the dwelling, as per the extant scheme, it would be a much larger structure than that previously approved. It would also be positioned in much the same location as the existing house, thereby limiting the visual and spatial benefits of the repositioning of the dwelling further back within the site. Nevertheless, despite its generous scale the proposed detached outbuilding would clearly be understood as a garage given its triple door openings on its front elevation. The extent to which it would be seen would, in any event, be limited by the existing boundary frontage

vegetation and it would not be a dominant feature within the surrounding landscape.

19. There is no doubt that what is proposed is substantially larger than the existing bungalow and outbuilding. It is also clear that what is now proposed is larger than the extant scheme. Nevertheless, in granting planning permission for that scheme, the Council have accepted the principle of a substantially larger dwelling. It is agreed that the permission remains extant and that it is readily implementable and it has not been adequately or compellingly demonstrated that the appeal scheme would result in unacceptable harm, having regard to the fallback position offered by the extant scheme. For reasons set out, that fallback scheme has considerable weight and whilst what is proposed cannot reasonably be considered to be of a similar scale to the existing, as required by RLP Policy CP8, there are material considerations that carry considerable weight that leads me to conclude other than in accordance with RLP Policy CP8.
20. With regard to matters of design in promoting high quality development, RLP Policy CP13 states that support will be given for proposals that, amongst other factors, provide a visually attractive form of development that respects and enhances local context and features. The proposed dwelling would be assimilated into the expansive local countryside by sitting centrally within a large, and largely well-screened, plot. By virtue of existing boundary vegetation, and that which could be secured by way of planning condition to bolster the existing, the dwelling would not be intrusive within the surrounding countryside, nor dominant within the appeal plot. Although the dwelling would not necessarily replicate the modest charm of the existing bungalow, it would not be incongruous or harmful within the site's local context. There would not, as a consequence, be any breach of the requirements, aims or objectives of RLP Policy CP13.

Other Matters

21. References have been made by the appellant to other planning applications² for single detached dwellings in the countryside to provide context for both the size and nature of the proposed dwelling. These have not, however, been determinative in this matter, in part because of the extant planning permission for a replacement dwelling at the appeal site, and I have in any event determined the application before me on the evidence and its merits.
22. The Council's officer report considered matters relating to living conditions, ground contamination and drawing and ecological and habitat matters. No harm was found, and these matters were not reflected in the reasons for refusal. Subject to suitably worded conditions where necessary, I have not been presented with any further compelling evidence that would lead me to reach a different conclusion in these respects.

Conditions

23. I have carefully considered the advice and guidance set out in the Framework and Planning Practice Guidance. The Council did not submit suggested conditions with their Appeal Statement, nor have they when subsequently requested during the course of the appeal. In considering the matter of conditions, I have also had regard to the provisions of the previous extant permission, to which both parties

² LPA Ref Nos: 19/00897/OUT & ZD23/00292/AORM

have referred to in their submissions, albeit without the submission of the decision notice pertaining to it. Nevertheless, that decision notice and its conditions are a matter of public record and are available to me accordingly. I am satisfied therefore that appropriate provision has been made for the consideration of the matter of conditions and I have imposed conditions, and determined the appeal, accordingly and in so doing I am satisfied that there would be no injustice to either main party.

24. A time limit condition along with a plans condition are necessary in the interests of certainty and good planning. A condition to ensure the provision of parking in accordance with the approved plans would not be unreasonable, particularly given the appeal site's location on a road subject to the national speed limit. Such an approach would also be consistent with the provisions of the extant permission. For similar reasons, a construction management plan condition is reasonable and necessary in the interests of highway safety. I have also imposed conditions relating to the recommendations and conclusions of the bat survey (as updated by the 2025 update survey) and the installation of a package treatment plan, as being necessary and reasonable in the interests of biodiversity.

Conclusion

25. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be allowed.

G Robbie

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall be begun within three years of the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the approved drawings and particulars: drawing no 1 (elevations and floor plans) and drawing no 1 (garage elevations and floor plans and proposed site layout plan); contamination survey (dated 17 August 2022); ecology report (E3 Ecology Ltd, dated October 2022) as updated by the provisions of the 'Updated Bat Scoping Visit' by MAB Environment & Ecology Ltd (July 2025); and Information Pursuant to Regulation 61(2) of The Conservation of Habitats and Species Regulations 2010 (nutrient neutrality report) April 2023.
- 3) The dwelling must not be occupied until the related parking facilities have been provided in accordance with the details approved in writing by the Local Planning Authority and as shown on drawing no 1 (garage elevations and floor plans and proposed site layout plan. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.
- 4) No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited to, arrangements for the following in respect of each phase of the works:
 1. The parking of contractor's, site operative's and visitor's vehicles clear of the Highway.
 2. The provision of areas for the storage of plant and materials used in constructing the development clear of the Highway.
- 5) The proposal shall adhere to the bat mitigation recommendations set out in sections G2.3 and G.3 of the bat survey report (Bat survey - Grange View, Stapleton by E3 Ecology Ltd, dated October 2022) as updated by 'Updated Bat Scoping Visit' by MAB Environment & Ecology Ltd (July 2025).
- 6) The dwelling hereby approved shall not be occupied or brought into first use until the package treatment plant as specified in the Information Pursuant to Regulation 61(2) of The Conservation of Habitats and Species Regulations 2010 (nutrient neutrality report) April 2023 has been installed and is fully operational. There afterwards and in perpetuity the dwelling and ancillary accommodation shall dispose of foul water to the package treatment plant and the system shall be retained and maintained in a condition suitable for its purpose.

**** end of schedule ****