



Appeal Decision

Site visit made on 16 December 2025

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2026

Appeal Ref: APP/C2741/W/25/3373953

The Grange, 388 Strensall Road, Earswick, York YO32 9SW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mr and Mrs Gandy against the decision of City of York Council.
 - The application Ref is 24/01217/FUL.
 - The development proposed is construction of a new dwelling, outdoor swimming pool and associated landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. 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 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.
3. A screening direction was issued under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). In exercise of the powers conferred by Regulation 14 (1) and 7 (5) of the EIA Regulations, the Secretary of State directed that the development is not EIA development.

Main Issues

4. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies;
 - The effect of the proposal on the openness of the Green Belt;
 - The effect of the proposed development on the character and appearance of the surrounding area: and
 - Whether any harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

5. The appeal site relates to land at the Grange (388 Strensall Road) which consists of a detached dwelling located within a very generous plot on the east side of Strensall Road, York. The dwelling has associated garaging, barn, workshop, lake and garden structures along with areas of hardstanding and access driveway. The site is on land designated as Green Belt. To the north of the main house are three former agricultural buildings which have been converted to provide three private dwellings.
6. Policies SS2 and GB1 of the City of York Local Plan 2017-2033, 2025 (LP) relate to the role of York's Green Belt and development in the Green Belt. Policy GB1 sets out a list of exceptions where the construction of new buildings would not be classed as inappropriate development in the Green Belt. Amongst others, this includes v. limited infilling in villages and vii. limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the Council area.
7. I am aware of other structures located on the land including the barn/workshop to the northeast. However, the proposed dwelling would be located largely to the southwest of this structure and would not be within the confines of other development to the east and south. The land surrounding the proposed dwelling would largely be open with a generous distance between existing residential development which is located to the northwest. The proposed development would not infill a gap but instead extend the domestic built form southwards and eastwards into open land and away from the tightly drawn compact southern boundary of the village of Strensall. The proposed development would not therefore constitute limited infilling.
8. The Framework defines previously developed land¹ as land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land. It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes amongst others, land that is or was last occupied by agricultural or forestry buildings.
9. Aside from a small area of hardstanding and a workshop building, the site is generally free of buildings, structures and other engineered works. In result, it has a generally open and verdant form. Furthermore, the Council's evidence indicates that the hardstanding and workshop formed part of the 'farmyard'. Therefore, irrespective of the possibility that the land may, most recently, have been used for recreational purposes, it has the appearance of agricultural land, and I am sufficiently satisfied that the appeal site is indeed agricultural land.

¹ Pg 77 of the National Planning Policy Framework 2024

10. Previously developed land excludes land that is or was last occupied by agricultural or forestry buildings. The land is not therefore considered to be previously developed land.
11. The proposed development does not therefore fall into any of the exceptions set out in Policy GB1 of the LP. Paragraph 155 of the Framework states that the development of homes in the Green Belt should not be regarded as inappropriate where certain other criteria apply. This includes, a) development would utilise Grey Belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. The definition of Grey Belt in the Framework includes any other land that does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey Belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.
12. As not all land in the Green Belt contributes equally to its purposes, it is necessary to assess the individual merits of a case. It is undisputed that the appeal site does not strongly contribute to the purposes of a) and b) of paragraph 143 of the Framework and based on the evidence before me and my own observations onsite, I have no reason to disagree. Purpose d) relates to preserving the setting and special character of historic towns. The PPG² sets out that areas that contribute strongly to purpose d) are likely to be free of existing development and to form part of the setting of the historic town and make a considerable contribution to the special character of a historic town. This could be because of being within, adjacent to, or of significant visual importance to the historic aspects of the town.
13. As set out, there is a small area of hardstanding and workshop building to the northeast of the plot which is in any case a simple structure with open frontage and is a typical agricultural type of structure which may be found in the Green Belt associated with farming. However, for the greater part, the appeal site is free of existing development particularly land to the south of the plot where the proposed home would be.
14. The Local Plan strategy is to keep York compact and prevent it spreading further into the countryside, with other settlements following the historic pattern. The relationship between York and its surroundings are a key feature of its setting and historic character. This relationship relates to not only the distance between the settlements but also the size of the villages themselves, and the fact that they are free-standing, clearly definable settlements. As set out earlier, the proposed development would extend development southwards and eastwards further away from the domestic built form into open countryside which would be discordant with the prevailing open setting and surroundings of York.
15. The Green Belt boundary has been drawn tightly along the southern extent of Strensall to prevent coalescence with Earswick and York to the south. The appeal site makes a considerable contribution to the special character of York. This is because of its location within the area of Green Belt which maintains the visual and spatial historic character of the compact City of York, surrounded by smaller compact villages, of which Strensall is one such village. The proposed development would add sporadic built development within the Green Belt around Strensall which would not maintain the scale and form of Strensall village.

² Paragraph: 005 Reference ID: 64-005-20250225

16. The site can therefore be judged to strongly contribute to Green Belt purpose d) within the context of York. I note the appellant's claims regarding the Council's reliance on selective evidence/reports and lack of site-specific evidence, but this would not alter my findings on the site's relationship/contribution to York based on the evidence before me and my own observations onsite.
17. In addition to the above, criteria a) of paragraph 155 of the Framework also requires development to not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. It is therefore necessary to assess the contribution the site makes to Green Belt purposes c) and e) which relate to assisting in safeguarding the countryside from encroachment and assisting in urban regeneration, by encouraging the recycling of derelict and other urban land.
18. Urbanising influences on the appeal site are limited. The appeal site is rural in character and is considered to be agricultural land. The proposed development would result in the introduction of urbanising influences extending the domestic built form southwards and eastwards into open countryside which would undermine Green Belt purpose c). In terms of purpose e), the scheme would not erode efforts to undertake regeneration elsewhere and is not considered to undermine this purpose.
19. I conclude that the proposed development would not constitute Grey Belt land and would overall fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. It would therefore conflict with paragraph 155 a) of the Framework.
20. My attention has been drawn to other decisions which support the approval of new dwellings in the Green Belt. However, I have insufficient detail in relation to such schemes to be able to comment further. I have assessed this scheme based on its own merits.
21. Overall, the proposed development would be inappropriate development in the Green Belt which is by definition harmful to the Green Belt. The development would be contrary to Policies SS2 and GB1 of the LP and Chapter 13 of the Framework relating to protecting Green Belt land.

Openness

22. Paragraph 142 of the Framework explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Openness of the Green Belt has a spatial aspect as well as a visual aspect. Both aspects therefore need to be considered.
23. The proposed development would introduce a sizable building into open land which is largely free of existing development. In spatial terms, the footprint and bulk would inevitably have an impact on the openness of the Green Belt. Although the existing and proposed landscaping would help to screen views, I am not sufficiently satisfied that it would completely screen the development. It would stand away from other domestic properties where its mass, height and volume would be apparent. The scale of the dwelling along with its positioning and domestic appearance of the swimming pool/other domestic paraphernalia would result in a loss of openness in visual terms. Having regard to both the spatial and

visual aspects, the proposed development would lead to a fundamental and permanent change to the Green Belt.

24. For the above reasons, I conclude that the proposed development would cause unacceptable harm to the openness of the Green Belt.

Character and appearance

25. There are scattered dwellings in the immediate vicinity along Strensall Road which have a close relationship with and are often facing the road with short setbacks from the road edge. The proposed dwelling would be set perpendicular to the road and set behind another dwelling.
26. The dwelling would have a high eaves line, multiple projections, a proliferation of dormers, a large footprint and a tall ridge height. This creates a dwelling of considerable mass which would be bulky in its appearance. In contrast, buildings in the immediate vicinity tend to be more recessive and of diminutive massing with a high number of single storey dwellings. While the Grange comprises a larger building, it retains vernacular proportion despite being tall, owing to its compact footprint. I do not dispute that larger houses have a role in achieving mixed and balanced communities, but they must still be appropriate for their site and its surroundings. The overall scale and massing of the proposed development would be exacerbated by the proliferation of domestic paraphernalia in the form of hardstanding, the swimming pool and barbeque shelter. It would introduce a highly engineered appearance into the rural environment.
27. The extent and repetition of glazing and use of larch cladding along with the grey slate roof would also appear incongruous in the locality having regard to the built form surrounding the site which is of a more traditional and agricultural appearance. The extent of glazing alongside high level roof lights and dormers would also have an adverse impact on the intrinsically dark skies of the open countryside. As set out above, I note the existing and proposed landscaping which would help to screen the development, but I am not sufficiently satisfied that the dwelling would be completely screened from views, and the proposed landscaping would also take time to establish. This would not be a sufficient reason to allow harmful development.
28. The appellant claims that the scheme would produce measurable enhancement to the setting of the site, but this would be to the detriment of the Green Belt and its purposes as set out above which is unacceptable. Further, the setting is rural in character aligned with its rural location and is read in this context. I have had due regard to the case law provided by the appellant in relation to design matters, but this would not alter my findings when assessing this scheme based on its own merits. The appellant has offered to reduce and amend the design during the determination period, but I have determined this appeal based on the plans before me which are also those which the Council based its decision on.
29. For the above reasons, I conclude on this issue that the proposed development would unacceptably harm the character and appearance of the surrounding area. It would therefore be contrary to Policies D1 and D2 of the LP which require development to take account of York's special qualities, make a positive design contribution to the City and do not cause damage to the character and quality of an area.

Other considerations

30. The proposed development would include the provision of a new dwelling, and I am aware of the location of the site to local services/facilities. It would also be for a self-build dwelling, and I am aware of the support shown nationally and locally for such schemes. However, given the small-scale nature of the scheme and bearing in mind that the Council can demonstrate a 5-year housing land supply, I only attract moderate weight to such matters. The appellant explains that there is a lack of alternative sites for the scheme. Whilst I do not dispute the challenges faced in this regard having regard to the nature of the scheme, I do not have sufficient evidence to conclude with certainty that there are a lack of options available in the York area. I attach limited weight to this.
31. There would be some economic benefits associated with the scheme but the extent to which this would be beneficial is limited due to the small-scale nature of the proposals. It therefore carries limited weight. There would be landscaping and environmental/biodiversity enhancements associated with the scheme which would carry moderate weight in the planning balance. The other considerations put forward by the appellant has been dealt with elsewhere in my decision. Those other matters not in dispute would not weigh in favour of the appeal but rather be a neutral factor in my overall decision.
32. Policy G12a of the LP relates to the Strensall Common Special Area of Conservation (SAC). This states that proposals for housing (which are not within the plan allocations) will not be permitted unless it can be demonstrated that they will have no adverse effects on the integrity of the SAC, either alone or in combination with other plans or projects. Even though the site is within the SAC's Zone of Influence, I am dismissing the appeal for other reasons, and thus I do not need to give this matter further consideration.

Planning Balance and conclusion

33. Paragraph 153 of the Framework explains that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Additionally, the site would unacceptably harm the character and appearance of the surrounding area.
34. Paragraph 153 goes on to explain that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
35. The other considerations referred to above would not hold sufficient weight to outweigh the harm that I have found would be caused to the Green Belt by reason of inappropriateness and character and appearance. Furthermore, I have not received substantive evidence of any other considerations which would do so. The very special circumstances needed to justify the development do not therefore arise.
36. Accordingly, I conclude that the appeal is dismissed.

N Teasdale

INSPECTOR