

Appeal Decision

Site visit made on 26 September 2016

by Alison Roland BSc DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 October 2016

Appeal Ref: APP/E2001/W/16/3154946

Poplar House Farm, Old Trough Lane, Sandholme, East Riding of Yorkshire, HU15 2XW.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr A Evison against the decision of East Riding of Yorkshire Council.
 - The application Ref: DC/15/00307/PLF/WESTWW, dated 23 November 2014 was refused by notice dated 14 December 2015.
 - The development proposed is change of use (and alterations) to existing office/amenity block to form a dwelling.
-

Procedural Matter

1. The Council determined the application on the basis of a revised plan Ref: PB14/58 Drawing No 2 Proposed Rev A. I shall determine the appeal likewise.

Decision

2. The appeal is dismissed.

Main Issues

3. The main issues in this appeal are (1) whether a new dwelling in this location is acceptable in principle having regard to access to local services; one of the principles of sustainable development (2) the implications for the character and appearance of the area and whether the proposal would comply with development plan policy in this regard and (3) whether the dwelling would offer a satisfactory living standard for future occupiers.

Reasons

Sustainability

4. The appeal site comprises a single storey brick built building which was originally granted planning permission as an office/amenity block in 2008. It stands within the curtilage of Poplar House Farm which is a horticultural enterprise with an extensive range of glasshouses and other buildings. The appellant says the building was originally required to fulfil a contractual requirement with one of its customers, but due to changes in the operational
-

needs of the business, it was never used for its intended purpose and stands redundant.

5. Sandholme comprises a small village located in the open countryside. Paragraph 55 of the National Planning Policy Framework (the Framework) states that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. The Council say that Sandholme has no services or facilities and this is not disputed by the appellant. As there are no public transport facilities in the village, occupiers of the proposed dwelling would be reliant on the private car to meet essential daily needs such as access to jobs, services and shopping facilities. This would be contrary criterion A1 of Policy S4 of the East Riding Local Plan 2012-2029 Strategy Document (April 2016) (ERLP), as well as the Framework, which seek to promote sustainable patterns of development.
6. The Framework goes on to state that development in one village may support services in another nearby. Whilst I understand that the larger settlement of Gilberdyke stands around 2.3 km away, I have no information concerning the provision of public transport provision, shops, services, facilities or job opportunities therein. Moreover, it also seems to me that a single dwelling in this location would make a very limited contribution to the vitality of whatever facilities might exist there. Whilst technically this village is within walking distance, I consider it unlikely that residents of the proposed dwelling would choose to walk thereto for daily needs.
7. I accept the appellant's case that the building is not isolated in the sense that it is located amongst buildings within the curtilage of Poplar House Farm which itself stands within a frontage of development in Sandholme. Therefore and merely because the village lacks a settlement limit in the development plan does not render it isolated in the terms envisaged by paragraph 55 of the Framework. Nonetheless, for the reasons given above, I conclude in relation to the first main issue that the proposal would not have convenient access to local services, which would render it in conflict with Policy S4 and the social dimension of sustainable development in the Framework to support strong, healthy and vibrant communities with accessible local services.

Character and Appearance

8. In relation to the second main issue, the proposals would result in the provision of three small dormers in the front and rear roof slopes of the building. These would be modest additions and there would be additional minor alterations to the external fenestration of the building, including the provision of windows to the gables at first floor. I noted dormers on a further dwelling a short distance along the opposite side of Old Trough Lane, so they are not an alien feature in the area. Whilst these changes would impart a more strongly domestic appearance to the building, they would not harm its appearance or look out of place.
9. The proposals include the provision of a small garden area around the perimeter and to the South of the building. However, this would be derived from a mown grassed area which clearly forms part of the setting and curtilage of the range of buildings and glasshouses nearby. In no way could it be said to encroach onto open countryside and merely because it is currently devoid of

buildings would not render this to be the case. It would be a small area tightly contained around the perimeter of the building and adjoining the residential curtilage of Old White House Farm to the East.

10. Policy S4 supports the conversion of buildings in the countryside where the preservation of the building would enhance the immediate setting and where it would reuse a redundant or disused building without significant extension or alteration. The Council say that this Plan has replaced the Boothferry Local Plan and Policy EN8 (cited in the Decision Notice) is therefore no longer relevant. As I have said, the conversion could be achieved without significant alteration or extension to the building which would meet criterion C1 (ii) of S4. I have also found that the curtilage area would not result in encroachment into the countryside. The proposal would thus not result in harm to the character or appearance of the area and would comply with Policy ENV1 of the ERLP.
11. However, the building is of utilitarian appearance, has no intrinsic merit in its own right and sits within the curtilage of the existing horticultural enterprise. There would thus be no visual gain to its immediate setting as a result of the proposal. The mere absence of harm in terms of the visual impact arising from its conversion and the use of the associated curtilage around it is not synonymous with the requirement of Policy S4 that the preservation of the building would *enhance* the immediate setting. I see nothing in the appeal proposal that would meet this requirement.

Living Conditions

12. The front of the appeal building faces onto the main access into the site which is used by HGV's in connection with the transit of horticultural produce. This would doubtless create some noise and disturbance to occupants of the property. However, the appellant's evidence includes a three week survey of HGV movements using the access and the results convey around one or two movements per day. The Council maintain that the survey would not have picked up the movement of vehicles within the site itself, but their evidence is confined to vehicle movements that took place within a single visit. Thus, whilst I do not dispute that vehicles passing in front of the proposed dwelling would be the source of disturbance, the available evidence does not suggest that this occurs on anything other than intermittent basis.
13. The Council express concern at the proximity of the building to the glasshouse and steel clad building in front of it. However, the glasshouse is orientated to one side and the latter building stands around 17 metres distant. Moreover, the living spaces within the proposed dwelling are dual aspect and served by windows in elevations other than the front. Therefore any activity occurring within either of these buildings would not to my mind be likely to prove a source of significant disturbance. I thus conclude on the third main issue that the proposed dwelling would offer a reasonable living standard for future occupants and find no conflict with part B4 of Policy ENV1 of the ERLP which seeks to protect such interests.

Overall Planning Balance and Conclusion

14. I have found that the dwelling would provide acceptable living conditions for future occupiers and this weighs in favour of the proposal. The alterations proposed would not result in harm to its appearance or setting and the

associated curtilage would not encroach into the open countryside. However, the latter equate to absence of harm factors, as opposed to benefits and would not meet the requirement of Policy S4 that the preservation of the building would enhance the immediate setting. As a recently adopted plan, I attach significant weight to Policy S4.

15. I take the appellant's point that the prudent use of resources, including where appropriate, the re-use of existing buildings, is one element of sustainable development (part of the environmental role). However, in the absence of any substantive evidence to the contrary, I am not persuaded that conversion to a dwelling is the only viable use for the building and the proposal would not in any event, comply with adopted development plan policy in this regard. Moreover, the roles of sustainable development in the Framework need to be looked at in the round and not in isolation. In this particular respect, I have fundamental concerns in relation to the inherently unsustainable location of the appeal site remote from public transport and services. For these reasons, I conclude that the appeal should be dismissed.

ALISON ROLAND

INSPECTOR