
Appeal Decision

Site visit made on 4 April 2017

by Jason Whitfield BA (Hons) DipTP MRTPI

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

Decision date: 25th April 2017

Appeal Ref: APP/E2001/D/16/3165002

Nunkeeling Lodge, High Road, Elloughton HU15 1QA

- 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 Rupert Briggs against the decision of East Riding of Yorkshire Council.
 - The application Ref DC/16/02270/PLF/WESTES, dated 6 July 2016, was refused by notice dated 4 October 2016.
 - The development proposed is an attached garage with upper floor storage area.
-

Decision

1. The appeal is allowed and planning permission is granted for an attached garage with upper floor storage area at Nunkeeling Lodge, High Road, Elloughton HU15 1QA in accordance with the terms of the application, Ref DC/16/02270/PLF/WESTES, dated 6 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2027.01, 2027.02, 2027.03, 2027.04 Rev A, 2027.05, 2027.06 and 2027.07 Rev A.
 - 3) No development shall take place until a scheme (hereinafter called the 'Approved Tree Protection Scheme') which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site and identified to be retained on approved plan 2027.06, has been submitted to and approved in writing by the Local Planning Authority.
 - 4) No development shall take place until tree protection works required by the Approved Tree Protection Scheme are in place. The tree protection works shall be retained in accordance with the Approved Tree Protection Scheme for the whole construction period of the development hereby permitted. No excavations, storage of materials, plant or machinery, parking of vehicles, deposit of soil or rubble, lighting of fires or disposal of waste or surplus construction materials or liquids, shall take place within any area protected pursuant to the Approved Tree Protection Scheme.

Procedural Matter

2. The proposal was amended following submission to the Council but prior to its determination. These changes, shown on revised plans, are relatively minor
-

nature and I am satisfied that all relevant parties would not be prejudiced by my consideration of them. I have therefore determined the appeal on that basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal relates to a detached property located within the open countryside beyond the settlement of Elloughton. The surrounding area is distinctly rural, characterised by large expanses of open fields occasionally interspersed by wooded areas. The appeal site is set back from High Road within one such area. The property itself is characterised by an 'L' shaped footprint with a series of pitched roofs. Fenestration varies between large expanses of glazing to smaller, curved openings. Land levels rise up from High Road considerably with dense trees and vegetation beyond the site to the north. The level of woodland and the spacious grounds within which the property sit contribute towards assimilating the built form into the surrounding landscape.
5. It is proposed to construct a two-storey extension to the property to comprise a garage with a storage room in the roof space above. The proposal would adjoin the existing property to the north-east and would extend into a raised area of land which contains several trees.
6. I note that the extension would have a height of around 6m and would project around 1.2m above the ridge of the existing property. However, the extension would have a similar eaves height to the existing property whilst the footprint would be considerably smaller than that of the existing property. Moreover, whilst the extension would contain a large, glazed window within the roof space, this would broadly reflect the large expanses of glazing found within the main property. In any event, patterns of fenestration within the existing property are varied, and the proposed window would not unduly detract from its character.
7. Whilst the proposal would utilise timber boarding and reclaimed red brick, in contrast to the stone exterior of the existing property, the extension would incorporate tiles and hardwood windows and doors which largely reflect the host property. The use of dark external materials and finishes would assist in assimilating the extension with the wooded area beyond. As a result, I am satisfied that the extension would appear sympathetic and subservient to the existing dwelling and would not appear as an unduly dominant or obtrusive addition.
8. Furthermore, whilst the proposal would include the removal of five trees and infringe upon the root protection area of two mature trees to be retained, the vast majority of the existing woodland would be retained. Moreover, the Council's Trees and Landscape Section has indicated that the trees to be removed are of average, and in some cases, poor quality. Consequently, the loss of those trees would not erode the contribution of the wooded area to the prevailing rural character of the landscape.
9. The proposal would also be heavily screened from vantage points outside of the appeal site by virtue of the existing trees and vegetation as well as the dense

hedgerow along High Road. As the photographs provided by the appellant show, even during winter periods when the trees are out of leaf the property remains heavily screened from within the public realm. Indeed, the Council's evidence indicates that breaks in the landscaping allow for views of only the roof of the property. As such, its wider visual impact would not, in my view, be significant.

10. I conclude, therefore, that the proposal would not have a harmful effect on the character and appearance of the area, in accordance with Policy ENV1 of the East Riding Local Plan 2012-2024 Strategy Document 2016 (LP) which states that all development should contribute to safeguarding and respecting the diverse character and appearance of the area through their design. It would also accord with Policy S4 of the LP which states development should respect the intrinsic character of the site's surroundings. Finally it would comply with paragraphs 58, 61 and 64 of the National Planning Policy Framework which seek to ensure developments respond to local character, secure high quality design and that permission should be refused for development of poor design.

Conditions

11. In addition to the standard time limit for the proposed extension, a condition requiring accordance with the approved plans is necessary to provide certainty. I have not imposed a condition in respect of matching materials as the proposed materials are depicted on the approved plans. The requirement under Condition 2 to carry out the development in accordance with the approved plans will ensure the proposed materials are used and for the reasons above I consider those materials satisfactory in the interests of the character and appearance of the area.
12. I also consider conditions in respect of tree protection suggested by the Council's Trees and Landscape Section necessary to protect the character and appearance of the area.

Conclusions

13. For the reasons given above I conclude that the appeal should be allowed.

Jason Whitfield

INSPECTOR