



Appeal Decision

Site visit made on 8 October 2019

by M Seaton DipTP MRTPI

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

Decision date: 21 January 2020

Appeal Ref: APP/E2001/W/19/3233692

Drewton Boarding Catteries, Station Road, South Cave, HU15 2AB

- 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 M Clarkson against the decision of East Riding of Yorkshire Council.
 - The application Ref 19/01385/PLF, dated 24 April 2019, was refused by notice dated 3 July 2019.
 - The development proposed is alterations and extensions to allow the conversion of an existing building to form a dwelling.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would be in an appropriate location, having regard to the aims and objectives of national and local planning policies, and the effect on the character and appearance of the area.

Reasons

3. The appeal site comprises a parcel of land set to the rear and east of a large semi-detached dwelling known as Drewton Stray which is positioned close to the junction between A1034 Station Road and Swinescaif Road. The land is occupied by an existing building which constitutes a large double garage and adjoining brick outbuilding currently used for storage, with an access taken from Swinescaif Road. The buildings are indicated to have been formerly used as a cattery and are in various states of repair with the outbuildings in a comparatively poor condition.
4. The appeal site is located to the north of South Cave, which is identified as a Primary Village within the settlement hierarchy as set out at Policy S3 of the East Riding Local Plan 2012 – 2029 Strategy Document (the Local Plan), adopted in 2016. However, whilst the development limits for settlements are as set out in the Development Plan, the appeal site is clearly located beyond the settlement limit of South Cave and is therefore assessed as being within the countryside. The location of the appeal site in this regard is not disputed.
5. In determining the planning application, the Council has drawn my attention to Policy S4 of the Local Plan, which addresses support for development in villages and the countryside. Policy S4(A) states that development will be supported

where it helps maintain the vibrancy of villages and the countryside and *inter alia* where it is of an appropriate scale to its location taking into the account the need to support sustainable patterns of development and encourages the re-use of previously developed land where appropriate.

6. Policy S4(C) sets out a series of criteria for the support of development in the countryside, where proposals respect the intrinsic character of their surroundings. The policy continues to state that the conversion of existing buildings for new housing will be supported where the preservation of the building would enhance the immediate setting and where it would re-use a redundant or disused building without significant alteration or significant extension. Paragraph 4.40 of the Local Plan expands on the circumstances whereby the conversion to residential use would be considered suitable, specifically where an existing building must be structurally sound and capable of re-use without significant rebuilding, alteration or substantial extensions.
7. The appellant has submitted a Structural Report for the proposed development. The report reflects upon the impact of the nearby line of poplar trees on the site along with the amount of repair which would be required to bring the building up to modern standards. The report recommends that the existing building would need to be underpinned through a combination of piled and mass concrete foundations, with the removal of the concrete floors to footing level and installation of a reinforced concrete piled raft concluded to be the most practicable solution. A timber frame internal wall structure would be utilised and upon which the first floor and roof would be constructed, with all roofs requiring repair and new timbers. External walls would then be tied back upon completion of the timber frame to reduce the amount of rebuilding due to distortion at high level. The existing corrugated roof to the single-storey outbuildings would be replaced in its entirety with a reclaimed Welsh Grey Slate roof.
8. I have carefully considered the Council's contention that the extent of the works to the building as proposed would be significant and would call into question whether the building would accord with the circumstances whereby its conversion to a residential use would be judged to be suitable.
9. In this regard, even if I was to set aside the impact of the proposed extensions to the requirements of Policy, I accept as inevitable that in order to facilitate the conversion of non-residential buildings for residential occupation, there would clearly be an inevitable requirement for at least a limited degree of alteration and adaptation from the existing condition of the buildings. However, based on the submitted evidence it is clear that the extent of the structural and conversion works which would be required to facilitate the buildings to be occupiable as habitable accommodation in this instance, would be significant. The proposal would not therefore accord with the constraints of the policy in this respect, with it clearly implied that for a building to be capable of conversion that it must be through it being structurally sound and utilising the existing building fabric.
10. I have also had regard to the appellant's suggestion regarding the omission of the extensions from the proposals. However, whilst I acknowledge that the addition of a two-storey extension and a roof dormer would increase the size and volume of the building, I am satisfied for the purposes of Policy S4(C) that they would not be substantial in the context of the existing building.

Furthermore, whilst I have also had regard to the submissions of the parties in respect of the content and conclusions of an earlier Structural Report for a previous scheme regarding the viability of the works, I do not consider that matters of viability are explicitly an issue which requires consideration in the context of the Policy. Matters of economic viability have not therefore had any bearing on my decision-making.

11. With regards the impact of the proposed development on the character and appearance of the area, I agree with the Council's assessment that the existing buildings do not represent a particularly attractive feature within the countryside. However, whilst I also agree that the proposed extensions would not worsen the appearance of the development in the context of the existing surroundings, I am mindful that the requirement of Policy S4(C) is for the preservation of the building to enhance the immediate setting. Based on the detailed design of the extensions and alterations, the proposal would not achieve this with the design of the proposed conversion not reflective of the rural character of the area.
12. Turning to the location of the proposed development, I note that the Council has expressed some concern over the relationship between the appeal site and the services and facilities of South Cave. In particular, in citing paragraph 79 of the National Planning Policy Framework (the Framework), the Council has indicated that the proposed development would represent an addition to an existing isolated group of dwellings outwith South Cave. However, I am mindful that the word 'isolated' is not defined in the Framework, and that it has been held in the Courts that the word should be given its ordinary objective meaning of *far away from other places, buildings or people; remote*. In these terms, the appeal site cannot be considered to be 'isolated' in terms of proximity to other dwellings and people, and I have not therefore given any weight to the Council's assessment of the proposal against paragraph 79 of the Framework.
13. South Cave is identified as a Primary Village within the Local Plan where residential development commensurate with the scale, role and character of the village will be supported. I do not disagree that there may be a certain degree of reliance on the private car to access employment, shopping, healthcare and secondary schooling. Nevertheless, the proposed dwelling would be within a reasonable walking distance of South Cave and its other services and facilities by pavement, which whilst not lit would be of a reasonable gradient. The proposed development would therefore provide some limited support to the vitality of South Cave.
14. For these reasons, whilst I am satisfied that the location of the proposed development would be acceptable in the context of its relationship with South Cave, I do not regard the proposal involve the conversion of a suitable building and there would be an adverse effect on the character and appearance of the area. As a consequence, the proposals would not accord with the aims and objectives of local planning policy and in particular Policy S4(C) of the Local Plan.

Planning Balance and Conclusion

15. The re-use of an existing building and the provision of an additional dwelling to the local housing market would be an undoubted benefit of the proposed development, albeit given the quantum of development the weight to be attached would be limited. The local economy would also have the potential to

have some limited benefit during the construction period and from any expenditure from future occupiers. As already established, whilst there may be a certain degree of reliance on the private car for particular services and facilities, the proposed dwelling would be within walking distance of South Cave, to which it would provide support. This would attract some very limited weight as a social benefit.

16. Nevertheless, even when taken together, the considerations being put forward in favour of the development would not be sufficient to clearly outweigh the spatial harm caused by the conversion of an unsuitable building and to the character and appearance of the area. Therefore, the limited benefits of the proposed development would not outweigh the identified harm.
17. For the above reasons, the appeal is dismissed.

Martin Seaton

INSPECTOR