
Appeal Decision

Site visit made on 8 June 2020

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th July 2020

Appeal Ref: APP/E2001/W/20/3246585

The White Hall Livery Stables, Patrington Road, Winestead HU12 0NJ

- 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 R Kelly against the decision of East Riding of Yorkshire Council.
 - The application Ref 19/01511/PLF, dated 4 May 2019, was refused by notice dated 30 January 2020.
 - The development proposed is the erection of a marquee building with timber decking for use as an events venue.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The marquee and associated decking were in place at the time of my site visit. They appeared to be in compliance with the plans which accompany this appeal.
3. The description of the proposal has been altered on the Council decision notice. This more fully describes the proposal and I have therefore considered the appeal on this basis.
4. I have also dealt with another appeal (Ref: APP/E2001/W/20/3246584) on this site. That appeal is the subject of a separate decision.

Main Issues

5. The main issues are:
 - i. the effect of the proposal on the living conditions of the occupiers of nearby residential properties, with particular regard to noise; and
 - ii. the effect of the proposal on the safe and efficient operation of the highway network in the vicinity of the appeal site.

Reasons

6. The White Hall sits within its own grounds to the south of an area of woodland with an open parkland aspect to the south. Although the property enjoys large grounds and sits firmly within a countryside setting, it is not completely isolated. Residential property and a livery sit on Winestead Ings Lane to the

southwest, residential property sits to the north of the A1033 close to the site, whilst further residential property sits at an increased distance to the east.

7. The site is accessed from an existing driveway off from Winestead Ings Lane which is in close proximity to Patrington Road (A1033).

Living Conditions

8. The marquee and decking area is located close to the western boundary of the site, a short distance from Croft Park Livery and residential property. The evidence indicates that the marquee is used in conjunction with events, in particular weddings, and that amplified music is played during such events. These events would generally have a component which extends late into the evening, which would likely be a time when background noise levels in the area are low.
9. The marquee would offer very little if any noise attenuation from amplified music, which at such events, would generally be played at a high volume. No proper acoustic report has been submitted with this application to confirm what the existing background noise levels in the area are or whether or not the use of this marquee in this location can be carried out without causing a detrimental impact on the living conditions of the occupiers of nearby residential properties, even accounting for the presence of some screening at the site in the form of tree planting to the north and on the western boundary.
10. The noise information that has been provided is not the thorough and technical assessment that would be required in association with such a proposal. It is very limited and does not provide a sufficient quantity and detail of information to enable me to conclude that the proposal would not have a detrimental impact on the living conditions of the occupiers of nearby residential properties. Given the close proximity of Croft Park Livery, which appeared on my site visit to support livestock as well as equine use, the proposal has the potential to have a serious effect on the welfare of livestock and horses.
11. The proposal would therefore be contrary to Policies ENV1 and ENV6 of the East Riding Local Plan Strategy Document (2016) (ERLPSD) which amongst other things requires that development has regard to the amenity of existing properties and minimises pollution such as that caused by noise.

Safe and efficient operation of the highway network

12. The evidence indicates that appropriate visibility is available from both the private access road and Winestead Ings Lane and that there has been one slight injury incident reported within the previous 5 years of available records. It also indicates that the access drive would be sufficient for two-way vehicle movements. While there is a concern that a 'Transport Statement' has not been submitted under SPD¹ guidance, I cannot rule that the submitted 'Transport Note', in relation to this particular appeal does not provide the basis for the 'lighter-touch' assessment of potential transport impacts that the SPD requires.
13. The appellant indicates that use of the marquee and the ceremony rooms within the hall are offered as part of one package and would never be used by separate parties on the same day. The evidence indicates the ceremony rooms

¹ East Riding Local Plan Sustainable Transport Supplementary Planning Document 2016.

within the hall host up to 250 guests in total while the marquee could accommodate up to 150 guests.

14. However, these numbers are maximum capacities and I find it would be unlikely that the venue would be at capacity across every event. Even in the event that the marquee was used separately and did attract additional vehicle movements, I am not convinced that this would result in additional movements that would threaten the safe and efficient operation of the highway network.
15. It is unlikely that every event would start at the same time particularly in the case of weddings which are often split into a daytime event and an evening event with additional guests. Guests would also be unlikely to leave at the same time in significant numbers. There would also be space available within the grounds which could allow for the provision of additional parking at times when guest numbers were high. It is unlikely that given this, and the size of the site, guest arrivals or departures would cause vehicles to back up to the extent that the free movement of traffic on the A1033 would be hindered to any degree that would be a threat to the safe and efficient operation of the highway network.
16. I cannot therefore conclude that the safe and efficient operation of the highway network would be compromised as a result of the proposal. Subsequently, I do not identify conflict with Policies ENV1, EC4 or S8 of the ERLPSD which amongst other things seek to promote safe access to development and appropriate parking provision. I also do not identify conflict with the National Planning Policy Framework or with SPD guidance.

Conclusion

17. For the reasons set out above, I conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR