
Appeal Decision

Site visit made on 9 February 2021

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2021

Appeal Ref: APP/E2001/W/20/3262173

Wold View, Ring Beck Lane, Ellerker HU15 2DD

- 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 & Mrs Roger and Julia Kay against the decision of East Riding of Yorkshire Council.
 - The application Ref 19/04099/PLF, dated 29 November 2019, was refused by notice dated 30 June 2020.
 - The development proposed is alterations to redundant potato store to form a dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description from the appeal form as this acknowledges the amendments to the scheme to remove a detached garage from the proposal. I have determined the appeal accordingly.
3. I saw at my site visit that there are several differences between the survey drawing and the existing potato store building (outbuilding). The stables to the eastern elevation and the wooden store on the north elevation have been removed. There is a double door opening on the eastern side and the double doors under the lean-to on the western side have been infilled with blockwork. I also noted a detached garage constructed adjacent to the outbuilding on the southern side.
4. In addition to these differences, the appellant refers to a proposed steel roofing system whereas the drawings indicate a slate roof. The appellant also indicates that the roof would remain at the same height. However, the scheme before me indicates that the roof of the outbuilding and lean-to garage would be raised. I have considered the appeal based on the submitted proposed drawings. However, in respect of the survey drawing of the existing outbuilding and its surroundings, I have taken my observations at my site visit into account in determining the appeal.

Main Issues

5. The main issues are:
 - the suitability of the outbuilding for conversion to a dwelling; and
 - whether the appeal site is an appropriate location for a dwelling having regard to the accessibility of services and facilities.

Reasons

Suitability for conversion

6. The outbuilding is a detached structure with partial internal mezzanine floor constructed largely of concrete blockwork walls with a concrete floor and corrugated (or similar) pitched roof. A lean-to covered area and garage structure are attached to the western elevation of the outbuilding.
7. Notwithstanding the additional roof height and external cladding, the proposed internal arrangement would be achieved largely within the confines of the existing walls with the insertion of a full first floor. I note that the appellant states that there would be no additional door and window openings, however, their position and size would largely be changed, and the upper floor would be mostly lit by new roof windows. The outbuilding would be clad externally which would marginally increase the footprint of the structure.
8. Although the appellant indicates that the outbuilding is structurally sound there is limited evidence of this. The existing structure has a steel frame, but I observed at my site visit that this is not substantial, and I have no confirmation that it would be possible for it to support the structural alterations proposed. Taking this together with the proposed repositioning of windows and doors, external cladding, and a new roof with roof lights I consider that the works overall would require significant alterations to the outbuilding.
9. In addition, the lean-to garage is still in use and there is a significant amount of external storage around the outbuilding. I am not satisfied that it has been shown that the outbuilding's use is redundant.
10. The outbuilding is visible from Ring Beck Lane. The appellant and the Council agree that the outbuilding is not a particularly attractive feature. Although the Council refers to the outbuilding being of domestic scale, the materials and form of it are those typically associated with a former agricultural use and appropriate to the location of the appeal site adjacent to open countryside. The outbuilding sits unobtrusively in its context. Due to the scale of the remedial works required to facilitate the development, in particular the new roof, roof lights and external cladding, I consider that the outbuilding would be more visible in the landscape. Although there is a residential garden adjacent to the outbuilding, its conversion to a separate dwelling would extend the residential pattern of development which would erode the rural character of the site and detract from its predominantly rural setting.
11. Based on the evidence before me, I conclude that the outbuilding is not suitable to be converted to a dwelling. The proposal would conflict with Policy S4 of the East Riding Local Plan Strategic Document (ERLP Strategic Document) which only supports conversions for new housing in the countryside 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.
12. For the reasons discussed below, I do not consider the site to be isolated and therefore I do not find that the proposal conflicts with paragraph 79 of the National Planning Policy Framework (the Framework). Nevertheless, the site is in the countryside for the purposes of the development plan. Policies S3 and S4 of the ERLP Strategic Document accords with the guidance in the Framework

where it identifies opportunities for rural villages to grow and thrive. There is no evidence before me that the Council cannot demonstrate 5-year supply of deliverable sites. As such, the presumption in favour of sustainable development as set out in the Framework is not engaged.

Services and facilities

13. Wold View is a detached house located at the end of a ribbon of development outside the village of Ellerker and in the Countryside for the purposes of the ERLP Strategic Document. There is a garden centre opposite the appeal site and Ellerker Grange and outbuildings close to the junction of Ring Beck Lane and Cave Road. Because of its location the Council considers that the proposed dwelling would be heavily reliant on the use of the private car.
14. The Framework at paragraph 108 and 110(a) broadly seeks to ensure that development prioritises other means of accessing facilities than the private car. Although paragraph 103 acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
15. During my site visit I noted the proximity of the facilities at the services adjacent to the A63, which are approximately 500 metres from the appeal site. Facilities include a convenience store with ATM, sandwich shop, coffee facilities and petrol filling station. I also noted the position of the garden centre, the location of bus stops, the proximity of several businesses and the presence of footpaths or wide verges and some streetlighting which largely provide good pedestrian access to these facilities. I also noted that it is a short walk on wide verges or cycle into the village of Ellerker where there is a small range of other services and facilities.
16. In my estimation the facilities at the service area and within the village are within comfortable walking and cycling distance of the appeal site for the average person, although I accept that crossing the road to the service area will require care given the traffic conditions. The facilities provide a good level of the day to day requisites that one might hope to access outside a main food shopping trip. There is also access to local pubs and a coffee shop. In addition, there are buses operating along the road and, even if these are not frequent, the evidence suggests that the buses would give a degree of choice of travel to nearby larger settlements.
17. Overall, I consider that the appeal site has sufficient access to services and facilities to demonstrate that there are alternatives to the use of the private car that would be adequate to meet the needs of the future occupiers of a separate dwelling. In this respect I conclude that there is no conflict with Policy S4 of the ERLP Strategy Document. Further, the proposal would not result in the creation of an isolated dwelling in the countryside for the purposes of Paragraph 79 of the Framework.

Other Matters

18. The appellant refers to several other sites where the Council has supported development outside of development limits. I have little information before me about these other schemes and I have determined the proposal before me on its own merits having regard to the site circumstances.

Conclusion

19. I conclude that the appeal site is accessible to services and facilities and is not an isolated site, however, the outbuilding is not suitable to be converted into a dwelling and in this respect the proposal conflicts with the development plan. There are no material considerations that would outweigh that conflict and therefore, for the reasons given above, the appeal is dismissed.

Diane Cragg

INSPECTOR