



Appeal Decision

Site visit made on 11 February 2021

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th March 2021

Appeal Ref: APP/E2001/W/20/3262705

'Kilpins', Main Road, Belby, Howden, East Yorkshire DN14 7UZ

- 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 Charles Oldridge against the decision of East Riding of Yorkshire Council.
 - The application Ref 20/00483/PLF, dated 20 April 2020, was refused by notice dated 14 July 2020.
 - The development proposed is erection of two storey extension to provide guest accommodation for use in conjunction with existing country club facilities (re-submission of DC/19/02093/PLF).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the appeal site is a suitable location for tourism development having particular regard to the accessibility of services and facilities;
 - the effect of the proposed development on the character and appearance of the area; and
 - the effect of the proposed development on highway safety.

Reasons

Whether a suitable location

3. The appeal site is located outside of the settlement limits defined in the adopted development plan for the area and is consequently within the countryside, something which both main parties agree on. From the evidence before me I see no reason to disagree. Policies S1 and S2 of the adopted East Riding Local Plan Strategy Document (ERLP) support sustainable development across the plan area. Policy EC2 of the ERLP supports proposals for tourism development in the countryside where their scale and cumulative impact is appropriate for their location and have a functional need to be located in the countryside, providing existing buildings are re-used where possible. Policy EC4 supports development where it is accessible, or can be made accessible, by sustainable modes of transport and addresses its likely transport impact. Consequently, the proposed development would need to meet the relevant requirements set out within policies S1, S2, EC2 and EC4 of the ERLP for it to be acceptable in principle.
4. The appeal site is located approximately 1 mile from Howden and approximately 1.5 miles from the larger settlement of Goole both of which have a range of

services and facilities. However, the evidence before me does not show that the appeal site is connected to either of these settlements by modes of transport other than the private car. I acknowledge the appellant's point that a regular bus service is available as well as the train station in Goole. However, no substantive evidence has been submitted to tell me which service this is, where the bus stops are in relation to the appeal site or how frequently the bus service runs. It would therefore also be difficult for future patrons of the proposed hotel to travel to Goole to catch a train elsewhere without using a private car.

5. As a result, given the lack of public transport linkages to Howden and Goole, the rural nature of the area, and the lack of services and facilities near to the appeal site, I consider it likely that people using the proposed hotel would regularly need to travel to Howden and Goole, via private car to obtain their goods and services. Moreover, while I also acknowledge that some tourists will be in organised groups and therefore be using buses these would not account for all the potential patrons at the proposed hotel. I also note that Howden is within a relatively short cycle ride of the appeal site but not everyone would choose this mode of transport particularly in the darker winter months and at other times where daylight would be limited and also given the nature of the rural roads that would need to be travelled which are not well lit. Furthermore, whilst paragraph 80 of the National Planning Policy Framework (the Framework) attaches significant weight to the need to support economic growth, it is also clear from paragraph 83 that this growth should comprise sustainable development such as sustainable tourism. Consequently, and being mindful of paragraphs 84 and 103 of the Framework, I consider that the proposed development would not reduce the reliance of potential tourists on private vehicles.
6. While I acknowledge the appellant's point that the proposed hotel would be functionally linked to the existing Country Club which would be brought back into use, no substantive evidence has been submitted to show that this would be the case. Consequently, I am not satisfied that the proposal would have a clear functional need to be located in the countryside. Moreover, the appellant has also not adequately demonstrated why the proposal could not re-use one of the existing buildings on the appeal site which could potentially be brought back into use rather than developing an additional new building.
7. Accordingly, taking into account all of the factors discussed above, I am not satisfied that the appeal site is a suitable location for tourism development. I therefore conclude that the proposed development would fail to meet the requirements of policies S1, S2, EC2 and EC4 of the ERLP thereby conflicting with them. It would also conflict with paragraphs 8, 83, 84 and 103 of the Framework which aim to achieve sustainable development, promote it in rural areas and enable sustainable rural tourism, amongst other considerations.

Character and Appearance

8. The appeal site is located next to the B1230 Main Road. The site contains currently unused buildings and a large area of hardstanding around it which is accessed from the main road. There are several rows of high mature trees bounding the site on its two sides furthest from the road. The front of the site which faces the road also has trees and landscaping running the length of that boundary although these are not as high as the ones on the other side and rear boundaries. Beyond the high mature trees is more open agricultural land. There is also open agricultural land on the opposite side of the B1230 to the appeal site.
9. In the context of the above, there is a clear boundary comprising large trees to the rear and side of the appeal site that separates it, from the more open landscape to

the rear and side of it thereby forming a visual buffer. The landscaping to the front of the appeal site creates another visual buffer between the site and the more open landscape on the other side of the road. As a result, the appeal site, is not set within a particularly open bit of countryside and is relatively enclosed and self-contained. Consequently, I find that it has a less open and rural character than the more open rural landscape surrounding it.

10. Criterion (c) of Policy S4 supports new tourism development in the countryside where proposals respect the intrinsic character of their surroundings. Consequently, given the nature of the proposal and the relatively self-contained nature of the site, and its location next to the road, there are few public vantage points where it would be fully visible. Accordingly, I find that it would not have an adverse visual impact that would negatively affect the setting of the more open countryside surrounding it. I therefore conclude that the proposal would not unacceptably harm the character and appearance of the area and that, as a result, it would not conflict with criterion (c) of Policy S4 of the ERLP.

Highway Safety

11. The Highway Authority has raised concerns in relation to the ability of coaches and buses to access and egress to and from all the coach parking bays that would be provided on the site and advised that information should be provided to show the adequate provision of coach site access, parking, turning and exit via a swept path analysis. Concerns were also raised in relation to the adequacy of the proposed visitor and staff parking bays and their ability to meet the required specifications and how service vehicles would manoeuvre safely within and around the site. Accordingly, the Council requested that relevant information be submitted as part of the original application to explain how these specifications would be met.
12. The requested transport note to show how the proposal would meet the required parking and manoeuvrability standards for a development of its type was not submitted. Furthermore, no substantive evidence on this matter has subsequently been submitted by the appellant in relation to this appeal. Consequently, I cannot be certain that the proposal would not harm highway safety at a site located close to a busy road due to the potential increase in the volume of traffic travelling to and from the site that it would likely cause.
13. As a result, and being mindful of paragraph 103 of the National Planning Policy Framework (the Framework), I conclude that the proposed development would harm highway safety in conflict with Policies ENV1 and EC4 of the ERLP. Given that it relates to the preparation of local plans, I consider paragraph 32 of the Framework to be not entirely relevant in this case.

Other Matter

14. I note that letters of support for the proposal have been submitted by interested parties. However, this is not of sufficient weight to outweigh the harm I have identified above.

Conclusion

15. The compliance of the proposal with criterion (c) of Policy S4 of the ERLP does not outweigh or overcome the harm I have found in relation to the suitability of the site or highway safety and the resulting conflict with policies S1, S2, EC2, EC4 and ENV1 of the ERLP. Accordingly, for the reasons set out above I conclude that the appeal should be dismissed.

C Coyne INSPECTOR