



Appeal Decision

Site visit made on 15 February 2022

by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7TH March 2022

Appeal Ref: APP/E2001/D/22/3290205

East Croft, East Street, Kilham, Driffield, YO25 4SG

- 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 Ms Aby Vulliamy against the decision of East Riding of Yorkshire Council.
 - The application Ref 21/02842/PLF, dated 26 July 2021, was refused by notice dated 16 November 2021.
 - The development proposed is Purpose built music studio to house a grand piano and to provide music office and composing/ storage areas. area of proposed studio is 60 sqm.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area, having particular regard to the effect on the street scene.

Reasons

3. The appeal property is a detached, red brick dwelling set back from East Street. Notwithstanding the new residential development off Oakwood Drive to the west, the space around the appeal dwelling and the adjoining property 'The Poplars' contributes to a sporadic form of development between the built up area of Kilham to the west and the scattered development around the junction of East Street and Harpham Lane to the east of the village. The boundary hedges, space around the dwelling and the extent of hedge and tree cover contribute to a verdant and spacious rural character and appearance.
4. The host dwelling has a simple and modest character and appearance. Its symmetrical front elevation with horizontally proportioned windows set to either side of a central door and its low eaves height reflect the features of the bungalow at 'East Croft' opposite the site. When approaching Kilham from the east, due to their single storey height, simple form and modest appearance, the appeal dwelling and East Croft form a low key and gradual approach to the main built up area of the village.
5. The proposed music studio would be located to the side of and forward of the dwelling's front elevation, partly over the footprint of a former workshop building which had been removed at the time of my site visit. It would be connected to the dwelling by a small porch.

6. The proposed studio would be orientated with its front elevation parallel to and in close proximity to the road. Due to the combination of its position set forward of the existing dwelling, width, height and bulk it would have the appearance of the principal building on the site rather than an ancillary outbuilding. Whilst I note that amended plans were submitted to reduce the eaves height, they would still be higher than the eaves of the host dwelling which would also appear awkward and disjointed. The vertical window proportions and different solid to void ratio on the front elevation would also be at odds with the proportions of the host dwelling. For these reasons, I conclude that the proposal would appear overly dominant on the site which would be harmful to the character and appearance of the host dwelling.
7. When approaching Kilham from the east, due to the low height of the frontage wall and the proposed studio's position set forward of the host dwelling, the east gable of the new building would be open to view and it would have a prominent and overly dominant appearance in the street scene. This would form a jarring and stark feature which would be harmful to the rural character of the surroundings. When approaching from the main built up area of the village to the west, the building's west gable would also be an overly prominent feature in the street scene. Although the frontage hedge would partially screen views of the building, this does not negate the need for good design which pays due regard to the scale, form and appearance of the existing dwelling and the character of the surrounding area.
8. I have had regard to the extant planning permission for a brick workshop on the site¹, but as this is orientated with its gable towards the road and would be set further back on the site, it is not comparable with the appeal scheme before me and I afford limited weight to it as a fallback position. I have also taken into account that the proposed materials would reflect the existing dwelling, that the thermal properties of the existing dwelling would be improved and that the scheme would make use of the existing access. However, none of these matters outweighs the harm that I have identified above.
9. Overall, I conclude that the proposed studio would not appear as an ancillary or subordinate feature to the host dwelling and would form an unduly prominent feature in the street scene which would be harmful to the rural character of the surrounding area. For these reasons, the appeal proposal would be contrary to Policy ENV1 of the East Riding Local Plan (2016) which seeks high quality design for new development which has regard to the character of the surrounding area and is of an appropriate scale and massing.

Other Matters

10. In coming to my decision, I have had regard to the statutory test set out at Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The proposed studio would not encroach into or harm the openness of the fields opposite the site which are within the Kilham Conservation Area and would not, therefore, be harmful to its setting.

¹ Planning permission reference 19/03254/PLF

Conclusion

11. For the reasons outlined above and having had regard to all other matters raised, the appeal should be dismissed.

Sarah Housden

INSPECTOR