



Appeal Decision

Site visit made on 16 February 2022

by C. Megginson

an Inspector appointed by the Secretary of State

Decision date: 22nd March 2022

Appeal Ref: APP/E2001/W/21/3286045

Manor Farm House, Main Street, Ellerker HU15 2DH

- 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 Mrs Andrew against the decision of East Riding of Yorkshire Council.
 - The application Ref 20/03484/PLF, dated 6 October 2020, was refused by notice dated 22 September 2021.
 - The development proposed is the erection of a single dwelling and associated infrastructure.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The decision notice for the application that is the subject of this appeal refers to the Ellerker Conservation Area Appraisal Consultation Draft (2021). Subsequent to the submission of this appeal, the Ellerker Conservation Area Appraisal (CAA) was adopted in January 2022. This supersedes the Ellerker Conservation Area Appraisal (2006).
3. During the appeal process the Council provided a copy of the adopted CAA and this is considered below. Both parties were given the opportunity to comment further based on this change.

Main Issue

4. Whether the proposal would preserve or enhance the character or appearance of the Ellerker Conservation Area.

Reasons

5. The appeal site is a parcel of land to the south of Main Street, behind a low stone wall, between Manor Farm House and Pigeon Cote Farm. This section of Main Street is characterised by a wide grass verge along Ellerker Beck which runs between the road and the appeal site and gives the location an open feel. This stretch of Main Street connects the two sides of the village and is sparsely developed when compared to the eastern and western sides of Main Street. This open feel along the roadside contributes positively towards the overall character and appearance of the area.
6. The appeal site is located within the Ellerker Conservation Area (CA). The CAA highlights that 'one of the most notable features of the village is the relationship between built form and open space that manifests itself in the gaps

in built development along Main Street’...’They ultimately represent a rare survival of historic land use that is important for relating the story and evolution of the village.’

7. The appeal site is identified in the CAA as ‘an important green space that exhibits the positive elements of the gap sites within the village.’
8. The appeal proposal would be a single detached dwelling, covering almost the full width of the appeal site. The proposed dwelling would be sited in line with the neighbouring property at Pigeon Cote Farm. The appeal proposal would be a modest traditional design and would be sited with access to the rear. This along with the recreation of the front boundary wall and landscaping, would seek to reflect the linear nature of a medieval burgage plot. Despite this, I consider that the loss of open space between the properties to either side, would change the character of this section of Main Street. The loss of openness and the concentration of built development in this location would have a harmful effect on the character and appearance of the Conservation Area.
9. The appellant states that the land is used for the storage of agricultural machinery and large straw bales which prevent views through the site. At the time of my site visit, the site contained only a small agricultural trailer. The use of the site for agricultural purposes, such as those highlighted, does not detract from the role the land plays as an important rural gap in the streetscene.
10. The harm that would arise would be localised and therefore the impact on the CA as a whole would be less than substantial when considering the provisions of the National Planning Policy Framework (the Framework). In such circumstances the Framework states that harm should be weighed against the public benefits of the proposal. Benefits in this case, put forward by the appellant, are the contribution to the local authority’s housing land supply, and support for the vitality of the village. Given the scale of the proposed development, these benefits are limited, and, as such would not outweigh the harm that I have identified, to which I am required to give great weight.
11. Thus, my overall conclusion is that the proposal would have an adverse effect on the character and appearance of the CA, and in doing so would fail to preserve the character and appearance of the CA. The proposal would cause less than substantial harm to the significance of the CA and public benefits would not outweigh this harm. As such, the proposal would be in conflict with Policies ENV1, ENV2 and ENV3 of the East Riding Local Plan Strategy Document (2016) and the Ellerker Conservation Area Appraisal (2022), which seek to secure high quality design that enhances or reinforces local distinctiveness.

Conclusion

12. For the reasons given above, having considered the development plan as a whole and all other relevant matters, I conclude that the appeal should be dismissed.

C. Megginson

INSPECTOR