



Appeal Decision

Site visit made on 21 April 2022

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th May 2022

Appeal Ref: APP/E2001/W/21/3283785

Enholmes Farm, Enholmes Lane, Patrington, East Yorkshire HU12 0PR

- 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 Hexagon Properties Ltd against the decision of East Riding of Yorkshire Council.
 - The application Ref 21/00194/PLF, dated 17 January 2021, was refused by notice dated 19 May 2021.
 - The development proposed was originally described as conversion and change of use to form 3 dwellings.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the site represents an appropriate location for the proposed dwellings, having particular regard to the housing strategy for the area and the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. The appeal site forms part of a small residential estate, following the redevelopment of the former model farm, known as Enholmes Farm and includes two buildings intended to serve the residential properties as garaging and stores.
4. Although the buildings appear in good condition, the buildings and ground works were never completed with no windows and doors fitted. As such, and due to the passage of time since work ceased, and the security fencing installed around the perimeter, the site has a somewhat unkempt appearance.
5. The site lies outside of any settlement development limits as defined by the Council's Local Plan Strategy Document (LP) (2016). In such a location, and insofar as it relates to the proposal before me, Policy S4 of the LP says, amongst other things, that conversions for new housing will be supported where the preservation of the building would enhance the immediate setting and that it would re-use a redundant or disused building without significant alteration or significant extension.
6. The existing layout of the estate is well contained to the agricultural land to the south, by the position and orientation of the southern appeal building and a series of trees. This contrasts with the more open domestic aspect facing the access roads to the north and east. In this regard, the proposed gardens serving units 1 and 2 would erode this tight form. Moreover, the extent and

shape of the gardens in the southern edge would appear as an ad-hoc element and a small, but harmful, encroachment into the countryside.

7. Although the views of this would only be harmful from private land, even small incremental changes can erode the quality of an area. In this regard my concerns do not relate to the principle of domestic gardens serving conversions in the countryside. Instead, it is the conversion for housing with the layout proposed which, in this instance, would not enhance the immediate setting, but would cause a small degree of harm to the character and appearance of the surrounding area.
8. In reaching this conclusion, I accept that no extensions are proposed, and the elevational treatment would be sympathetic to other dwellings within the estate. Moreover, matters of boundary treatments could be reserved by way of a condition were I minded to allow the appeal. Bringing the buildings into use would tidy the site up, improving its general unkempt appearance. However, the weight that I afford these elements is limited by the absence of substantive evidence to demonstrate that the proposed design would be the only solution to secure these outcomes.
9. Although the buildings have neared completion they have never been brought into use. I have not been referred to any definition but, in my view, to be disused implies that a building must first have been in use.
10. There is no substantive evidence before me regarding any active marketing undertaken or whether the garages were offered to residents for sale or rent. Similarly, whilst I have been referred to a single vacant garage unit within an existing block in the estate, no firm details have been provided regarding the steps taken to secure a user during the period of vacancy.
11. Although there is no specific requirement in Policy S4 of the LP to provide marketing details, equally there is no firm evidence before me that the demand for garaging does not exist. In this regard, even considering the period since work ceased on the buildings, I can not be satisfied that they constitute redundant or disused buildings for the purposes of Policy S4.
12. These are recent structures that have never been completed, in a countryside location where new build housing would not satisfy any of the other requirements of Policy S4. As such, and drawing the above together, I conclude that the appeal site does not represent an appropriate location for the proposed dwellings, having particular regard to the housing strategy for the area and the effect of the proposal on the character and appearance of the surrounding area. The proposal would therefore conflict with the requirements of Policy S4 and ENV1 of the LP. These, amongst other things, seek design that has regard to the specific characteristics of the site's wider context and the character of the surrounding area.
13. Policy S4 of the LP does not reflect the wording within paragraph 80 of the National Planning Policy Framework (the Framework) (2021). However, both Policy S4 and ENV 1 are consistent with the provisions of the Framework, to the extent that they seek to promote sustainable rural development, promote the re-use of redundant or disused buildings, good design and recognise the intrinsic character and beauty of the countryside. It is not, therefore, in my view, a determinative matter whether the proposal would amount to 'isolated homes' in the context of paragraph 80 of the Framework.

Other Matters

14. There would be benefits from the additional support to the local economy from future occupiers of the houses and from the building works. Moreover, the proposed houses would contribute to maintaining the Council's housing supply and would, in part, make an effective use of previously developed land. Whilst these are factors which are encouraged by the Framework, the overall benefits arising from 3 dwellings in this location would be very small.
15. Having regard to my duties under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the nearest listed buildings are within the building group of the former model farm. The appearance of the proposed houses would be undertaken sympathetically to assimilate with the housing group and the access to the east minimises the inter-relationship to the listed buildings. As such, in the context of the wider residential development at the former model farm the proposal would not harm the setting of the listed buildings.
16. Although I have raised concerns regarding the extent of garden projecting south into the countryside, given the location of the appeal buildings to the north and northwest, this encroachment would not harm the setting of the listed buildings. The absence of harm in this regard is a neutral matter that weighs neither for nor against the proposal.

Conclusion

17. The appeal site does not represent an appropriate location for the proposed dwellings, having particular regard to the housing strategy for the area and the effect of the proposal on the character and appearance of the surrounding area.
18. For the reasons given above, the proposal would conflict with the development plan. Although there are benefits, the extent of benefits from 3 dwellings is very small. As such, there are no material considerations that would indicate that the appeal decision should be taken other than in accordance with the development plan.
19. I therefore conclude that the appeal should be dismissed.

Mr R Walker

INSPECTOR