



Appeal Decision

Site visit made on 27 June 2022

by C Megginson BA(hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th July 2022

Appeal Ref: APP/E2001/W/22/3292081

Land south-west of Newton Lodge, Everingham, YO42 4JD

- 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 C Rogers against the decision of East Riding of Yorkshire Council.
 - The application Ref 21/01644/PLF, dated 26 April 2021, was refused by notice dated 10 August 2021.
 - The development proposed is described as the reinstatement of former village forge to form one dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the site location description from the planning application form. The Council's decision notice identifies the site as land south-west of Birch Lodge. The site location is sufficiently obvious to me from the evidence that has been provided. I have proceeded on this basis.

Main Issues

3. The main issues are a) whether the appeal site is in an appropriate location for housing having regard to the settlement strategy; and b) whether the proposed development would preserve or enhance the character or appearance of the Everingham conservation area (CA).

Reasons

Settlement strategy

4. The appeal site sits on the south-western corner of a large paddock to the south of St Everilda's Terrace, adjoining large front gardens to the east that then adjoin open countryside. The appeal site lies outside of the defined settlement limit of Everingham, in an area designated as countryside as defined by Policy S3 of the East Riding Local Plan Strategy Document (2016) (the Local Plan) which sets out locations for focusing development. Policy S4, in summary, limits development of dwellings in the countryside to replacement dwellings; new dwellings of exceptional quality or of truly outstanding innovative design; affordable housing for local people; or agricultural, forestry or other rural-based occupational dwellings subject to demonstrating an essential need.

5. The proposed dwelling would be set over two levels, one above and one below ground and would feature a sunken terrace to ensure that domestic paraphernalia is contained. Whilst the materials proposed would reflect that of the former forge and be of high quality, this would not be exceptional. Similarly, whilst the design proposed, including subterranean elements would be interesting, it would not represent truly outstanding innovative design that would meet the aims of Policy S4. There is no evidence to suggest that the appeal proposal would meet any of the other criteria outlined above. I therefore conclude that the appeal site is not in an appropriate location for housing having regard to the settlement strategy and would conflict with Policies S3 and S4 of the Local Plan. It would also conflict with Policies S1 and S2 of the Local Plan and with the National Planning Policy Framework (the Framework) in relation to achieving sustainable development.

Conservation area

6. The Everingham Conservation Area Appraisal (2007) identifies the significance of the special character and appearance of Everingham estate village, in summary, as the relaxed and simple layout that contributes to the rural feel of the village core. It highlights the sense of openness and the variety of boundary treatments, including green boundaries which add to the rural feel.
7. As set out in the Heritage Impact Assessment, the proposal seeks to reinstate the old village forge in its former location in the street scene and the foundations remain in situ. It is unclear exactly when the old forge was demolished, however, it is considered to be a significant length of time ago in the late 1960s and well before the CA was designated in the 1980s. Whilst the aim to replicate the design is commendable, the design goes further with subterranean elements such as parking and patio areas that would not be reflective of the character of the old forge.
8. The appeal site, the paddock of which it forms a part and the adjacent large gardens, sit in a prominent location and provide a large green space which contributes to the rural feel of the CA. The hedges around the paddock provide some screening and the site has been subdivided by fencing and contains some domestic trees and shrubs. However, this does not detract from the rural feel and open undeveloped nature of the site itself. Similarly, whilst the appeal site and wider paddock is not currently maintained and planting currently blocks views of the terrace, the degree to which this situation would improve through the appeal proposal would be limited given that it would develop only the south-western corner of the paddock and would include additional hedge planting.
9. The appeal proposal would introduce built development that would detract from the open rural nature of the appeal site and its surroundings and as a result would fail to preserve or enhance the character or appearance of the CA. The harm would be localised and therefore the impact on the CA as a whole would be less than substantial within the meaning of Paragraph 196 of the Framework.
10. In weighing it against the public benefits of the proposal, whilst there would be economic benefits from the construction of a single-family dwelling and educational benefits from the proposed interpretation board, these benefits would be limited. The planting of a new hedgerow would create some biodiversity benefit, however, the proposal would also include the removal of

hedgerow, trees and shrubs, so any potential benefit would be limited. When taken together, they would not be sufficient to outweigh the harm that I have found, and to which I am required to attach great weight. As such, the proposal would conflict with Policy ENV3 of the Local Plan and the Framework which, in summary, seek to protect, preserve and where possible enhance, the character and appearance of heritage assets.

Conclusion

11. The appeal scheme would conflict with the development plan. There are no material considerations that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

C Megginson

INSPECTOR