
Appeal Decision

Site visit made on 26 September 2022

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th October 2022

Appeal Ref: APP/E2001/D/22/3300563

33 Main Street, Hotham, East Riding of Yorkshire YO43 4UD

- 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 V Gell against the decision of East Riding of Yorkshire Council.
 - The application Ref 22/00476/PLF, dated 11 February 2022, was refused by notice dated 13 April 2022.
 - The development sought is described as a retrospective planning application for a steel portal frame shed to provide storage provisions.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The proposed shed is in place. It appears to be in accordance with the plans.

Main issue

3. The main issue is the effect of the development on the character and appearance of the local area.

Reasons

4. The appeal building is a steel portal frame structure, which I shall refer to hereafter as 'the shed'. The shed stands on garden land to the rear of No 33, which is a 2-storey dwelling that occupies a long plot.
5. The shed is located beyond the defined development limits of Hotham and so it falls within the countryside. Policy S4 of the East Riding Local Plan Strategy Document (LP) supports certain forms of development within such areas if the intrinsic character of their surroundings is respected. The shed also partly falls within the Hotham Conservation Area (CA). To my mind, the significance of the CA as a designated heritage asset (DHA) primarily derives from the many historic buildings within it, some of which are arranged close together.
6. The Council's Conservation Area Appraisal (CAA) does not identify No 33 as a focal point building, nor is it listed. According to the CAA, the site does not appear to form part of an important view into or out of the CA. Nevertheless, the shed still occupies a visually important location because it stands at a sensitive interface between the settlement, the landscape and a DHA.

7. When considering the impact of a development on the significance of a DHA, the National Planning Policy Framework (the Framework) states that great weight should be given to the asset's conservation. There is also a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, which I have done.
8. With its steel portal frame, concrete plinth, green profile cladding and an open side, the shed is utilitarian in form and general appearance. It is unmistakably a large storage building that is akin to an agricultural or industrial unit that is sometimes found in countryside locations and within the rural landscape. However, in this case, the shed is on garden land just to the rear of existing housing. It is visually 'read' closely with these dwellings and some of their rear domestic outbuildings and structures, which are mostly modest in size.
9. The shed is also a sizeable structure. Its substantial built form and considerable height are atypical of outbuildings and structures that are generally found in the rear gardens of houses. That the shed occupies an elevated position relative to No 33 and the dwellings on either side due to the sloping ground visually accentuates its considerable scale and height.
10. In that context, the shed draws the eye as an overly large and overtly functional building. It appears out of place close to housing and among smaller and less substantial outbuildings and structures near to it. As such, the shed could not reasonably be described as appropriate in scale to its location, even having regard to the long back garden of No 33 and its rural village setting. Having carefully viewed the shed from numerous vantage points, I am in little doubt that it is a disruptive and an uncharacteristic intrusion into relatively long garden land. As such, the shed detracts from and so fails to preserve the character and appearance of the CA. Its harmful impact could not be mitigated by cladding the concrete plinth with natural limestone.
11. I acknowledge that the shed is largely shielded from public view along Main Street by existing buildings and that it is only visible at some distance from a short section of North Cave Road. However, it would be visible to varying extents from the upper windows of some nearby residential properties and the open land on either side of the site. In any event, the requirement for development to preserve or enhance the character or appearance of the CA applies whether or not the scheme can be seen from public vantage points.
12. The harm to the CA is, in the context of the significance of the DHA, less than substantial. In those circumstances, the Framework requires that the harm is weighed against any public benefits of the development. In this case, the shed has replaced a large, dilapidated metal clad building in a similar position. From the photographs provided, the rundown appearance of the previous building detracted from the character and appearance of the CA. However, the visual benefits to arise to the area from its removal have been negated by the harm caused by the shed. No other public benefits are put forward and none would outweigh the identified harm.
13. My attention has been drawn to a fall-back position in which the appellant says that several detached outbuildings of varied design and materials could be introduced to the rear of No 33 through the exercise of permitted development (PD) rights. However, a PD compliant scheme would require those buildings to be much lower in height and so less prominent and harmful than the shed. On

that basis, I attach no more than limited weight to this fall-back position in support of the appeal.

14. On the main issue, I conclude that the shed is incompatible in its context. It causes significant harm to the character and appearance of the local area. Accordingly, the appeal scheme conflicts with LP Policies S4, ENV1 and ENV3. These policies aim to ensure that development achieves a high quality of design, respects the intrinsic character of its surroundings, and conserves the significance of heritage assets such as conservation areas. It is also contrary to the Framework and the National Design Guide, which together seek to make sure that development relates well to its context, adds to the quality of the area and safeguards heritage assets.
15. The shed provides valuable storage space for machinery and equipment that are necessary, if not essential, for the upkeep of a large plot. It is on land that is previously developed, the re-use of which is encouraged in policy terms. I note that the previous building on the site was removed primarily for safety reasons. I also acknowledge that the shed is orientated on the site with the open side facing away from neighbouring properties unlike its previous counterpart. In that way, the potential disturbance to others from the use of the shed is minimised. I saw that the rooflines of the shed also follow those of some other outbuildings. However, these considerations do not outweigh the significant harm that I have identified.

Conclusion

16. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR