



Appeal Decision

Site visit made on 27 June 2023

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2023

Appeal Ref: APP/E2001/W/23/3315922

The Paddocks, Hatkill Lane, Full Sutton YO41 1HW

- 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 Adina Developments Ltd against the decision of East Riding of Yorkshire Council.
 - The application Ref 21/01546/PLF, dated 21 April 2021, was refused by notice dated 10 August 2022.
 - The development proposed is erection of a detached house and stables following demolition of existing agricultural building.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the site would represent a suitable location for the proposal having regard to the development strategy for the area; and the effect of the proposal on the character and appearance of the area.

Reasons

Development Strategy

3. Policy S1 of the 2016 adopted East Riding Local Plan Strategy Document (the Local Plan) sets out a presumption in favour of sustainable development. Policy S2 supports a reduction in greenhouse gas emissions. To support these policies, Policies S3 and S4 of the Local Plan set out the development strategy for the area, based on a settlement network to direct most new development to areas where there are services, facilities, homes and jobs and where it can be served by the most sustainable modes of transport.
4. The site lies outside, but close to, the development limit of Full Sutton as defined in the Local Plan. For development plan purposes, the site is therefore within the Countryside and is subject to the requirements of Policy S4.
5. Part A of Policy S4 supports new development in villages and the Countryside in order to maintain their vibrancy when certain criteria are met. Although the site is outside the development limit for the village, it would not be isolated in the sense referred to in paragraph 80 of the National Planning Policy Framework 2021 (the Framework). The proposed dwelling would be reasonably accessible to the albeit limited services and facilities within the village of Full Sutton. While the site would not represent previously developed land by virtue of its agricultural use, part A.2 of Policy S4 encourages, rather than requires the development of such land and in this respect, I note the Council considers

that housing on greenfield sites is not automatically precluded by this criterion. There is no evidence to suggest that the site is on the best and most versatile agricultural land.

6. However, Policy S4 is clear that development in villages and the Countryside should also accord with the specific provisions of parts B or C of the policy. Part C is specific to the Countryside. As the proposal is for a new open market dwelling, it would not satisfy any of the circumstances in part C.
7. There is no evidence before me to suggest that the Council's policy approach is failing to meet the housing needs for the area. The Council's officer report identifies that as at April 2021¹ there was around a 10.2 years supply of deliverable housing sites across the authority area. This information is not specifically contested by the appellant. I therefore have no reason to doubt that policies for the supply of housing are up to date and the presumption in favour of sustainable development in paragraph 11 d) of the Framework does not apply.
8. The appellant contends that reliance on the development limit is overly simplistic and does not represent what they consider to be the edge-of-settlement nature of the site. However, the limits to development and the provisions of Policy S4 are clearly set out, and I have assessed the proposal on that basis.
9. Consequently, notwithstanding that the proposal comprises one dwelling, being located within the Countryside and outside of the development limits of Full Sutton, the proposal would represent a clear conflict with Policies S1, S2, S3 and S4 of the Local Plan which together seek to focus new development within the development limits of existing settlements. I therefore conclude that the site would not represent a suitable location for the proposal having regard to the development strategy for the area.

Character and Appearance

10. The appeal site is mainly surrounded by open countryside, with the built form of the village lying predominantly to the west. Despite the appellant's contention that the countryside starts at the hedgerow beyond where the proposed dwelling would be located, when at the edge of the settlement looking towards the site, it is seen within the context of an open and rural landscape. Although the built form along the village edge is visible when at the site, it has a distinctly separate feel from it. Consequently, despite the proximity to the nearby properties on Chauncy Close and the residential development under construction, the appeal site is recognisably part of the countryside and contributes positively to the rural surroundings of the settlement.
11. The existing agricultural buildings on the site have a relatively unassuming presence. Their appearance is typical of this type of building. They reflect the character of the surrounding rural landscape and sit quite comfortably within their predominantly countryside setting.
12. The proposed dwelling would be a substantial property. It would have an appreciably greater footprint and volume compared to the existing buildings and so would have a greater presence on the site. In addition to the new

¹ Housing Land Supply Position Statement for the period 2020/2021 to 2024/25, April 2021

dwelling, the proposal includes a driveway and parking and turning areas, gardens and boundary treatments. The design elements for the dwelling, including the use of extensive glazing, the illumination that would occur and the paraphernalia and activities that would be associated with its use as a dwelling would reinforce the domestic character of the proposed development. The development as a whole would be perceived as a substantial dwelling set within a large curtilage, and overall, it would have an encroaching urbanising effect. This would be markedly at odds with the existing modest agricultural buildings and with the rural surroundings.

13. Views of the proposed development would be relatively localised. However, due to its scale and massing, it would be clearly visible from nearby properties and from the nearby public right of way that runs north passed the Church of St Mary. From these vantage points, the proposed development would be seen as a pronounced incursion into the countryside.
14. The appellant's landscaping proposals do not alter my reasoning regarding the harm that would result to the character and appearance of the area.
15. The proposed stable block is also of a substantial size. It would be located further into the open countryside and would exacerbate the encroachment that would be caused by the proposal.
16. I note the appellant's evidence which states that revised plans were submitted during the course of the application which removed the stable block. However, the Council made its decision on the basis of the description of development proposed on the application form and there is no clear evidence before me to demonstrate that consultation was undertaken on the revised proposal. It is important that what is considered by the Inspector is essentially the same scheme that was considered by the Council and interested parties at the application stage. Nevertheless, even if I were to consider the proposal on the basis of the stable block being deleted, this would not alter my conclusion on the harm that would be caused to the character and appearance of the area.
17. The proposal would represent an encroachment into the countryside and would erode the positive contribution that the site makes to the rural setting of the village. I therefore conclude that the proposal would be significantly harmful to the character and appearance of the area. Accordingly, it would conflict with Policies S4 and ENV1 of the Local Plan which require development to respect the intrinsic character of their surroundings and contribute to safeguarding and respecting the diverse character and appearance of the area through their design, layout, construction and use, amongst other matters. The proposal would also conflict with the Framework where it seeks to ensure that developments are sympathetic to local character.

Other considerations

18. The appellant contends that other considerations outweigh any conflict with the development plan. The Framework advises that local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
19. The proposal would contribute (numerically) to housing supply. However, I do not afford such a benefit very significant weight in the context of the local

- planning authority being able to demonstrate more than a five-year supply of deliverable housing sites and given the quantum of houses proposed.
20. There would be some economic benefits during construction and occupation, for example in the latter instance via local spend and support given to the use of local services and facilities. However, the weight that I can ascribe these benefits in terms of one dwelling is relatively limited.
21. Sustainable design credentials are referenced and could be secured through an appropriately worded planning condition. However, in the absence of precise details, and given that energy saving measures would generally be expected with a new development, I attribute limited weight to this matter.
22. The proposed landscaping may well provide biodiversity enhancement, although it is difficult to quantify the extent of this from the submitted evidence.
23. The appellant has referred to permissions granted by the Council on the edge of settlements. Only very limited details of these examples are before me. One reference is to replacement farm buildings which is a different development type to the appeal proposal. The other reference is the development of small paddocks where the settlement limits have an indent, and the development has been acknowledged as infill. In my judgement, the appeal proposal would not represent an infill development as it is mainly surrounded by open countryside and would not logically complete the pattern of development here.
24. Reference has also been made to the nearby housing development that is under construction. The Council's evidence describes this as a hybrid site that straddled the boundary and was determined at a time when there was uncertainty regarding the five year housing land supply position. The appellant contends that no specific reference is made to a lack of a five year housing land supply in the officer report. Notwithstanding this, from the submitted evidence and what I saw at my site visit, this nearby housing development is more contained within the existing built form of the village than the appeal site is.
25. Consequently, on the basis of the available evidence, I do not find these examples to be directly comparable to the appeal proposal. In any event, I have evaluated the appeal proposal on its individual planning merits.
26. Overall, therefore, while giving positive weight to the benefits associated with the proposal, they are not sufficient to outweigh the conflict with the development plan in this instance.

Conclusion

27. The proposal would conflict with the development plan taken as a whole. There are no material considerations worthy of sufficient weight that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

F Wilkinson

INSPECTOR