



Appeal Decision

Site visit made on 29 March 2023

by Louise Crosby MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 March 2024

Appeal Ref: APP/E2001/W/22/3312614

Land on the south side of Minster Way, Beverley, East Yorkshire, HU17 0TA

- 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 P Wilson against the decision of East Riding of Yorkshire Council.
 - The application Ref 22/00273/PLF, dated 25 January 2022, was refused by notice dated 18 July 2022.
 - The development proposed is the retention of a building extending to about 56 m² and hardstanding extending to about 120 m² on agricultural land extending to more than one hectare.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal building has already been constructed. I shall deal with the appeal on this basis. The proposal is described in the Council's decision notice as erection of an agricultural building and construction of hardstanding area and access (retrospective). However, I note that neither the planning application form nor the appeal form make reference to the proposal including a new access. Also, in reply to a question on the planning application form about whether a new or altered access is proposed to or from a public highway the appellant has answered no. Therefore I shall deal with the appeal on the basis of planning permission being sought for the building and hardstanding as set out in my banner heading above.

Main Issues

3. The main issues are the effect of the proposal on:
 - i) the character and appearance of the surrounding area;
 - ii) highway safety; and
 - iii) flood risk.

Reasons

Character and appearance

4. The appeal site is located off Minster Way close to the town of Beverley. It is within open countryside for planning policy purposes. It forms part of a what was originally a larger agricultural holding. The holding was split when Minster

Way was constructed and the land belonging to the appellant is limited to a modest sized grassed field and the access to it from Minster Way. The site owned by the appellant also contains another modest sized agricultural building which appears to have been there some time and I have assumed this has planning permission for the purpose of my decision.

5. The appeal building is a box like structure constructed from grey metal sheeting. It is located at the edge of the appeal site at the furthest point from the road. Whilst the appeal building is visible from the road due to a lack of landscaping, it is not unduly large or visually dominant. However, it results in an additional building on this small plot of land. Together the two buildings have a more harmful appearance in this open countryside location as their combined scale and bulk makes them appear far more noticeable.
6. It is not clear why there is a need for 2 buildings. There is very little justification for the building given there is already one building on this modest sized site which should be sufficient to serve the needs of the grassed area, so for the storage of grass cutting equipment and the like. As such it would conflict with East Riding Local Plan Strategy Document Policy (LP) S4 which gives general support to development related to agriculture which contributes to the local economy and is of an appropriate scale and would respect the character and appearance of the surrounding area.
7. The National Planning Policy Framework requires decisions to recognise the intrinsic value of the countryside. Allowing agricultural buildings in open countryside without sufficient justification would lead to rural areas being littered with these types of buildings to the detriment of its intrinsic character. As such I find the proposal in conflict with national planning policy also.
8. Overall, I find that the proposal would conflict with LP policies S4, EC1, ENV1 and ENV2 in so far as they seek to ensure that development outside of development limits (in open countryside) respects the character of the surrounding landscape.

Highway safety

9. Minster Way is a busy 'A' road with a 50 mph speed limit. It forms a by-pass around the southern and eastern edge of Beverley. The appeal site is accessed directly off Minster Way. The access was created when Minster Way was constructed through an agricultural field, in order to give access to the parcels of land either side of the new road. According to the Council's highway department the access was only ever intended for occasional agricultural use as another access also existed off Hull Road. It seems that since then the land at this site off Minster Way has been subdivided and so this is the only vehicular access to the appellant's land and buildings.
10. There was no activity when I visited the site and I am not convinced that introducing one more modest sized building has resulted in a material increase in traffic movements into and out of the site. There is good visibility when leaving the site. Turning into the site will require vehicles to slow down, however it is likely the person using the access will be very familiar with its location and so will be slowing down at an appropriate time and in a safe manner. As such I find that the proposal would not result in any significant impacts on the highway network and not be prejudicial to highway safety.

11. Consequently, the proposal would accord with LP Policies S8 which seeks to protect the role and function of the strategic road network; ENV1 which seeks among other things to secure equality of safe access, movement and use and EC4 in so far as it seeks to ensure new development has the necessary transport infrastructure to support it.

Flood risk

12. No drainage details were submitted with the planning application or subsequently. However, on the basis of the consultation responses in relation to drainage and flooding I am satisfied that this matter could be dealt with by planning conditions if I were minded to allow the appeal.

Conclusion

13. Whilst I have found that the proposal would not be detrimental to highway safety or result in drainage issues that could not be resolved, this lack of harm is outweighed by the harm to the character and appearance of the area that I have identified.
14. For the reasons given above I conclude that the appeal should be dismissed.

Louise Crosby

INSPECTOR