
Appeal Decision

Site visit made on 1 February 2024

by C Harding BA (Hons) PGCert PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th March 2024

Appeal Ref: APP/E2001/W/23/3326870

6 Main Road, Gransmoor, East Riding of Yorkshire YO25 8HX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Anthony Quinn against the decision of East Riding of Yorkshire Council.
 - The application Ref 22/02374/PLF, dated 15 July 2022, was refused by notice dated 29 March 2023.
 - The development proposed is Change of Use to Garden and Outbuilding.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In reaching this decision, I have had regard to the revised version of the National Planning Policy Framework ('the Framework') which was published on 20 December 2023, but as it does not involve changes to national policy affecting the proposal, I have not sought the parties' comments upon it.
3. The Council determined the planning application on a part-retrospective basis and amended the description of development to refer to *"Use of paddock for the siting of a caravan, domestic garden in connection with 6 Main Road, erection of an outbuilding/barn and shed"*. There is no evidence before me to indicate that this change of description was agreed with the appellant.
4. At the time of my visit, the appeal site contained a number of buildings and structures, including several sheds, dismantled truck bodies, a touring caravan and a static caravan.
5. The description of development used on the planning application form refers only to the change of use of the land to garden and a single outbuilding. The provided plans indicate that three buildings would be situated within the site as a result of the proposal; a shed and a static caravan, both indicated as existing structures, and a proposed outbuilding. None of the sheds that I saw within the site appeared to correspond with the specifications of the "existing shed" indicated within the plans.
6. On this basis, and notwithstanding that structures indicated as currently existing on the site are shown on the provided plans, I have determined the appeal on the basis of the description of development used on the planning application form, taking account of the provided plans relating to the proposed "outbuilding/barn". Accordingly, I have not considered the existing shed and existing caravan shown on the provided plans further in reaching my decision.

Main Issue

7. The main issue is the effect of the proposal on the character and appearance of the area and wider countryside.

Reasons

8. Gransmoor is a small hamlet with a loose grain, located within a rural area. The topography of the wider area is predominantly flat, although there are some gentle undulations.
9. The appeal site itself is a large, grassed area located opposite 6 Main Road ('No 6') across a narrow lane, and rises gently towards the south. Vehicular access is possible by means of a gated access opposite to No 6. The southern boundary of the site is formed by a close-boarded fence and a stand of mature trees. A dense hedgerow forms part of the boundary to the west and a field hedge interspersed with trees comprises the eastern boundary. To the west of the site is a well-contained area of land and a single-storey property. Beyond the site to the east and south is open, rolling agricultural land.
10. It is common ground that the appeal site lies outside of any designated development limits, and I understand that the appeal site has formerly been used for agricultural purposes, specifically the grazing of horses. The site contributes positively to the character of the area by forming a smaller area of undeveloped land at the edge of the settlement, providing a transition from development within the hamlet, to the larger, open fields which surround it.
11. The proposal would result in a substantial area of land becoming domestic garden on the periphery of the settlement. The proposed outbuilding, although large, would be appropriately designed and would be of a similar nature and scale to a small agricultural building. In itself, it would not be harmful to the character and appearance of the area.
12. However, although the appellant would retain use of the existing garden space associated with No 6, and even if the introduction of larger structures or buildings, and hardstanding through the exercising of permitted development rights under Part 1 of Schedule 2 of the General Permitted Development Order 2015 could be controlled by means of a planning condition, it is likely that use of the appeal site as a garden would result in the location of other residential paraphernalia within the site.
13. Although some of such paraphernalia would not amount to development and in some cases, would not be bulky in nature or appearance, it would nevertheless lead to the overall domestication of the site. I accept that some smaller and more portable domestic items could be stored within the proposed outbuilding when not in use, however there is no mechanism before me which would ensure that this would occur.
14. The site is screened to some extent, views into and across would be filtered, and its location means that it is not prominently situated. However, it would not be wholly enclosed, particularly in winter months. The proposal would result in the appeal site having a more domestic appearance and character in comparison to an agricultural use, which would be largely absent of built form or structures, or levels of intensive human activity. The nature of the use would be noticeable to occupiers of nearby properties and to users of the Public Right

of Way which passes the site, and the transitional nature of the site would be eroded, to the detriment of the character and appearance of the area.

15. I accept that large, detached dwellings situated within large gardens can be commonly found in rural areas. I also acknowledge that the residential property located to the west of the appeal site itself appears to have a large area of land associated with it. However, the garden which would be formed as a result of the proposal would not be clearly associated with any particular dwelling and this being the case, would be of a differing and less-contained character.
16. It is indicated that the proposal would result in land for the grazing of horses being retained within the garden. However, there is no detailed evidence before me in relation to the potential extent of such areas and this fact carries limited weight as a result.
17. The proposal would harm the character and appearance of the area and the wider countryside. It would therefore be contrary to East Riding Local Plan Strategy Document Policies S4, ENV1 and ENV2 which together, and amongst other factors require developments in the countryside to respect the character and appearance of the area and be sensitively integrated into the existing landscape.
18. It would also conflict with advice set out in Chapters 12 and 15 of the Framework, which requires developments to contribute to the local environment by recognising the intrinsic beauty of the countryside, and to be sympathetic to local character, including landscape setting.

Other Matters

19. I acknowledge the desire of the appellant to provide additional recreational space away from the public highway in order to provide additional parking for vehicles and a safer area for outdoor recreation in addition to the existing garden space at No 6. However, it has not been shown that sufficiently sized areas for such purposes could not be provided by other, less harmful means. Accordingly, these are factors which have minor weight in favour of the proposal.
20. The supporting text of ERLP SD Policy S4 states that development limits are not intended to exclude the prospect of extensions to residential dwellings where these are of an appropriate size and respectful of the character of the area. Even if I were to agree that this supporting text could be interpreted to include development beyond physical extensions, I have found that the proposal would harm the character and appearance of the area and the wider countryside, in any event. As a result, the proposal draws no support from this policy.
21. I have been provided with no detailed evidence in relation to whether the appeal site currently comprises Best and Most Versatile Agricultural Land. Even if I were to agree that the proposal would not result in the loss of such land, this would be a neutral factor. Additionally, even if I were to agree that the proposal would not harm the living conditions of occupiers of nearby residential properties, this would also be a neutral factor. These matters do not, therefore, weigh in favour of the scheme.

Conclusion

22. The proposal would harm the character and appearance of the area and wider countryside. It would conflict with the development plan when read as a whole.
23. There are no other considerations, including the Framework, which indicate that a decision should be taken other than in accordance with the development plan.
24. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

C Harding

INSPECTOR