



Appeal Decision

Site visit made on 18 December 2024

by L N Hughes BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 December 2024

Appeal Ref: APP/E2001/D/24/3347178

Abbey Cottage, Main Street, Swine HU11 4JE

- 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 Jack Nethercott of Julius Bahn against the decision of East Riding of Yorkshire Council.
 - The application Ref is 24/00735/PLF.
 - The development proposed is the erection of oak framed garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised version of the National Planning Policy Framework ('the Framework') on 12 December 2024. I have considered this against the December 2023 version before the parties for their appeal evidence, and updated cited paragraph numbers as necessary. I have not gone back to the parties for comment, as the Framework changes are not substantive or determinative in relation to this appeal outcome.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to the preservation or enhancement of the Swine Conservation Area.

Reasons

4. The site lies within the Swine Conservation Area (CA), and so I have a statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing its character or appearance. Section 16 of the Framework also requires great weight to be given to the conservation of designated heritage assets. Policy ENV3 of the East Riding Local Plan 2012-2029 Strategy Document (LPSD) aligns closely with this approach, requiring the conservation especially of those elements that contribute to the special interest and the significance of each CA, including views, setting, character, appearance, and context.
5. The Swine CA incorporates a very small village, orientated primarily along a single street. The Swine Conservation Area Appraisal (CAA) explains that its significance derives from its integrity as an estate village settlement which has remained largely immune from post-World War II development. The modest

two storey brick houses nearly all date from the 19th and very early 20th Century. Most are set back nominally from the road behind a verge or footpath within individual hedged curtilages. They retain many traditional joinery and slate roofing materials, and a uniformity of maintenance and boundary treatment. They present a generally unassuming style and architecture which in combination forms a greater contribution to the character than would be suggested individually.

6. Swine also derives much of its character and sense of place from its sporadic development, and the way in which open land penetrates the village at various points and leaves large gaps between pockets of development. This green open space and general verdancy, including the smaller domestic scale gaps between dwellings, pleasantly breaks up and positively contributes to the streetscene and thus the significance of the CA.
7. The appeal site provides spatial openness in between the adjacent dwellings, which thus contributes to the sense of place and significance of the CA. However, there is a direct infill precedent for a garage within this gap, which has a modern unsympathetic form and materials, and which blocks clear views of any garden or countryside beyond. The proposal is for a garage directly in front of this existing garage, and the small wooden shed beside it. It would be low level, and set back some distance behind the front building line of the adjacent dwellings and slightly to one side of the gap. It would also benefit from some frontage hedgerow screening, and the tall trees as the green backdrop would predominantly still be visible.
8. Moreover, the proposed garage would not be within the immediate settings of any of the buildings identified in the CAA as creating a focal point and being of particular importance. Taking this all into account, in principle I find that some element of built form within this area which masked the existing garage could therefore preserve or enhance the significance of the CA.
9. However, the CAA identifies that where new development is allowed, it must sympathetically reflect the small-scale and unassuming character of the present architecture. The pyramidal roof would not reflect the adjacent gable end pitched roofs, and despite the appropriate slate roofing, oak weatherboard is not an evident building material in the CA beyond garden sheds.
10. Although the design would be bespoke and somewhat visually lightweight due to its materials and open front design, it would thus appear untoward and visually intrusive in this space, particularly as it would have more prominence than the existing garage due to its positioning. Despite the potential for enhanced hedgerow screening, it would be visible from the stretch of Main Street alongside and to either side of the property, including from a bench diagonally opposite which indicates a resting point for pedestrians.
11. The village properties do include numerous other garages and outbuildings, of differing styles and materials. Despite the CAA reference that only the occasional garage or garden shed has been erected, this dates from 2006, and so the presence of more recent garages is a material consideration.
12. However, the majority of these garages are very set back. As such, in comparison to the appeal garage they cannot be viewed so obviously from the streetscene, with a lesser impact on the space between buildings. Those which are more visible and of modern materials, are not of a design quality to

suggest that existing harm should support additional harm. I therefore find the presence of existing garages does not alter my conclusion with regard to the site specific harm arising from the appeal proposal.

13. I note the support from interested parties that the proposal would be a positive addition to both Abbey Cottage and the village, however, I have addressed above why I find differently.
14. In totality, I find that the proposal would cause modest harm to the character and appearance of the area and to the CA. As such, this would cause less than substantial harm to the significance of the CA as a designated heritage asset, to which the Framework paragraph 212 requires that I give great weight.
15. The LPSD Policy ENV3(C) identifies that development that is likely to cause harm to the significance of a heritage asset will only be granted permission where the public benefits of the proposal outweigh the potential harm. The Framework paragraph 215 similarly requires less than substantial harm to the significance of the CA to be weighed against the public benefits of the proposal. The garage would create a very small-scale economic benefit from its construction, to which I give very minor weight in favour. The increased sheltered vehicle space would only be a private benefit for the appellant.
16. Overall therefore, the great weight to which I give the less than substantial harm to the CA, would not be outweighed by the proposal's very minor economic public benefit. The proposal would not preserve the significance of the Swine CA, and would cause modest harm to the character and appearance of the area.
17. It would therefore conflict overall with the LPSD Policies ENV1 and ENV3. Alongside the preservation of the CA, they require development to achieve a high quality of design that contributes to a sense of place, and to safeguard and respect the character and appearance of the area through design, layout, scale, and material. It would also conflict with the Framework section 16 on conserving and enhancing the historic environment, and paragraph 135 which requires that developments are visually attractive as a result of good architecture and layout, are sympathetic to local character and history, and maintain a strong sense of place.

Conclusion

18. In conclusion, the development conflicts with the development plan as a whole. With no other material considerations outweighing this conflict, for the reasons given above I conclude that the appeal is dismissed.

L N Hughes

INSPECTOR