



Appeal Decision

Site visit made on 1 May 2025

by **J Smith MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 May 2025

Appeal Ref: APP/E2001/W/24/3357945

Field Head, Driffield Road, Leconfield, East Riding of Yorkshire HU17 7LU

- 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 Wayne Low against the decision of East Riding of Yorkshire Council.
 - The application Ref is 24/02188/PLF.
 - The development proposed is construction of an equine storage building.
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Decision

1. The appeal is allowed and planning permission is granted for construction of an equine storage building at Field Head, Driffield Road, Leconfield, East Riding of Yorkshire HU17 7LU in accordance with the terms of the application, Ref 24/02188/PLF, subject to the conditions in the attached schedule.

Preliminary Matters

2. During the appeal, the East Riding Local Plan Strategy Document Update 2025 (ERLP SDU) was adopted by the Council. Both parties were provided with the opportunity to comment on the implications of this during the appeal. I have taken any comments received and any policies, insofar as they are relevant to this appeal, into account during my assessment of the development.

Main Issue

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

Reasons

4. The appeal site is situated within Lund sloping farmland. The East Riding Landscape Character Assessment notes that this area is distinctive due to its gentle rolling landform. The appeal site is also located within the countryside and beyond the limits of a defined settlement. Policy S4 of the ERLP SDU notes that outside of settlements, development will be supported where it helps to maintain the vibrancy of villages and the countryside where such development is of an appropriate scale to its location and encourages the re-use of previously developed land, amongst other things. The Council note that equine uses such as that proposed in this appeal are supported by Policy S4 of the ERLP SDU. However, development must be of an appropriate scale to its location.
5. The appeal site forms a part of a wider area of fields and paddocks associated with the host property known as Field Head. Upon entry into the wider site from Driffield Road, access is attained to Field Head along a gravelled track which passes the appeal site location and into an area of hardstanding. This area of

hardstanding operates as a driveway to Field Head and as a servicing yard for an existing stable, open sided barn and outdoor equine exercise area.

6. The proposed development would be sited away from these buildings and would replace an existing stable which is smaller in height and width to that proposed under this appeal. The proposal would contain two distinctive elements. The main area of the building, comprising of a machine store with a large front opening, an equipment store at the ground floor, with a staff room provided on its upper floor and would be forward of the second element of the building. This area of the building would also host windows in its front and side elevation. The second element comprises of a field shelter which would also host a wide opening to its front. It is of a shorter depth than the other element of the proposed building. Furthermore, the building would be adjacent to the Hudson Way. This is a public footpath which is lined by extensive tree and hedgerow coverage. This footpath is at a lower level than the appeal site due to its position within a cutting.
7. The building would be of a significant width and height when viewed from within the paddock which forms the appeal site. However, the building would be a substantial distance away from the public vantage points along Driffield Road. From Driffield Road, the boundary which surrounds Field Head is host to mature hedgerows and trees. These hedgerows also continue around Field Head to distinguish the boundaries of the paddocks which make up this location.
8. In addition, the building would be positioned against a backdrop of mature trees and hedging which line the Hudson Way bridleway to the rear. Due to the height and positioning of these trees, this would provide a shadowing effect onto the proposed building when viewed from Driffield Road. The building would be close to public viewpoints from the Hudson Way to its rear. However, the large grouping of boundary trees and hedging would reduce the intervisibility between the proposal and this footpath. As such, when all of these collective elements are taken into account, this would assist to reduce its visible scale when viewed from public vantage points.
9. I am however cognisant that a building of such size would not be invisible in its entirety. It would however be read in the context of the existing stables and open barn which make up the wider grounds of Field Head. These buildings are located closer to Driffield Road than the proposed siting of the building under consideration. These stables are single storey in height but of a long overall length. The open side barn is taller in height than the stables and is also of a notable length. Although it would be sited away from these existing stables and the open barn, the proposal would nevertheless be viewed in a context of buildings which are not insignificant in the landscape. As such, the immediate character is that of buildings which are typically large and therefore, the building would not appear out of character when viewed in this context.
10. The proposed development would also utilise glazed fenestration components. Fenestration details such as those proposed are not a typical characteristic of an ancillary farm building. Located along Driffield Road and a short distance from the appeal site is a veterinary practice. This facility hosts large full glazed window openings. While I note that the veterinary practice is located in a building which has a different character to that proposed, these glazed elements are nevertheless similar to those found on the proposed building. Therefore, this component of the

development would not appear immediately out of character, when the surrounding character and appearance of the area is considered.

11. To conclude, the proposal would not conflict with Policies S4, ENV1 or ENV2 of the ERLP SDU. These policies seek for development to be of an appropriate scale to its location, respect the diverse character and appearance of the area through their design, layout and construction.

Conditions

12. The Council did indicate which conditions it wanted to be considered if the appeal was allowed. In my assessment of these conditions, I have undertaken minor changes to meet the six tests against the Framework and where necessary I have amended the wording in the interests of effectiveness and precision. Both parties were consulted on the changes to these conditions.
13. In addition to the statutory time condition [1], I have attached a condition which specifies the approved plans [2], which is necessary in the interests of certainty. A condition which requires the submission of a detailed surface water drainage scheme [3] is necessary to ensure that the drainage of the site is appropriately managed. The carrying out of the measures as set out within the Biodiversity Net Gain Report (Prepared by Crow Ecology, Date of Survey: 1st July 2024) [4] is necessary to ensure that the biodiversity of the appeal site is safeguarded from the effects of the development.
14. A condition which stipulates the sole purpose for the building as that as an incidental purpose for the occupants of Field Head to enjoy [6] has been included. This condition has been significantly amended from the suggestion by the Council. This suggestion included examples of commercial activities which they do not consider as incidental purpose to Field Head. I have removed this element of the condition to ensure that any purposes, other than of an incidental purpose, are not permitted.
15. A condition which requires the submission of the details of all external facing materials [5] has been imposed. This condition was not suggested by the Council. I do note that the application form states that the proposed materials are found on the accompanying drawings and the supporting statement. However, whilst the main external material is briefly mentioned within the supporting statement, no details are contained within the plans submitted. Therefore, it is necessary to include this condition to ensure that the materials which would be used would be appropriate.

Conclusion

16. For the reasons given above and in taking all material considerations into account, the appeal should be allowed.

J Smith

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin no later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - 240501-00-1000 REV B (Location Plan)
 - 240501-00-1002 REV A (Proposed Site Plan)
 - 240501-PA-001 REV A (Proposed Ancillary Farm Building Overview)
 - 245277-DR-C-0100 REV P1 (Drainage Strategy)
 - Biodiversity Net Gain (BNG) Report (Prepared by Crow Ecology, Date of Survey: 1st July 2024)

- 3) No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority.

The submitted details shall:

- i. provide information about method employed to control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and,
- iii. provide, a management and maintenance plan for the lifetime of the development.

The development shall be carried out in accordance with the approved details prior to the first use of the building hereby permitted. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.

- 4) Prior to the first use of the building hereby permitted, the following measures shall be carried out in strict accordance with the details as set out in Section 6 of the Biodiversity Net Gain (BNG) Report (Prepared by Crow Ecology, Date of Survey: 1st July 2024):

- 1No. 32mm Small Eco Bird Box
- 2No Midi Beaumaris Woodstone Wall Mounted Bat Box

These measures shall be retained in perpetuity unless agreed otherwise, in writing, with the local planning authority.

- 5) No development above ground level shall take place until the details of all external facing materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

- 6) The building hereby permitted shall be used solely for purposes incidental to the enjoyment of the occupants of Field Head and not for the use of any other purpose.

End of Schedule