



Appeal Decision

Site visit made on 19 May 2025

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th July 2025

Appeal Ref: APP/E2001/W/24/3355882

Townend Farm, Woodcock Road, Flamborough, East Riding YO15 1LF

- 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 Unna against the decision of East Riding of Yorkshire Council.
 - The application Ref is 23/03768/PLF.
 - The development proposed is to extend existing stables, re-roof with solar panels erection of new horse walker replacement of dilapidated store building with siting of a new timber frame building.
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Decision

1. The appeal is allowed and planning permission is granted to extend existing stables, re-roof with solar panels erection of new horse walker replacement of dilapidated store building with siting of a new timber frame building at Townend Farm, Woodcock Road, Flamborough YO15 1LF in accordance with the terms of the application, Ref 23/03768/PLF, subject to the conditions in the attached schedule.

Applications for costs

2. An application for costs was made by Mr Unna against East Riding of Yorkshire Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The East Riding Local Plan Update 2025 – 2039 Strategy Document Update April 2025 (the Local Plan) and the East Riding Design Code April 2025 (the ERDC) were adopted at the meeting of the Full Council on 2 April 2025. The Local Plan has superseded the East Riding Local Plan 2012-2029 Strategy Document Adopted April 2016 which formed part of the development plan at the time of the Council's decision on the approved planning application and when they submitted their statement of case on the appeal.
4. Both main parties have had an opportunity to comment on the adoption of the Local Plan and the relevance of any adopted policies. I was not provided with copies of adopted Local Plan or referred to any replacement policies. As the Local Plan is a public document, I have reviewed the online version. I have taken the comments from both parties into account in my decision.
5. The Council has indicated that the retrospective extension to the stables and proposed horse walker are considered to be acceptable. My decision is therefore solely focussed on the proposed timber frame building (the building). The appellant has submitted further plans showing the internal arrangement for the proposed

building. I have accepted these, as they submitted at an early stage of the appeal. I am satisfied that no parties' would be prejudiced by this.

Main Issues

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

Reasons

7. The appeal site is accessed via the driveway to Townend Farm smallholding. The dwelling at Townend Farm falls within the built up settlement of Flamborough, whilst land to the rear falls within the open countryside. The proposed building would be located in place of a substantial existing store structure, which is set well back from the roadside entrance alongside the western boundary. To the immediate west of this store is residential development under construction. This is a housing allocation, which like the appeal site is also located within an *Important Landscape Area*. The extent of this housing allocation projects further north than the proposed building. The position of the associated stables and horse walker would also be to the north of the building and set well into the appeal site and open landscape.
8. The building would be a timber framed structure with a steeply pitched roof. This structure is a similar length and width to the store building it seeks to replace. Overall it is a different form of design and slightly higher. The roof would contain three centrally positions rooflights facilitating a second floor. The building would have an increased presence in the area.
9. Despite the dormer windows and the more domestic external appearance the overall design of the building has a rural equestrian character. The use of natural materials would help to integrate the proposal within the context of the surrounding countryside and stables and horse walker. Whilst there would be accommodation within the roof space and the massing of the proposal is different, the overall scale would not be excessive or diverge significantly from the store it seeks to replace.
10. Although the location of the proposed building is situated in countryside, it is not in an isolated location, physically or visually. The building in this location would be well related to the existing dwelling at Townend Farm. The site backs on to the hedgerows and the extent of residential development on the housing allocation site under construction. When completed though the introduction of the visible roofs, dormer upper parts of homes, parts of which which were visible from the appeal site, would not mark out the position of this building as being isolated from the settlement or incongruent even with its increased prominence.
11. The Council does not dispute that views of the building from the road would be limited. Furthermore, the building in this location would be seen alongside the rear of existing properties and other urban style structures that front New Marine Road. Therefore even when viewed from across open fields, across an existing paddock. a building in this location would not appear incongruous in the open countryside, and certainly not as isolated. As such, I consider overall that the building would be well integrated and have an acceptable appearance within the *Important Landscape Area*.
12. I therefore conclude that the proposal would not harm the character or appearance of the area. The proposal would comply with Local Plan Policies S4, ENV1 and

ENV2. Together these seek, amongst other matters, to support development outside of settlements where it is of an appropriate scale to its location, sensitively integrated into the existing landscape and achieves a high quality design.

Other Matters

13. The building would be used in conjunction and ancillary to Townend Farm. It would contain sanitary facilities, food preparation areas, changing facilities, offices and storage for tools. The appellant maintains that these are essential for the practical operation of the smallholding and to provide adequate amenities for the two part-time staff employed and local volunteers welcomed at the farm. Given the location of the site next to the settlement I am not of the view that the introduction of these elements to support the smallholding is harmful.
14. The site is located outside of the Flamborough conservation area, which begins around 100m away to the south of the site and there are no listed buildings within 200m of the site. There is no evidence before me that any designated or non-designated heritage assets or their setting would be affected by the proposal.
15. The Highway Authority has not objected to the proposal. Although I note concerns about the access, there is no substantive evidence before me that the proposal would be harmful to highway safety.

Conditions

16. The Council has suggested a number of conditions which I have considered against advice in the National Planning Policy Framework and Planning Practice Guide. As a result I have amended some for clarity. A time limit condition has been imposed [1] and condition [2] is necessary to secure the approved plans as this provides certainty. A condition [3] requiring samples/details of the external facing materials to be used in the development are also required to safeguard the character and appearance of the area. The appellant has agreed to condition [4], which is necessary, to safeguard neighbouring living conditions and the rights of the Local Planning Authority for any change in use. A condition [5] pertaining to lighting is necessary in the interest of the character and appearance of the area.

Conclusion

17. The proposal is in accordance with the development plan as a whole, and the material considerations do not indicate that a decision should be made other than in accordance with it. I conclude the appeal is therefore allowed.

K Williams

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not 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: 2204B 1 Rev A - Map as Proposed (14.02.2024); 2204B 2 Rev A – As Existing – Stables; 2204B 3 Rev A – As Existing – Store Shed; 2204B 4 Rev B - Erection of replacement timber frame building to form kitchen and break room to ground floor and office and store to loft, in connection with livery yard; 2204B 5 Rev A - As Proposed Erection of horse walker (14.02.2024); 2204B 6 Rev A – As Proposed Extension to Existing stables and Siting of Solar Panels to Roof (14.02.2024); 2204B 7 – As Proposed Internal Elevations of Stables; 2204B 8 – As Existing.
- 3) Notwithstanding the submitted information, no development shall take place above damp proof course until details of the materials to be used in the construction of the external surfaces of the replacement building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4) The stables, replacement building and horse walker are to be used for private use only, and only in connection with the host property: Townend Farm, Woodcock Road, Flamborough YO15 1LF. Any change shall be with the prior written consent of the Local Planning Authority.
- 5) Details of any additional external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The lighting scheme shall specify the design and location of all external lighting and the measures to be taken to minimise glare and light spillage from the site. Development shall be carried out in accordance with the approved details.

End of Schedule