



Appeal Decision

Site visit made on 29 July 2025

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 August 2025

Appeal Ref: APP/E2001/W/25/3365787

Cassandra House, 19 Dunswell Road, Cottingham, East Riding of Yorkshire, HU16 4JA

- 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 Miss Cassandra Page of Mellandene Ltd t/a Cassandra House Care Home against the decision of East Riding of Yorkshire Council.
 - The application Ref is 24/03540/PLF.
 - The development proposed is a small storage unit, to be used for holding 3 small domestic freezers and some shelving for dry goods.
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Decision

1. The appeal is allowed, and planning permission is granted for a small storage unit, to be used for holding 3 small domestic freezers and some shelving for dry goods at Cassandra House, 19 Dunswell Road, Cottingham, East Riding of Yorkshire HU16 4JA in accordance with the terms of the application, Ref 24/03540/PLF, subject to the following 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: Back of unit drawn with measurements; front of unit drawn with measurements; and side of unit drawn with measurements.
 - 3) The external surfaces of the development hereby permitted shall be constructed of the materials specified on the application form, including ivory composite 3.6mm woodgrain wall cladding, and retained as such thereafter.

Preliminary Matters

2. The description of development above is from the application form, removing wording that is not an act of development. An outbuilding has been constructed, however this development is not the same as that which has been applied for and shown on the submitted plans. As such, I have determined the appeal on the proposed development as shown on the submitted plans.
3. During the appeal the East Riding Local Plan Update 2020-2039 (2025) (LP) and the East Riding Design Code (2025) (DC) was adopted by the Council. The appellant has had an opportunity to comment on the relevant policies identified by the Council, which supersede those listed on the decision notice.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the occupiers of 1 and 2 The Swallows, with regard to noise and disturbance.

Reasons

5. The modestly sized outbuilding would be used for domestic freezers and storage purposes to be used in association with the primary refrigeration and food storage of the main kitchen at the care home. It would be in operation at the same times as the main kitchen, typically between 0700 and 1700. There would be a relatively small metal air vent on the rear elevation to regulate the internal temperature.
6. The appeal site is located within a predominantly residential area and has shared boundaries with the dwellings at Nos 1 and 2 which creates a sensitive relationship. There is the potential for unwanted sound from the noises from the operation of the freezers through the air vent and from disturbance from the comings and goings of the staff. However, taking account of the scale and nature of the proposal and the times of day staff would be using the outbuilding the proposal would not give rise to noise and disturbance that would be detrimental to the quality of life of the nearest occupiers at Nos 1 and 2.
7. It therefore follows that the proposal would not contribute to unacceptable levels of noise pollution and would ensure a high standard of amenity for existing and future users, as required by the National Planning Policy Framework. While there have been previous noise complaints and concerns raised from neighbouring occupiers they relate to the existing out building which is different to the scheme before me. As such, they do not alter my above findings.
8. To conclude, the proposal would not be unduly harmful to the living conditions of the occupiers of Nos 1 and 2, with regard to noise and disturbance. It would accord with LP Policies ENV1 and ENV6, insofar as these policies require development to have regard to the amenity of existing properties, ensuring there is not an unacceptable impact on existing users in the surrounding area in relation to noise pollution.

Conditions

9. A plans condition is necessary and reasonable in the interests of certainty. I have also imposed a materials condition in the interests of the character and appearance of the area.

Conclusion

10. For the reasons given above the proposal accords with the development plan, read as a whole. There are no material considerations that indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be allowed.

F Harrison

INSPECTOR