



Appeal Decisions

Site visit made on 3 December 2025

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025

Appeal A - Ref: APP/E2001/W/25/3370644

Brick Barn at Burse Lane End Farm, Arglam Lane, Holme Upon Spalding Moor, East Riding of Yorkshire YO43 4DF

- 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 Paul Laboi (Burse Lane End Farm) against the decision of East Riding of Yorkshire Council.
 - The application Ref is 25/00980/PLF.
 - The development proposed is conversion, change of use, refurbishment and repair of an existing, vacant, redundant agricultural barn to a single residential unit (Use Class C3) including the construction of access, parking and curtilage private garden up to redline boundaries.
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Appeal B - Ref: APP/E2001/W/25/3370645

Metal Barn at Burse Lane End Farm, Arglam Lane, Holme Upon Spalding Moor, East Riding of Yorkshire YO43 4DF

- 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 Paul Laboi (Burse Lane End Farm) against the decision of East Riding of Yorkshire Council.
 - The application Ref is 25/00981/PLF.
 - The development proposed is conversion, change of use, refurbishment and repair of an existing, vacant, redundant agricultural barn to a single residential unit (Use Class C3) including the construction of mezzanine floor, balcony to rear, access, parking and curtilage private garden up to redline boundaries.
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Decision – Appeal A

1. The appeal is dismissed.

Decision – Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The proposals under both appeals relate to two separate adjacent sites which each contain redundant agricultural buildings. The sites are set within a rural area in the East Riding countryside, adjacent to an existing dwelling at Burse Lane End Farm. Both proposals would utilise the same proposed road access onto Arglam Lane.
4. The Council has confirmed within its statement of case for both appeals that information submitted with the appeals with regard to bats and great crested newts is sufficient to determine the impact of the schemes on those species and that had that information been available earlier the refusal reasons relating to those species

would have been avoided. I shall therefore not consider those matters any further with regard to either Appeal A or Appeal B.

5. I have dealt with both Appeal A and Appeal B within the same Decision Letter to avoid unnecessary duplication.

Main Issues

6. The main issues in both Appeal A and Appeal B are broadly the same. The main issues are therefore whether the schemes represent acceptable forms of development within the countryside having regard to the aims of the development strategy for the area, the effect of the proposals on the character and appearance of the area, whether the proposals should be subject to the sequential test with regard to flood risk, and whether the proposals would represent an acceptable addition to the housing mix of the area.

Reasons

Development strategy and character and appearance

7. The supporting text to Policy S4 of the East Riding Local Plan Update (2025) (LP) notes that rural areas within the district are the subject of significant development pressure. A balance is sought between development and protecting the intrinsic character of the countryside. Within the countryside, opportunities for the development of dwellings are limited. One of the limited circumstances under which new housing could be accepted relates to the conversion of existing buildings. In relation to these proposals, such a conversion would have to enhance the immediate setting and re-use a redundant building without significant alteration or significant extension.
8. The supporting text to the Policy adds more context, suggesting that to be considered suitable for conversion to residential use, an existing building must be structurally sound and capable of re-use without significant rebuilding, alteration or substantial extensions.
9. Both the brick barn included within Appeal A and the metal barn under Appeal B are accompanied by brief structural reports (SR). The barn under Appeal A is formed of a brick structure along with a more modern section formed of blocks.
10. The brick barn included under Appeal A is in poor condition. It has no roof and as noted within the SR has suffered some significant collapse. The SR further notes significant cracking at the north corner meaning this section needs a re-build. The same would be the case for the east corner of the southeast gable. On the front elevation some brick replacement would be needed of an unspecified extent.
11. Further, buttressing and underpinning would be required on parts of the building and various walls are leaning. Although the report concludes that the brick barn can be restored and converted into habitable accommodation it does not conclude that the building is structurally sound. Given the extensive works that would be required, the report does not convince me that the building is structurally sound or that it is capable of re-use without significant rebuilding.
12. I was also able to view the metal framed barn included under Appeal B. It is a completely different type of structure to the brick barn forming part of Appeal A and I observed that the gable end adjacent to the road appeared to be in poor

condition with a partially open gable and evidence of previous plant ingress. The SR for this building confirms that amongst other works, the first floor which would be created would have to be supported by new walls to the building which would be off new foundations. Regardless of any other matters, those works alone would represent a significant alteration to the existing building.

13. Given the poor condition of the existing buildings, both Appeal A and Appeal B would offer some limited enhancement to their immediate settings and the character and appearance of the area, albeit this is tempered by the limited visibility of both buildings from Arglam Lane.
14. The design of the schemes appears well considered and the buildings would retain their former agricultural shape and form. Materials would appear to be sympathetic and the openings would be sensibly proportioned and located. There appear to be few trees or planting on either site that make substantial positive contributions to the character and appearance of the area which is broadly open and were I minded to allow the appeals a landscaping scheme which could include a suitable planting scheme could be conditioned in both cases.
15. Neither Appeal A or Appeal B would therefore conflict with Policy ENV1 of the LP which amongst other things requires development which has regard to the specific characteristics of the site's wider context and the character of the surrounding area.
16. However, given my findings above, neither the brick barn under Appeal A nor the metal framed building under Appeal B would meet the required criteria of Policy S4, D, I, ii of the LP which does not permit significant rebuilding or significant alteration in the conversion of existing buildings.
17. Whilst the schemes under both appeals would offer some limited enhancement to their immediate settings, the proposals would nonetheless conflict with Policy S4 of the LP and consequently the development strategy for the provision of housing within East Riding, whereby development opportunities for new housing within rural areas of the district are carefully limited to a narrow range of circumstances.

Sequential test

18. Within the flood risk vulnerability classification within the Framework, housing is classed as more vulnerable development. Separately, The Framework¹ advises that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Given my conclusions with regard to my first main issue above, the proposals are a type of development which should normally be subject to the sequential test with regard to flood risk were it at risk from flooding. The sequential test has not been carried out in relation to either Appeal A or Appeal B.
19. The evidence indicates that the application sites fall within flood zone 1, which is an area which is not at high risk of flooding. I am instead advised that the sites are at risk of flooding in the future and that part of the site under Appeal A falls within a surface water risk zone. However, there is no compelling evidence before me with regard to the extent or severity of future flood risk on the sites or to confirm the

¹ National Planning Policy Framework 2024.

extent or part of the site under Appeal A that would be at risk from surface water flooding.

20. Therefore, I cannot conclude on the basis of the evidence before me that there would be any flood risk associated with either the proposal under Appeal A or Appeal B or that the proposals would conflict with Policy ENV6 of the LP which amongst other things advocates the application of the sequential test to ensure that development is steered towards areas of lowest risk, as far as possible.

Housing mix

21. I am advised that within the Goole and Humberhead levels housing market sub area, there is an oversupply of 3 and 4 bed properties and an undersupply of 2 bedroom properties. The dwelling proposed under Appeal A would provide 3 bedrooms and that under Appeal B would provide 5.
22. However, the supporting evidence relating to local housing need is not before me and does not allow me to consider matters such as the level of need of houses of particular numbers of bedrooms or other matters such as the size of the housing submarket area.
23. In any event, it is unlikely that schemes of such limited size relating to rather bespoke housing schemes would contribute to significant imbalances within local housing provision. Regardless of this, given the level of information provided, I cannot conclude that either proposal would make an unacceptable contribution to the local housing mix such that either scheme would draw conflict with Policy H1 of the LP.

Other Matters

24. A planning approval dating from 2006 for the erection of an outbuilding to provide ancillary accommodation following the demolition of an existing outbuilding is before me. However, given the age of that permission it was likely granted under a planning policy background that would not be the same as that now before me. I therefore afford this matter limited weight.
25. An Appeal Decision has been drawn to my attention². Given that the appeal appeared to relate to a steel portal frame building, the relevance of the decision to Appeal A is limited. There appear to be some similarities between that proposal and the scheme under Appeal B.
26. However, the Appeal Decision specifically states that the additional floor within that scheme could be supported by the existing structure. That does not appear to be the case with regard to the scheme under Appeal B. I therefore afford this matter limited weight in support of either appeal.
27. The Framework at Paragraph 84 states that planning decisions should avoid isolated homes in the Countryside unless certain circumstances apply. One is where the development would re-use redundant or disused buildings and enhance its immediate setting. In the case of both Appeal A and Appeal B there would be some limited improvement to the setting of the respective buildings. However, I am not convinced given the extent of works required to the brick barn under Appeal A that the building would be re-used.

² APP/E2001/W/23/3334732 - Land and Buildings East of Hall Farm, Boynton Drive, Rawcliffe, East Riding of Yorkshire DN14 8QB.

28. Appeal B differs slightly in that the building would appear capable of re-use. The LP effectively applies a more stringent test including amongst other things the requirement that there cannot be significant alteration. That approach is not fully aligned with the Framework but is a tailored local policy which assists with promoting sustainable development within the Council area and I therefore do not consider that policy approach out of date.
29. I have considered the Written Ministerial Statement³ (WMS), proposed reforms to the Framework⁴ and the draft text⁵ published on 16th December 2025. There do not appear to be any proposals to significantly alter the approach to isolated homes in the countryside so far as relating to the appeals before me. Regardless of this, the proposed changes to the Framework are for consultation only at present and I therefore afford this matter very limited weight. The WMS does not alter my conclusions on the schemes.
30. Despite references to potential self-build, the application forms confirm that both schemes under Appeal A and Appeal B relate to Market Housing.

Planning Balance

31. Both the schemes under Appeal A and Appeal B would offer slight improvement to the character and appearance of the area and would offer slight enhancement to the immediate setting of the buildings. Both schemes would make a positive contribution to local housing supply.
32. There could be some limited biodiversity enhancements through mandatory net gain provisions and there would be the usual economic and social benefits typically associated with such schemes arising from both Appeal A and Appeal B.
33. However, even if some support could be drawn from other sections of the LP, both Appeal A and Appeal B would serve to undermine the development strategy for the area through their location within a rural area whilst not meeting the criteria required by Policy S4 of the LP.
34. I afford the conflict with this Policy significant weight, and the benefits of the proposals would not outweigh the harms. There are no considerations, including the provisions of the Framework which indicate decisions otherwise than in accordance with the development plan with which the proposals under Appeal A and Appeal B would conflict.

Conclusion

35. For the reasons given above both Appeal A and Appeal B should be dismissed.

T Burnham

INSPECTOR

³ Planning Reform: Next Phase – The Minister for Housing and Planning.

⁴ MHCLG - Proposed reforms to the National Planning Policy Framework – December 2025.

⁵ MHCLG - National Planning Policy Framework – December 2025.