



Appeal Decision

Site visit made on 25 November 2025

by **C Skelly BA (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 January 2026

Appeal Ref: APP/E2001/W/25/3373428

Land to the West of The Light Dragoon, Main Street, Etton, East Riding of Yorkshire HU17 7PQ

- 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 Craft against the decision of East Riding of Yorkshire Council.
 - The application Ref is 25/01474/PLF.
 - The development proposed is erection of 2 dwellings with detached garages, construction of vehicular access and associated landscaping and parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A concurrent appeal has been submitted for a similar scheme on land to the east of the Light Dragoon public house. Whilst I am the same Inspector for both appeals I have considered each scheme separately.
3. Because the appeal site lies in the Etton Conservation Area (CA), I have had special regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCAA).

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character or appearance of the site and surrounding area including the Etton Conservation Area within which the site lies; and
 - whether the proposed development provides adequate living standards for future occupants with particular regards to privacy, noise and disturbance and the continued viability of the public house.

Reasons

Character and Appearance

5. The appeal site is part of a former car park and beer garden associated with the Light Dragoon public house. The Light Dragoon public house was nominated by the Parish Council as an Asset of Community Value on the 18 August 2025, however no expressions of interest were received. The appeal site has been separated from the wider public house site by close boarded timber fencing and is currently rough

ground. A new car park has recently been constructed to the rear of the public house and the area directly in front of the building is used as a beer garden. The area to the rear of the car park is open countryside and forms part of the Important Landscape Area (ILA). I observed that the public house building is a noticeable feature as you enter the village from the direction of Cherry Burton as it is on an elevated position and set against the backdrop of the countryside.

6. Whilst there are some examples in the village where houses are set back from the road with gardens to the front, the prevalent character is of dwellings set to the pavement edge. In contrast, the Light Dragoon public house is set back from the road in an elevated position making it a prominent building within the street scene.
7. The site lies within the Etton CA. The village is linear in character at the foot of the Wolds and there are two distinctive parts to the CA. The western part consists mainly of 18th and 19th century village houses, farmsteads and outbuildings with a noticeable unity of form and materials. Whereas the eastern part of the CA is dominated by detached buildings around the Church. Its significance is historical and architectural reflecting the sociological divide of English society in the past. The Light Dragoon public house is included in the Etton Conservation Area Appraisal (2007) (CAA) as an unlisted building of historic significance. The CAA refers to it being sited on a large car park and due to its white colour creates a focal point of the village and is almost more visible than the church. The setting of the public house has altered since the CAA was undertaken with the demolition of a number of outbuildings and re-location of the car park to the rear. Nevertheless, the front part of the appeal site remains free from built development and its open character makes a positive contribution to the character and appearance of the CA.
8. The proposed dwellings would be of traditional design and would be located towards the front of the appeal site in an area most recently used as car parking and as a beer garden. The dwellings would be stepped back from Main Street and away from the principal elevation of the Light Dragoon public house, with car parking located to the rear via a shared access road that runs between the dwellings. Although there are examples where properties are set back from the road, they have a deep step back, which is continuous across several frontages. Therefore, the proposed stepped arrangement would create an awkward form of development in comparison with the existing linear pattern of the village. In addition, as the land rises gently upwards from the road frontage the new dwellings would appear taller than the existing dwellings along Main Street, thereby increasing their visual prominence within the street scene, competing with the scale of the Light Dragoon public house. Moreover, the submitted plans show that plot 1 would have a very deep rear wing, which would fail to reflect the traditional form and scale of dwellings in the village.
9. Whilst both plots would have small front gardens, the built form would visually enclose much of the site, undermining the visual prominence of the Light Dragoon public house, especially when approaching from the east of the village. This building makes a positive contribution to the significance of the CA and the proposal would undermine its prominence. This, together with the stepped pattern of the development and reduced views towards the open countryside as you approach the village from higher ground, would harm the character and appearance of the CA.

10. Whilst the evidence shows that the appeal site had become very overgrown by vegetation during the closure of the pub, it maintained a natural appearance in contrast with the proposed built form of two dwellings.
11. The appellant has referred me to examples where permission has been granted for new homes within the CA. I have not been provided with the full details of these cases, nor the circumstances in which permission was granted. However, based on the submitted details they were back land development or follow the building line of the adjoining site and therefore are not directly comparable to the appeal case. In any event I have considered the appeal on the basis of the evidence before me.

Heritage Balance

12. The proposal would harm the character and appearance of the Light Dragoon public house which contributes positively to the CA. I find the harm to be less than substantial in this instance, and at the lower end of the spectrum, but nevertheless of considerable importance and weight. Paragraph 215 of the Framework states that where harm is identified to the significance of designated heritage assets and their setting, it should be weighed against the public benefits of the proposal.
13. The proposal would provide two new dwellings which would contribute towards meeting local housing needs on previously developed land both of which are supported by the Framework. However, the Council had a supply of 7.3 years housing land in October 2024 and therefore two additional units would make a very small contribution to this supply. I attribute modest weight to these benefits. There would also be some economic benefits during the construction phase and the associated increase in activity in the supply chain. Given the scale of the works the public benefit accruing from this would be limited.
14. Taken overall, I attribute modest weight to the public benefits of the proposal, which is insufficient to outweigh the less than substantial harm to the CA. Given this and the above, I conclude that the proposal would fail to satisfy the requirements of the LBCAA and Policies ENV1, ENV2 and ENV3 of the East Riding Local Plan Update 2025-2039 (2025) (LP). Together, these policies amongst other things seek to ensure that all development respects the character and appearance of the area through their design and layout, reinforces local distinctiveness and conserves and enhances the significance of heritage assets.

Residential amenity

15. Paragraph 200 of the National Planning Policy Framework (the Framework) states that decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. It goes on to state that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. This requirement has been carried forward into Policy ENV1 of the LP. The public house would be retained as part of the proposal, with the customer car park to the rear and small beer garden to the front.
16. The garden of plot 2 would align with the western boundary of the site. The approved plans for the 2024 permission¹ for alterations to the Light Dragoon public house included a window on the western elevation which would serve the bar area

¹ LPA Reference 24/03512/PLF

at ground floor level and the kitchen of the manager's accommodation on the first floor. I observed that there is an existing side door which leads to the pub lounge area on the west side and also a number of extractor units. At the time of my site visit, voices from inside the public house were clearly audible when standing within the appeal site. This level of activity is likely to increase during summer months when windows and doors are open. The proximity of the existing extractor units is also likely to give rise to noise and disturbance for future occupants of plot 2.

17. The proposed car parking spaces for the new dwellings would be located to the rear of the site and adjoin the car park of the pub. Although the timber fencing would provide some screening, due to the land levels, pub customers would be able to look into the gardens of plots 1 and 2 thereby harming the residential amenity of future occupants with regards to privacy.
18. Whilst I note that no objections were raised by the Council's Environmental Health Officer, the increased incidents of noise and disturbance to future occupants could undermine the continued viability of the public house business. Although the appellant contends that the public house has been operating without complaints, the proximity of the new dwellings compared to the existing situation makes complaints more likely for the reasons I have outlined.
19. I have been referred to permission granted in 2020 for a new dwelling at 40 Main Street to the west of the public house. However, I note that the east facing elevation of this dwelling is approximately 22m from the public house and follows broadly the same building line as the adjoining dwelling. I also note that there are no habitable rooms that look towards the public house and there was extensive planting on the appeal site at the time permission was granted. This permission was also subject to conditions in relation to the submission of an acoustic report. Therefore, this case is not directly comparable to the appeal case, which is closer to the public house.
20. The proposed development would cause unacceptable harm to the living conditions of future occupants with regards to privacy, noise and disturbance, harming the continued viability of the public house and thereby conflicts with Policies ENV1 and ENV6 of the LP. These policies seek amongst other things to ensure that development does not result in unreasonable restrictions being placed on existing uses and that other forms of pollution does not result in unacceptable consequences to its users and the wider community.

Other Matters

21. I am aware that the site is proximate to the Grade II listed K6 telephone kiosk² and the war memorial³ located on the opposite side of the road to the appeal site. Mindful of the statutory duty set out in s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the setting of these assets. The significance of these structures is historical. There are also two further listed buildings of Cherry Corner⁴, 35 Main Street and 57 Main Street⁵ both of which are early 19th century houses and their significance is historical and architectural. However, the Council did not consider

² List entry 1253169

³ List entry 1425098

⁴ List entry 1103404

⁵ List entry 1103405

that the proposed development would significantly impact these designated heritage assets and based on my observations I concur.

22. I note that there has been support for the proposal, however, neither this nor the other matters raised outweigh or alter my conclusions on the main issues.

Conclusion

23. The proposed development would cause less than substantial harm to the character and appearance of the CA and would create unacceptable living conditions for future occupants with regards to privacy, noise and disturbance and consequently harm the viability of the public house business. These harms bring the scheme into conflict with the development plan as a whole and the material considerations I outline above, including the Framework do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given, the appeal is dismissed.

C Skelly

INSPECTOR