
Appeal Decision

Site visit made on 5 September 2016

by Gareth Wildgoose BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 September 2016

Appeal Ref: APP/F4410/W/16/3151727

Land to the rear of Field Cottage, Main Street, Hatfield Woodhouse, Doncaster

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Pete Thompson on behalf of Dantom Homes (Development) Ltd against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 15/01251/FUL, dated 18 May 2015, was refused by notice dated 18 December 2015.
 - The development proposed is “erection of 5 dwellings with garages”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site address and description of development provided in the application form have been updated by subsequent documents. The amended site address is accurate and I adopt it accordingly. In the interest of certainty with respect to the proposal for which planning permission is sought, the original description of development has been amended to include reference to garages.
3. A number of appeal decisions and case law have been drawn to my attention, including appeals for dwellings in the Borough at Firth Hills Farm in Hatfield¹, 3 The Paddock in Thorne², Thorpe Lane in Thorpe in Balne³ and elsewhere at Land north of Upper Chapel in Launceston⁴. I have had regard to the decisions and there are similarities with respect to development being proposed beyond defined settlement boundaries. Nevertheless, the circumstances in each case differ from the development proposal before me in terms of the characteristics of the proposal, the site and its surroundings. I have therefore determined the current appeal on its own merits based on the evidence before me.

Main Issue

4. The main issue of this appeal is whether the proposal is consistent with the objectives of local and national planning policies relating to the location and supply of housing and which seek to protect the countryside.

¹ APP/F4410/A/12/2184110

² APP/F4410/A/13/2191402

³ APP/F4410/A/14/2225074

⁴ APP/D0840/A/13/2209757

Reasons

5. The appeal site consists of land that is located to the rear of an existing ribbon of dwellings on the northern side of Main Street. The site has a gentle downward slope towards a village hall, play area and playing fields to the north and comprises a mix of dense vegetation with intermittent trees and hedgerows to the northern, western and eastern boundaries. An existing access road to the village hall and public footpath adjoins the eastern boundary of the site, leading to a larger expanse of predominantly open fields to the north. Existing dwellings facing Somerton Drive are located beyond the access road to the east.
6. The site is located adjacent to the existing built up area of Hatfield Woodhouse, a settlement comprising of a mix of ribbon development and groups of dwellings arranged around Main Street, Bawtry Road and Remple Lane. Hatfield Woodhouse has a limited range of local services and facilities including a village hall, social club, a small general store, a small parade of shops, a place of worship, playing fields and a primary school. The larger settlement of Hatfield has a greater range of services and facilities that are located approximately 2 km to the north west and on the opposite side of the M18 motorway. Bus stops are located on Main Street in close proximity to the site with regular bus services to and from Hatfield, together with the larger town centres of Doncaster and Thorne from the early mornings until evenings on weekdays. There are less frequent services on Saturdays and Sundays.

Location and supply of housing and protection of the countryside

7. The site adjoins, but lies outside of the settlement boundary as defined by the Proposals Map of the Doncaster Unitary Development Plan (UDP), adopted July 1998 and is designated as a Countryside Policy Area (CPA). Saved Policy ENV2 of the UDP sets out the purposes of the CPA, including assisting in safeguarding the countryside from encroachment, providing an attractive setting for towns and villages and assisting regeneration by directing development towards urban areas and strategic allocations. Saved Policy ENV4 of the UDP indicates that development in a CPA will not normally be permitted for purposes other than those appropriate to rural areas and that infill development is restricted to within settlements subject to limitations.
8. The site is also within a Countryside Protection Policy Area (CPAA) as set out in the Doncaster Council Core Strategy 2011-2028 (CS), adopted May 2012. Policy CS3 of the CS indicates that proposals in the CPAA will be supported where they would be appropriate to a countryside location and would protect and enhance the countryside for the sake of its intrinsic character and beauty. Policy CS3 also states that minor amendments to settlement boundaries will be supported where existing boundaries are indefensible. However, the supporting text to Policy CS3 is clear that it is important to ensure that the countryside is not eroded by often minor but cumulatively significant adjustments to the outer boundaries of built up areas.
9. With regard to the above, Policy CS2 of the CS sets out a settlement hierarchy for the location of new housing. Hatfield Woodhouse is identified as a larger defined village where quality infill will be permitted and existing village boundaries will be amended only if necessary to establish new defensible boundaries.

10. The adoption of the UDP predates the publication of the National Planning Policy Framework (the Framework). However, paragraph 211 of the Framework states that policies in the Local Plan should not be considered out of date simply because they were adopted prior to the publication of the Framework, and paragraph 215 advises that due weight should be given to such policies according to their degree of consistency with the Framework. In this respect, the UDP reflects historic assessments of housing need and sought to guide and co-ordinate development up to 2001. Nevertheless, Policies CS2 and CS3 of the CS in seeking to meet housing requirements up to 2028 utilise the existing settlement boundaries defined by the UDP and reflect approaches to protection of the countryside in Saved Policies ENV2 and ENV4 of the UDP. I therefore have no reason to consider that the existing settlement boundaries are no longer relevant to policies for the supply of housing or that Saved Policies ENV2 and ENV4 of the UDP are inconsistent with the Framework.
11. The Framework aims to boost significantly the supply of housing⁵. The Framework makes clear that relevant policies for the supply of housing should not be considered up-to-date if local planning authorities cannot demonstrate a five-year supply of deliverable housing sites⁶. The Council have indicated that there is a deliverable five year housing supply in the Borough. The appellant has not disputed this view and there is no evidence before me which would lead me to a different conclusion. It is therefore reasonable to consider that the relevant policies for the supply of housing are up-to-date. Furthermore, at the current time there is no immediate need to release additional sites to ensure an adequate supply of deliverable housing sites, including those outside of settlement boundaries such as the appeal site.
12. The site and adjoining land to the west are located to the north of the settlement boundary. As such, they define a change in character from the ribbon development of the built up area to the south towards open countryside within which the village hall and its associated facilities are located. As a consequence, the site together with the village hall and its associated facilities to the north are characterised as lying within the countryside rather than forming part of the village envelope. There is a different pattern of development to the east with a settlement boundary located further to the north that broadly aligns with the northern boundary of the site. However, the settlement edge opposite to the site on its eastern side is enclosed by the existing access road. This provides a defensible boundary and distinguishes it from the appeal site and the immediate surroundings to the west.
13. The development of the site would encroach upon the countryside, including enclosing a gap that exists between the village hall and the settlement boundary located at the rear of Field Cottage to the south. The design and layout of the dwellings, garages and enclosures would respect the diverse style of buildings evident in the local area, together with the pattern of residential development immediately to the east and more distant to the west. However, the construction of dwellings on the site would result in built development where there is presently none. The footprint of the buildings and the resultant bulk, scale and massing, together with hardstanding and domestic paraphernalia would inevitably lead to a loss of openness, as the site currently has no buildings or other development on it. The loss of openness would be

⁵ Paragraph 47

⁶ Paragraph 49

- observed from existing views available through gaps in hedgerows along the access road and public footpath where they adjoin the eastern boundary of the site. The potential for additional boundary screening or landscaping would not mitigate the resultant change of the site to an urban character and appearance.
14. The impact on the open countryside arising from the loss of openness and loss of rural character would be reduced by the visual containment provided by surrounding built form and established landscaping. Nevertheless, users of the public footpath are sensitive receptors to change and the development would increase the sense of enclosure of built form when walking to and from the larger expanses of open countryside to the north. Furthermore, when compared to the access road that defines the current settlement edge to the east, the development would result in a less defensible settlement boundary to land on its western side, notwithstanding the established hedgerows and trees to this aspect.
 15. The absence of existing built development immediately to the western side of the site would reduce the perception of the proposal comprising infill development. In any case, infill development is not encouraged by Policies CS2 and CS3 of the CS outside of settlement boundaries within the CPAA. Consequently, the development would not preserve the openness of the CPAA, the purpose of including the site within it and would not result in a more defensible settlement boundary. I therefore consider that the proposal would be an unacceptable development in the countryside, as it would not comprise one of the types of development that Policy CS3 of the CS permits in the countryside and would harm its character.
 16. In reaching the above findings, I have taken into account that the site has been promoted for development through the Doncaster Local Plan process and that the supporting text of Policy CS3 indicates that urban extensions on land previously designated CPA will be required to meet the Borough's housing and employment requirement. However, such changes to address longer term development needs are necessarily undertaken through a plan-led approach.
 17. I conclude that the development would be contrary to the approach to the location and supply of housing and which seek to protect the countryside set out in Policies CS2 and CS3 of the CS and Saved Policies ENV2 and ENV4 of the UDP. When taken together these policies seek to direct development towards a settlement hierarchy and restrict development in the countryside to that which requires a countryside location and cannot be accommodated within identified settlements. The policies are consistent with the Framework.

Other Matters

18. The supporting text of Policy CS2 indicates that larger defined villages, which include Hatfield Woodhouse, are relatively unsustainable locations for future housing growth. However, in view of the regular bus services nearby providing links to larger settlements and towns, the site is relatively accessible for a rural location. The proposal would deliver social and economic benefits by providing 5 new homes. In this respect, the development would make a modest contribution to meeting housing requirements and choice in the Borough whilst supporting local services and businesses. There would also be limited benefits in terms of increased natural surveillance of the village hall and its associated facilities, together with improvements to vehicular and pedestrian access. In

addition, there would also be temporary economic benefits arising from the construction activity required to deliver the development.

19. Although the site is not currently needed in order to ensure an adequate supply of deliverable housing sites, there is nothing in the Framework to suggest that the existence of a five year supply should be regarded as a restraint on further development. In this context, I attach moderate weight to the social and economic benefits identified based on the scale of development proposed.
20. The relatively low level of additional traffic could be accommodated on the existing access road, which widens at the junction with Main Street and the surrounding highway network, without a severe impact upon highway safety and pedestrian safety of the public footpath. This would be subject to certain measures, including the formation of the private drive and turning area within the site, which could be secured by planning condition.
21. I am satisfied that the impact of the development on the living conditions of occupiers of neighbouring properties facing Main Street and Somerton Drive would not be significant. The separation distances between the dwellings, garages and neighbouring properties would prevent any impact on outlook and the oblique angle of interface between windows in main elevations would ensure no loss of privacy.
22. The development would result in the loss of grade 3 agricultural land. However, the land is not actively farmed and there is no evidence before me with respect to the supply of agricultural land in the local area. Based on the evidence before me, I consider that the loss of approximately 0.4 ha would not comprise significant development of agricultural land as described in the Framework and therefore only a minor adverse effect would occur.
23. An ecological appraisal and tree survey have been submitted which indicates that there are no trees of significance, but that the hedgerows, trees and scrub within the site provide a wildlife corridor and potential habitats for nesting birds, bats and badgers. Based on my observations of the site and its surroundings, I have no reason to take a different view to this evidence. Consequently, the recommendations in the ecological appraisal could be secured by condition requiring a scheme to be approved and implemented in order to protect and manage the ecology of the site. Such measures include retention of the existing hedgerows, scrub and trees that form site boundaries to safeguard the ecology of the site and avoid significant harm arising.
24. I am satisfied that matters relating to foul and surface water drainage could be appropriately addressed by condition if the appeal were allowed.
25. The appellant has referred to examples of development granted planning permission by the Council within the Borough, including within the settlement boundary of Hatfield Woodhouse and outside of the settlement boundary of Hatfield. However, the examples do not replicate the circumstances of the proposal before me or offer a precedent for the harm identified. I therefore determine this appeal on its own merits.

Planning Balance

26. The proposal would conflict with the approach to the location and supply of housing and protection of the countryside in Policies CS2 and CS3 of the CS and Saved Policies ENV2 and ENV4 of the UDP and would not therefore be in

accordance with the development plan. In such circumstances, planning law and the Framework⁷ indicate that planning permission should not be granted unless material considerations indicate otherwise. I have identified economic and social benefits arising from the provision of up to 5 new homes to which I attach moderate weight and a minor adverse effect relating to loss of agricultural land which I give little weight. The absence of harm relating to highway and pedestrian safety, the living conditions of neighbouring properties, ecology and drainage are neutral factors.

27. The Framework does not change the statutory status of the development plan as the starting point for decision making. In this case, the appeal proposal would be contrary to the development plan policies I have referred to, and the resultant harm would not be outweighed by other material considerations.

Conclusion

28. For the reasons set out above and having taken all other matters into account, I conclude that the appeal should be dismissed.

Gareth Wildgoose

INSPECTOR

⁷ Paragraph 11