The Planning Inspectorate

Appeal Decision

Site visit made on 18 January 2022

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2022

Appeal Ref: APP/F4410/D/21/3281015
Home Farm, Stockbridge Lane, Owston, Doncaster DN6 9JF

- 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 Steve Warner against the decision of Doncaster Metropolitan Borough Council.
- The application Ref 20/03566/FUL, dated 29 December 2020, was refused by notice dated 24 May 2021.
- The development is the erection of car port (retrospective).

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Doncaster Local Plan (LP) was adopted on 23 September 2021 and supersedes the Doncaster Unitary Development Plan (UDP) (adopted July 1998) and the Core Strategy (CS) (adopted May 2012). The Council refused the development against the development plan at the time and also considered it against policies 36 and 37 of the then emerging LP. Copies of these policies from the emerging plan were provided to me at appeal and the appellant has considered them in their appeal statement. There are no material changes within policies 36 and 37 of the adopted version of the LP which would affect the determination of this appeal.

3. A revised version of the National Planning Policy Framework (the Framework) was published on 20 July 2021. I have had regard to the Framework in my decision and I am satisfied that this has not prejudiced any party.

Main Issue

4. The main issue is whether the development preserves or enhances the character or appearance of the Owston Conservation Area (CA) and the effect of the development on the settings of nearby Listed Buildings.

Reasons

Owston Conservation Area

5. The car port is located adjacent an existing garage to the side of the host building close to the junction of Stockbridge Lane and North Park Lane. It is formed of a curved metal frame and topped with a green roof.

6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

7. Owston CA derives its significance from its historic association with the development of the Owston Hall estate, including the compact layout of its buildings, and its vernacular architecture. Buildings are generally of simple form reflecting their agricultural origins and are constructed predominantly of limestone.

8. The curved shape and generally modern appearance of the car port, particularly the use of metal for the frame, appears incongruous in the context of the simple form and limestone construction which characterise the area. Moreover, the positioning of the car part close to the boundary of the garden and between the existing garage and the vehicular access to North Park Lane gives the development a cramped appearance.

9. This harm caused by the design and positioning is compounded by the prominent location at the junction of the two lanes. Despite some screening provided by the limestone wall and walnut tree in some vantage points further from the appeal site, I observed the car port was clearly visible from both North Park Lane and Stockbridge Lane. Despite being smaller than the existing garage, and the use of a green roof in an attempt to assimilate the car port into the area, the car port appears as an unsympathetic addition to the local area.

Setting of Listed Buildings

10. Section 66(1) of the Act requires the decision maker to pay special attention to the desirability of preserving the setting of a Listed Building.

11. The Church of All Saints is a Grade I Listed Building which derives significance primarily from its age and historic and societal links to the estate village, as well as from its commanding presence and appearance. Much of its setting is intrinsically linked to Owston Hall and the settlement itself given the relatively remote location of the village. Home Farmhouse/Garden Cottage is Grade II Listed and constitutes a pair of semi-detached dwellings. The significance derives from its vernacular appearance and historic association to the estate village.

12. Given the association of both the host building and the church with the historic development of the estate village, the starkly modern appearance of the car port harms the setting of both Listed Buildings and the way they are experienced, particularly on the approach to both buildings from the adjacent lanes.

13. Although the possibility of additional landscaping to provide screening of the development is mentioned, I have no specific details of this before me. In any event, this would likely take some years to mature and in the interim the car port would be clearly visible. I take on board the point that the car port is located within a residential garden, but this does not justify any and all residential types of development in and of itself. The development must be assessed on its own merits and in the context of the site-specific circumstances.

Other Matters

14. The appeal site is located within the Green Belt. I note the Council has not determined whether the development is inappropriate, although they have concluded that due to the open sides of the car port, it does not harm the openness of the Green Belt. As I am dismissing the appeal on other matters, I have not considered this issue further.

Conclusion

15. For the above reasons, I conclude that the development fails to preserve the character or appearance of the Owston CA and harms the settings of both the Church of All Saints and Home Farmhouse/Garden Cottage. The harm to the significance of these heritage assets is less than substantial. In such cases, harm should be weighed against public benefits of the development in accordance with paragraph 202 of the Framework. However, while the car port may provide a more convenient place to park their vehicle, the benefits are essentially private to the appellant and therefore do not represent clear justification to outweigh the harm.

16. Accordingly, the development does not meet the statutory requirements of the Act. The development is also contrary to Policies 36 and 37 of the LP, which amongst other things state proposals that harm the significance of a listed building or its setting will not be supported other than in circumstances where that harm is clearly outweighed by the public benefits of the proposal having regard to the significance of the heritage asset affected, while proposals should not detract from the heritage significance of a conservation area by virtue of their location, layout, nature, height, density, form, scale, materials or design. The development is also contrary to guidance in the Framework relating to designated heritage assets.

17. For the above reasons and having had regard to the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

C McDonagh

INSPECTOR