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# Appeal Decision

Site visit made on 25 June 2024

**by Mark Caine BSc (Hons) MTPL MRTPI LSRA**

**an Inspector appointed by the Secretary of State**

**Decision date: 28 June 2024**

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**Appeal Ref: APP/F4410/W/23/3334114**

**May Dene, New Road, Branton, Doncaster DN3 3NW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
  - The appeal is made by Cindy and Mark Potter against the decision of City of Doncaster Council.
  - The application Ref is 22/02491/OUT.
  - The development proposed is described as 'Outline application for the erection of one detached dwelling.'
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. An email has been received to confirm the appellants' name and I have used it in the banner heading above.
3. The application was submitted in outline, with access, layout and scale to be considered at this stage. The remaining matters of appearance and landscaping are therefore reserved for later consideration. I have dealt with the appeal on this basis and treated the submitted plans where pertinent as an indication of the proposed development.

## Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

## Reasons

5. The appeal relates to the rear garden area of May Dene, a 2-storey semi-detached dwelling that is located at the edge of the settlement boundary of Branton. The surrounding area has a semi-rural character, comprising houses of various styles and sizes to the north and western directions, and open fields and agricultural land to the south and east. Despite this variety, May Dene sits at the end of a group of predominantly semi-detached properties that have a linear street pattern and long rear garden areas. These are key features of the spacious layout and pattern of development along this section of New Road.
6. The appeal site is located within a Residential Policy Area as defined in The Doncaster Local Plan 2015 -2035 (2021) (Local Plan) Policies Map. Policy 44 C) of the Local Plan provides design guidance for backland housing development proposals. It supports modest redevelopment proposals that are,

amongst other matters, subservient to the host property, and where the loss of rear domestic gardens is minimised, due to the need to maintain local character, amenity, garden space, and green infrastructure and biodiversity. It goes on to explain that such development should generally conform to existing plot sizes and not lead to overdevelopment and/or a cramped appearance.

7. May Dene and several neighbouring properties have detached outbuildings in their back gardens; however, these are of a much smaller scale than the proposed building and ancillary in character. By introducing a large, detached dwelling the proposal would thereby increase the built form and scale of development across the site. Although a planning condition could be imposed to restrict its height, the footprint of the proposed dwelling would also be significantly larger than that of May Dene and the nearby houses on the southern side of New Road and would therefore not be subservient.
8. It would also result in May Dene's and the proposed dwelling's garden areas and plot sizes being considerably smaller than is typical along this stretch of the road. This arrangement would significantly erode the sense of spaciousness and appear out of context with the predominant layout and prevailing linear pattern of development in the immediate area.
9. Although its backland location and existing vegetation would limit some views into the site from the public domain, the discordant effect of the proposed development would be clearly visible from along New Road, particularly when approaching from the south eastern direction, and from the first-floor windows of neighbouring properties.
10. The willingness to introduce replacement tree planting and sympathetic boundary treatments such as rail and post fencing, along with the potential for biodiversity enhancement and a long-term management plan for landscaping are also noted. This could filter some views of future domestic paraphernalia. Nonetheless, there is uncertainty in these respects as landscaping is a matter that has been reserved for future consideration and approval.
11. It has also been put to me that it would be possible to construct similar sized buildings as the proposal under permitted development rights. However, they would not be as intensively used as the proposal, with the creation of additional parking and domestic paraphernalia inevitably altering its character. As such, the effects would not be directly comparable to those that would be associated with the proposed dwelling.
12. I therefore find that the proposed development would cause unacceptable harm to the character and appearance of the area. It would thereby conflict with Policies 42 and 44 of the Local Plan. These require, amongst other things, for proposals to incorporate good urban design that is well integrated with the built and natural environment, having regard to objectives of layout, density, siting, and spacing.

### **Other Matters**

13. No statutory or internal consultees objected to the proposal, and I am aware that the Council has no concerns in respect of highway safety, drainage, flood risk, the living conditions of neighbours and future residents, green

infrastructure, biodiversity and ecology. Nevertheless, the absence of harm in these respects does not add any positive weight in favour of the proposal.

14. It has also been put to me that the proposal would be an efficient and effective use of land and would provide family housing. However, as the proposed development is only for 1 dwelling, any economic, social and environmental benefits would be somewhat limited. These factors along with the imposition of a planning condition for an environmental management plan or hours of working would not overcome or outweigh the harm to the character and appearance of the area that I have identified. As a result, the appeal scheme would not be sustainable development for which the presumption in favour applies.

### **Conclusion**

15. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, the appeal should be dismissed.

*Mark Caine*

INSPECTOR