



Appeal Decision

Site visit made on 10 January 2019

by **D Guiver LLB (Hons) Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 30 January 2019

Appeal Ref: APP/F4410/W/18/3213957

Cherry Tree Farm, Stone Hill, Hatfield Woodhouse, Doncaster DN7 6NJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr David Marsh against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 18/00794/OUT, dated 26 March 2018, was refused by notice dated 12 September 2018.
 - The development proposed is to create a dwelling from an existing barn on the main road.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application is made in outline with all matters reserved for future consideration.
3. There is a discrepancy in size and shape between the extent of the red line on the location plan and the site plan submitted with the application. The site plan is a larger scale and contains more detail including identifying the intended access point. I have taken this to be the accurate delineation of the appeal site and determined this appeal accordingly.

Main Issues

4. The main issues are the effect of the proposed development on:
 - a) the character and appearance of the area, with particular regard to development in the countryside; and
 - b) protected species.

Reasons

Character and Appearance

5. The appeal site comprises a small parcel of land containing a barn located roughly centrally in the plot and part of a second, larger outbuilding located along the northern boundary. The site is accessed from the A614 Stonehill and is part of a thinly spread cluster of residential, commercial and farm buildings.

The area is a kilometre or so from the centre of the nearest village of Hatfield Woodhouse and is located in the open countryside.

6. The barn is constructed from a mix of red brick and corrugated metal walls with red clay pantiles and a corrugated roofing material. There are three wooden doors into the building on the northern elevation providing access to separate areas of the building. There is a metal up-and-over garage door at the western end which has been hinged to open conventionally. The eastern end of the building, which fronts the highway, is partly red brick and partly corrugated metal and has a single window overlooking the street. The building is in a poor state of repair with missing roof tiles and a rubble floor.
7. Notwithstanding the description of the scheme in the application form, from the evidence before me it is apparent that the proposal is for the demolition of the existing barn and the construction of a dwelling. Although the proposal is in outline the site plan indicates that an existing access to the plot would be used and that part of the outbuilding on the northern edge of the site would be retained as a workshop for the new dwelling.
8. The building is clearly agricultural in character and while it is in a state of disrepair it is not an intrusive structure. Any replacement dwelling would likely be considerably larger and would introduce a much greater built form into the open countryside together with domestic paraphernalia such as garden furniture or drying laundry. A dwelling in such a location would have a detrimental impact on the character and appearance of the area by encroachment into the countryside. While there are dwellings either side of the barn, it is not in a settlement and would not satisfy the criteria for infill development.
9. Therefore, the proposal would not accord with Policies CS2 and CS3 of the Doncaster Council Core Strategy 2012 (the Core Strategy) and Saved Policies ENV2 and ENV4 of the Doncaster Unitary Development Plan 1998, which seek to ensure that developments protect and enhance the countryside and safeguard it from encroachment and also seek to limit development to infilling within settlements, the re-use of buildings or replacement of existing dwellings.

Protected Species

10. The interior structure of the barn comprises spaces separated by timber walls and exposed roof beams supporting the pan tiles. At the time of my site visit only one space was clearly visible, but a second space was partially open as the internal timber wall was complete only to the inner level of the eaves. Numerous gaps in the tiles and spaces between tiles and timber could provide access to small birds and mammals. There was evidence on the rubble floor of stray feathers though it was not possible to determine whether these would have been from roosting birds. The furthest reaches of the barn were not visible to the naked eye.
11. I take a precautionary approach to the potential impact of the scheme on protected species. There is clear evidence of some animal use of the barns and the Council has raised the possibility of protected species on the site. The dilapidated state of the barn certainly provides roosting potential for bats or birds, or spaces for small ground mammals. In the absence of any survey or investigation identifying the likely potential for protected species and mitigation

measures, the proposed development could potentially destroy an important wildlife refuge or habitat.

12. Therefore, the proposal would not accord with Policy CS16 of the Core Strategy and the advice in paragraph 175 of the National Planning Policy Framework, which seek to protect and enhance the natural environment and avoid any negative impact on wildlife.

Other Matters

13. The proposed dwelling is described as being for use and occupation by the existing owners of the adjacent farm as they step back from running the business. While the personal circumstances of the appellant and members of his family are material considerations they attracted limited weight and would not overcome the conclusions on the main issues.
14. While not a reason for refusal, the Council does deal in evidence with the lack of facilities in the area and the need to travel to access services. The site is connected by footpath to the nearest villages but these are some distance away and the facilities in the nearest village at Hatfield Woodhouse are relatively limited. The greater access to services in Hatfield would necessitate crossing the busy A18. The distances involved and the relative volumes of traffic would make either journey unattractive for pedestrians and cyclists, especially in inclement weather, leading to a greater likelihood of journeys by private vehicles. While there appear to be bus services the evidence before me is that these are infrequent. The advice in the Framework seeks to lower the reliance on private vehicle journeys and would therefore conflict with the proposed development.
15. The appellant has referred to an approved development¹ in Hatfield for 211 dwellings and that scheme's impact on the countryside. However, Hatfield is a village with significant services and the scheme provides affordable housing and open space. The distance from the appeal site, the location within a settlement and the additional material factors mean that the schemes are not comparable and I therefore attach little weight to this argument.

Conclusion

16. For the reasons given and taking account of all other material considerations, I conclude that the appeal should be dismissed.

D Guiver

INSPECTOR

¹ 16/00998/OUTM