

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE – 5th March 2019

Application	3
--------------------	----------

Application Number:	17/01955/FUL	Application Expiry Date:	Extension until 12 th March 2019
----------------------------	--------------	---------------------------------	---

Application Type:	Full Application
--------------------------	------------------

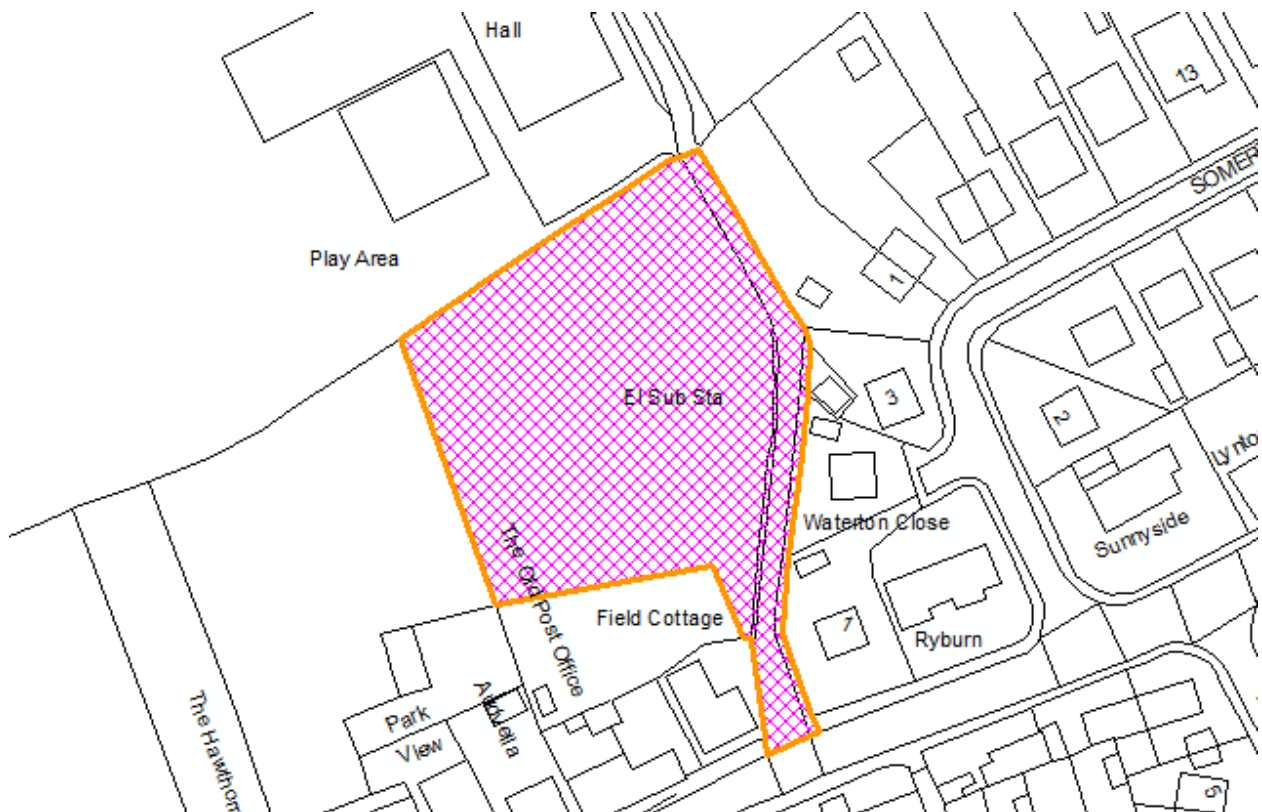
Proposal Description:	Erection of 5 dwellings with garages and associated works
At:	Land At Field Cottage Main Street Hatfield Woodhouse Doncaster

For:	Dantom Homes (Development) Ltd - Mr Pete Thompson
-------------	---

Third Party Reps:	9 representations	Parish:	Hatfield Parish Council
		Ward:	Hatfield

Author of Report	Dave Richards
-------------------------	---------------

MAIN RECOMMENDATION:	Refuse
-----------------------------	--------



1.0 Reason for Report

1.1 The application is being presented to Planning Committee at the request of Cllrs Derek Smith and Linda Curran, who support the application. There has also been public interest.

2.0 Proposal and Background

2.1 The proposal seeks full planning permission for the erection of 5 detached dwellings with garages on land to the rear of Field Cottage, which is located on Main Street, Hatfield Woodhouse.

2.2 The proposal is identical to Planning Reference 15/01251/FUL, which was refused planning permission by members of the Planning Committee in December 2015. The subsequent appeal was dismissed by the Planning Inspectorate in September 2016. A copy of the appeal decision notice is shown in appendix 1 of this report. My recommendation is that planning permission refused once again.

2.3 The application site consists of an area of agricultural land where development would be served by a private drive. The site is to the west of Somerton Drive, to the south of the Village Hall and north of Main Street with agricultural fields adjacent nearby. All dwellings are substantial, detached properties. All properties are proposed to be constructed from red brickwork, with red clay pantile roofs. Each property has a double garage, some are attached, and some detached.

3.0 Relevant Planning History

3.1 00/0150/P - Outline application for residential development on approx. 0.6ha of land - Refused for the following reasons;

1. The site of the development lies within Countryside Policy Area in the Doncaster Unitary Development Plan. The proposal represents the undesirable and unjustified introduction of residential development beyond the recognised limits of the settlement. Within the Countryside Policy Area it is the policy of the Council to restrict residential development except where there is an agricultural or security justification. No such justification applies in this case and the proposal is therefore contrary to Policy ENV14 of the Doncaster Unitary Development Plan.

2. The proposal would result in an intensification of the use of an existing substandard access to the detriment of public and road safety.

3.2 15/01251/FUL - Erection of 5 detached houses with garages on approx. 0.39 ha of land – Refused for the following reason:

The proposal is contrary to saved policies ENV2 and ENV4 of the Doncaster Unitary Development Plan, and policy and CS3 of the Doncaster Council Core Strategy in that it represents inappropriate development within the countryside which would neither protect or enhance the countryside or preserve its openness. Furthermore, the proposal does not constitute quality infill within the defined settlement limits, and as such is contrary to policy CS2 of the Doncaster Council Core Strategy.

3.3 The applicant subsequently appealed the decision to the Secretary of State who dismissed the appeal in September 2016 (referred to as the appeal decision).

4.0 Representations

4.1 The application has been advertised in accordance with the requirements of the Planning Practice Guidance as follows:

- Any neighbour sharing a boundary with the site has received written notification
- Site notice
- Advertised in the local press
- Advertised on the Council website

4.2 Cllr Derek Smith supports the application on the basis that it would improve the single track lane between the new homes and the village hall to allow two cars to safely pass when using the hall car park. This has the support of the hall users and many residents.

4.3 Cllr Linda Current supports the application for the following reasons:

- The site is land locked and has been subject to tipping and pest issues
- Hatfield Woodhouse is a popular location where there has been infill development
- The application would supply housing
- The access to the village hall is proposed to be upgraded which may double as overspill parking for the local primary school, improving highway safety

4.4 One representation describes the previous use of the site as an allotment.

4.5 Five letters of support have been received, noting that the proposal would enhance the access to the village hall and may provide additional parking for the local school, leading to a positive benefit to highway safety.

5.0 Parish Council

5.1 The Parish Council have objected to this proposal and reiterate the comments previously submitted:

There is concern that the application does not differ significantly from a previous application for 5 executive style houses on the site that has already been refused and subject of an unsuccessful appeal. The site lies within a Countryside Protection Policy Area and is contrary to the policies. There is further concern that the minor improvements to the access road should not outweigh the planning officers and Inspectors previous decisions.

6.0 Relevant Consultations

6.1 Public Rights of Way Officer:

No objection. Public footpath Hatfield number 34 runs along the access road to the hall and can't be obstructed or hindered at any time. I am not aware of any claims across the site; however this does not preclude rights of way from being shown to exist at a later date.

6.2 Highway Officer:

No objections (subject to conditions). Given that the development proposes a private drive, the applicant should ensure that the village hall are given a formal right of access over the shared portion of the drive.

The boundary treatment for plot five should be dropped to no higher than 900mm where the plot forms a point adjacent to the access road to ensure visibility between vehicles leaving the Village Hall and residents of the private drive.

Visibility is restricted to the east when exiting the site due to the exiting boundary treatment, however considering the trips associated to the various uses of the village Hall, the development of 5 properties in this location is not considered to have a material effect to the operation of the junction with the A614.

6.3 Tree Officer:

No objections. I was aware of the felling of the trees that were adjacent to the access to the village hall and from the information contained with the tree report it would appear that their felling was justified. Trees are not an issue with this site and, as the tree report states, it is the hedgerows that provide the rural character here. The site plan does not indicate what the intention towards these boundary hedgerows is. Whilst it would be desirable for them to be retained (in terms of rural character of the settlement edge) as soon as the hedgerows form part of a domestic curtilage they move beyond the scope of the Hedgerow Regulations and, after the expiry of any planning condition that may have ensured their retention, the hedgerows can be removed without any recourse to obtaining any form of LPA consent (the tree survey is wrong to suggest that the hedgerows fall beyond the scope of the Hedgerow Regulations as the scope of these Regulations extends beyond that of 'agricultural land'). Hence, the hedgerows here have to be an active part of the scheme in order to have a chance of surviving in the long term. This is the preferred option and it would be appreciated if the intention as to boundary treatment is clarified. A landscaping condition will be required.

6.4 Ecology Officer:

I am happy with the ecological appraisal that has now been submitted in support of this application. While protected species are not an issue the report outlines the importance of the site as a wildlife corridor and recommends the retention of the existing field boundary trees and hedgerows. From an ecology point of view I would like these to be retained as part of the development along with an adjacent narrow grass verge. This could be subject to an appropriate condition.

6.5 National Grid:

Apparatus affected and the developer will be required to contact prior to the commencement of development.

6.6 Drainage Officer:

No objections.

7.0 Relevant Policy and Strategic Context

7.1 The site lies within the Countryside Policy Area. The following local and national planning policies are relevant to this scheme:

Doncaster Core Strategy (2012)

Policy CS1 - Quality of Life
Policy CS2 - Growth and Development Strategy
Policy CS3 - Countryside
Policy CS10 - Housing Requirement, Land Supply and Phasing
Policy CS14 - Design and Sustainable Construction

Doncaster Unitary Development Plan (UDP) (1998)

Policy ENV2 - Countryside Policy Area Designation
Policy ENV4 - Development within Countryside Policy Area

7.2 Other material considerations include the National Planning Policy Framework (NPPF) (2018) and National Planning Policy Guidance (NPPG); as well as the Council's supplementary planning guidance.

8.0 Planning Issues and Discussion

8.1 The main issues are include the principle of residential development within the countryside and impact on the character and appearance of the countryside. This is balanced against other material considerations within the report.

Development in the Countryside

8.2 Policy CS2 of the Core Strategy sets out the spatial strategy for the sustainable development of Doncaster, which supports a policy of settlement hierarchy to ensure that the scale of new development is appropriate in relation to the size, function and regeneration opportunities of each particular location. Policies ENV2 and ENV4 of the UDP set out the purposes of the countryside policy area and indicate that development in this location will not normally be permitted for purposes other than those appropriate to rural areas or which protect the character and appearance of the countryside.

8.3 Hatfield Woodhouse is a 'Larger Defined Village' which, in accordance with Policy CS2 should accommodate new dwellings only within the defined residential policy area. The village is seen as generally an unsustainable location for new housing, with new housing growth in the area directed towards Hatfield, Thorne and Stainforth. Only 1% of housing growth will be provided within defined villages and this 1% must be located within the village boundaries according to Policy CS2.

8.4 The site is also within a Countryside Protection Policy Area (CPAA) as set out in the Core Strategy. Policy CS3 of the Core Strategy 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. This policy is clear that the outer boundaries of existing built up areas where they adjoin countryside are under constant pressure for often minor but cumulatively significant small scale housing developments. The lies beyond, but adjacent to the settlement boundary to Hatfield Woodhouse and in this respect would not meet the requirements of Policies CS2 or CS3.

8.5 The policies in the Core Strategy are up to date and consistent with the NPPF. The Council can also demonstrate a five-year housing land supply, meaning the development plan is sound in allocating housing to the hierarchy set out in Policy CS2. As such, there is no requirement to trigger the presumption in granting permission as outlined by Paragraph 11 of the NPPF. Although Policies ENV2 and ENV4 of the UDP are now of some age, this is reflected in attracting moderate weight in terms of applying the overall development plan.

8.6 The provision of a five dwellings would add to the mixture of properties nearby in design terms however would result in an open paddock of countryside character being developed. The site currently has no buildings or other development within it. The footprint of the dwellings and the resultant bulk, scale and massing, together with hardstanding and siting of outbuildings and domestic items would inevitably lead to a loss of openness. The loss of openness would be most apparent from Main Street and a public footpath via the site access. Although landscaping could be proposed, any mitigation would not alter the resultant change of the site to an urban character and appearance. Although there is some public transport provision and amenities near the site, the proposal would result in harm to the character and appearance of the countryside.

8.7 In summary, the development would conflict with the countryside protection policies provided under Policies CS2 and CS3 of the Core Strategy and, in terms of applying moderate weight, Policies ENV2 and ENV4 of the UDP. The previous refusal and appeal decision confirmed that the Council's case is sound and consistent with the aims of the NPPF. An appeal decision for the same site under the same policies attracts great weight.

Other considerations

8.8 Consistent with the previous application, it is not considered that the proposed dwellings would have an adverse impact upon the residential amenities of those living nearby, or give rise to issues with highway safety. Furthermore, the loss of agricultural land has been previously judged to be acceptable and there is limited ecological and arboricultural interest on the site other than hedgerows which could be retained. Other consultee comments could be reasonably satisfied by planning conditions in the event that the development was found to be acceptable. As such, the development complies with the development plan in other respects.

8.9 There would also be limited benefits in terms of increased natural surveillance of the village hall and its playing fields, together with improvements to vehicular and pedestrian access. Without this development, the widening of the road would have to be funded by other means. Local representations have suggested that the widening of the access road would also assist in enabling drop offs and pickups associated with the local primary school. The positive benefits to the widening of the access to Main Street should attract moderate weight in favour of the proposal. The amount of weight applied is limited given the widening of the whole access is not necessary to make the development acceptable and any suitably worded condition may be deemed unnecessary for the development to be permitted.

8.10 Whilst it is acknowledged that there have been planning applications for housing in Countryside Policy Areas in other parts of the Borough, which have been recommended for approval, these are at growth settlements in accordance with Policy CS2 of the Core Strategy. Furthermore, the Council has been largely successful in defending at appeal speculative applications for small scale, new housing proposals on the urban fringe of villages in the Borough.

9.0 Planning balance and conclusion

9.1 As part of any planning application, the NPPF is a material consideration. The proposal would make a modest contribution to contributing to providing housing for the Borough. There would be a modest benefit during the construction phase, as well as support for local services. However, in contrast to strategic applications for new housing, minor developments do not provide any contributions towards existing infrastructure and limited job and economic benefits. The proposal would cause harm to the character of the area in terms of environmental impact.

9.2 The application would not be consistent with the approach to the location and supply of housing and protection of the countryside in Policies CS2 and CS3 of the Core Strategy and Policies ENV2 and ENV4 of the UDP and would not therefore be in accordance with the development plan. The application of policies under the UDP carries moderate weight. Great weight is also applied to the conclusions of a Planning Inspector who regards the proposal to similarly be unacceptable development in the countryside which harms its character.

9.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the material considerations is the supply of housing and the provision of a widened access road to Hatfield Woodhouse which has attracted some local support. A representation also comments on the potential for the use of the village hall car park, although this would be a private arrangement beyond the control of the Council. However, taken as a whole, these benefits would significantly and demonstrably outweighed by the conflict with the development plan as a whole. The Council can demonstrate a five-year housing land supply, meaning the development plan is sound in allocating housing to the hierarchy set out in Policy CS2 and protecting the countryside from inappropriate harm under CS3. Although Policies ENV2 and ENV4 of the UDP are now of some age, this is reflected in attracting moderate weight in terms of applying the overall development plan.

RECOMMENDATION: Planning Permission **REFUSED** for the following reason:

The development would cause harm to the character and appearance of the countryside and would conflict with the approach to the location and supply of housing in Policies CS2 and CS3 of the Core Strategy and Saved Policies ENV2 and ENV4 of the UDP. Furthermore, the proposal does not constitute quality infill within the defined settlement limit for Hatfield Woodhouse contrary to Policy CS2 of the Core Strategy.



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".
-

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

APPENDIX 2 – Proposed Site Plan

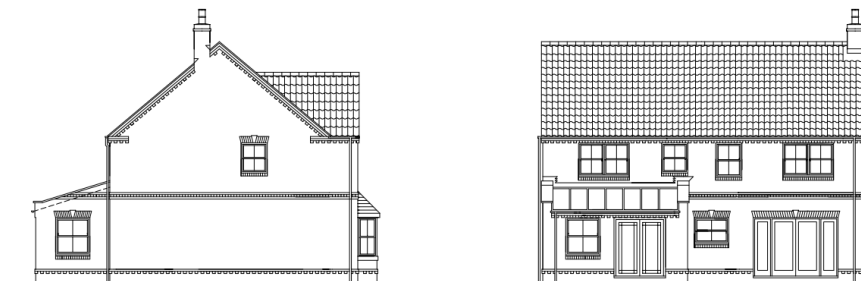


APPENDIX 3 – Plot 1 Elevations (each plot is individually designed)



Front Elevation

Side Elevation



Side Elevation

Rear Elevation