



Appeal Decision

Site visit made on 29 June 2020

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2020

Appeal Ref: APP/F4410/W/20/3245384

Chateau Renee, Sutton Road, Campsall, Doncaster DN6 9AN

- 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 Matthew Dale against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 18/02034/OUT, dated 14 August 2018, was refused by notice dated 27 September 2019.
 - The development proposed is described as "Outline application for the construction of 3No houses with garages at Sutton Road, Campsall, Doncaster DN6 9AN."
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Outline planning permission is sought with all matters reserved. I have determined the appeal on this basis.

Main Issues

3. The main issues are whether the proposal preserves or enhances the character or appearance of the Campsall Conservation Area; and the effect on trees.

Reasons

Conservation Area

4. The appeal site is an area of land situated to the south west of the property Chateau Renee. The appeal site and Chateau Renee are not located within the Campsall Conservation Area (CCA) however they do lie adjacent to the CCA.
5. In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Moreover, paragraph 193 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
6. The CCA is characterised predominantly by residential properties in a rural countryside setting complemented by trees, hedgerow and woodland areas. The appeal site is populated heavily with mature trees and hedgerow with the

tree belt along the boundary of the appeal site with Burghwallis Road (BR) described as having historical significance with the now demolished Campsall Hall and West Lodge situated on Sutton Road. There is no appraisal associated with the CCA however, in my view the significance of the CCA and the wider surrounding area, is derived from a built environment blending into the rural countryside supported by woodland areas.

7. The trees and hedgerow within the appeal site and in particular the tree belt on the boundary with BR significantly contributes to the setting of the village and the CCA. Indicative details show an access from the site onto BR which, although having the majority of trees retained, would result in some being removed and the introduction of a significant gap in the existing row of trees. The appellant has indicated that some trees are required to be removed and replacement tree planting can be undertaken, along with a tree maintenance and management scheme, however this would not prevent a substantial gap appearing in the row of trees. It is also noted that the access would be located in an existing gap however, this existing gap is not noticeable, and the proposal would introduce a break in the row of trees that is significant and visually prominent.
8. On approach to the village along BR, the proposed gap in the trees would appear incongruous and would detract from the visual appearance of the natural environment. The introduction of an access in this location resulting in vehicles entering and leaving the site through the trees would be a discordant form of development that would compromise the setting, character and appearance of the CCA.
9. There are no listed buildings or buildings of local heritage importance on the site and I note that West Lodge is not visible on approach to the village along BR. Nevertheless, the introduction of a gap in the tree line along with the associated vehicle traffic from the proposed residential properties would have a harmful effect on the CCA.
10. I therefore find that the proposed development would have a harmful effect on the character and appearance of the CCA. The proposal would be contrary to Policies CS1, CS14 and CS15 of the Doncaster Council Core Strategy 2012 (DCCS), Policies PH11 and ENV25 of the Doncaster Unitary Development Plan 1998 (DUDP) and the Framework which, amongst other things, seeks development to be of high quality design and preserve or enhance the character and appearance of Conservation Areas and surrounding area.
11. I have had regard to the appellants statement of case including comments that the site is undeveloped and does not form part of a historic parkland or woodland, the Council had not required the appellant to identify effects on heritage assets or describe significance of the CCA prior to or during the planning application stage and reference to the Council's Doncaster Landscape Character Assessment and Capacity Study. It has also been indicated that the reason for refusal does not detail the harm to the CCA. The Council's Officer report does detail the harm to the CCA and the reason for refusal on the decision notice refers to the conflict with the relevant development plan policies. I have given careful consideration to all these matters but they do not alter my findings above.

Trees

12. The appeal site is heavily populated with trees, with some covered by Tree Preservation Orders (TPO), and some of these TPOs being quite recent. An Arboricultural Report and Impact Assessment (ARIA) has been submitted in support of the proposals. The ARIA was informed by an indicative layout plan detailed in appendix 6 which shows the location of the proposed properties including access and driveways.
13. The ARIA states that potentially damaging activities are proposed in the vicinity of retained trees and that construction within the root protection areas of trees can have negative impacts on tree roots. The ARIA further indicates that the retained trees should remain largely unaffected by the works, provided care is taken during construction. A "no-dig" type construction method has been indicated however, no specific details of this method has been submitted.
14. The Council's Tree Officer has raised objections with concerns that there will be pressure to remove, thin or reduce trees close to the proposed access due to requirements to allow for visibility of vehicles or due to damage to access surface from future growth of the trees. There are also concerns that there will be future pressure to remove, thin or reduce trees near the proposed buildings due to overshadowing effects.
15. The proposal is made in outline with all matters reserved therefore, the size of the plots, exact location of houses, habitable room windows and gardens are yet unknown. The appellant has indicated that windows can be orientated to ensure no overshadowing would occur, that there is plenty of space on the site for proposed gardens to have sufficient sunlight and that it is not uncommon for gardens to be overshadowed in some way.
16. There is however an absence of convincing evidence that the proposed dwellings, driveways and access can be constructed within close proximity to the trees, there is considerable doubt in my mind as to whether the development can be adequately constructed without harming the trees.
17. The appellant has indicated that the proposal would be a low density development with large plots and gardens, and any shadowing effects will be considered at reserved matters stage. Given the amount and location of the trees to be retained and the lack of evidence with regards to potential overshadowing from trees, I am not convinced that the future occupiers would not be adversely affected by overshadowing effects which could result in pressure to remove trees. I note that prospective buyers of the proposed properties would be aware of the existing trees however, the effects of the trees on every day living conditions may not be fully appreciated, particularly the effects of the trees over time as they grow.
18. On the evidence that is before me, I am not convinced that the proposed development could be constructed without causing harm to the trees. The proposed development would be contrary to Policy CS16 of the DCCS, Policy ENV59 of the DUDP and the Framework which seeks proposals for new development to attach considerable importance to the need to protect existing trees, hedgerows and other natural landscape features.
19. A minimal number of trees are to be removed with those identified as requiring removal being of low or moderate amenity value. Larger trees on the site

would remain, retaining the group value of the trees, and replanting and maintenance of trees on the site is also proposed. It has been indicated that the woodland does not meet the highest national and local environmental designations in terms of conservation and enhancement of landscape and scenic beauty. These matters however, do not outweigh the harm I have identified above.

Other matters

20. The proposed development has been described as being sustainable in terms of its location. The development would also contribute to the local economy. These matters are considered to be benefits of the proposed scheme.

Conclusion

21. I have found that the proposal would be suitably located and would contribute to the local economy. However, these benefits do not outweigh the harm I have identified with regards to the CCA, trees and the conflict with the DCCS, DUDP and the Framework.
22. I conclude that for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR