



# Appeal Decision

Site Visit made on 11 October 2021

**by Mark Ollerenshaw BSc (Hons) MTPI MRTPI**

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

**Decision date: 21 October 2021**

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**Appeal Ref: APP/F4410/W/21/3277460**

**Rear of 65 High Street, Hatfield, Doncaster DN7 6RS**

- 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 and Mrs S Swinburne against the decision of Doncaster Metropolitan Borough Council.
  - The application Ref 20/03537/FUL, dated 23 December 2020, was refused by notice dated 27 April 2021.
  - The development proposed is described as 'Proposed Erection of Detached Storage Building With Use Class B8 and A1 on approx. 0.045ha of Land R/O 65 High Street, Hatfield, Doncaster, DN7 6RS'.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. Following the refusal of the planning application, the Council adopted the Doncaster Local Plan 2015-2035 (the DLP) on 23 September 2021, which replaces the Doncaster Unitary Development Plan (1998) and the Doncaster Council Core Strategy (2012). The parties have been given an opportunity to comment on the change to the development plan and I have given regard to any views expressed. I have therefore considered the appeal against the relevant policies of the DLP.
3. On 20 July 2021, a revised version of the National Planning Policy Framework (the Framework) was published. The main parties were given the opportunity to comment on the relevance of this to the appeal. I have had regard to any comments received and the revised Framework in my decision.
4. The appellants' surname given on the appeal form is different to that on the application form. I have used the spelling given on the application form in the banner heading above.

## Main Issues

5. The main issues are whether the appeal site is a suitable location for the proposed development, having regard to policies which seek to protect the countryside, and whether the proposal would preserve or enhance the character and appearance of the Hatfield High Street Conservation Area.

## Reasons

*Location*

6. The appeal site comprises land to the rear of 65 High Street which is accessed from a vehicular access point serving the existing property. Although the site is described as a paddock, it is partly occupied by hard surfacing which appears to be used for outdoor storage, including trailers, and parking. The site is bounded by an enclosed field to the north and the western boundary of the site comprises fencing with a mature hedgerow and trees. A large metal clad storage building located to the east is used in connection with the hot tub sales business run from the site. Notwithstanding the presence of the existing storage building, which to some extent encroaches into the countryside, the site retains a semi-rural character at the edge of the settlement.
7. The appeal proposal would be located just beyond the defined settlement boundary and therefore, in planning policy terms, in the countryside. The proposed building would be used primarily for storage purposes with a small element of retail. I therefore consider that the proposal should be assessed against Part 4 of Policy 25 of the DLP which relates to new non-residential development within the Countryside Policy Area. It requires, amongst other things, that the location of such proposals is justifiable to support a prosperous rural economy in accordance with national policy, and the size and scale of the development would be commensurate with an existing use, or that reasonably required for a new use, and with the rural character of the location.
8. The proposal would be sited to the north of No 65 and to the west of the existing metal clad building. The proposal would be of significant scale and massing, with a footprint akin to the existing storage building. However, it would be substantially higher than the existing building, which is of relatively modest height due to its shallow pitched roof.
9. Although the proposal would not project further north than the existing storage building, it would nevertheless represent a further encroachment into the countryside. In combination with the existing building, the proposal would result in a relatively intense form of development in this particular location, that would have an urbanising effect and diminish the semi-rural character to the rear of High Street, especially when viewed from the field to the north.
10. The existing business is not one that would typically be associated with a countryside location. Therefore, whilst the proposed development would enable the growth of the business, the intensification of the commercial use and the scale of the proposed building would not be commensurate with the existing use and would be inappropriate in the context of the site. Consequently, the location of the proposal has not been justified on this basis.
11. Accordingly, the appeal site would not be a suitable location for the development proposed, having regard to policies which seek to protect the countryside. Specifically, the proposal would conflict with Policies 25, 41 and 46 of the DLP which, amongst other things, seek to ensure that new development would be appropriate to the countryside and would respect and enhance local character.

#### *Conservation Area*

12. The appeal proposal would be situated adjacent to the boundary of the Hatfield High Street Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be

- paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
13. The CA reflects the historic core of the settlement. The significance of the CA is derived from the many historic buildings, including the Grade I listed Manor Hall and Church of St Lawrence, and partly from its linear form and long thin 'strip plots' ending in informal back lanes which are still legible. Buildings along High Street are predominantly two storeys in brick and pantile and have street frontages. There is generally a lack of development within the fields to the north and south of High Street. These fields, which are enclosed by mature hedgerows, contribute to the rural setting of the CA. The appeal site forms part of the enclosed field system to the north of High Street and thereby makes a positive contribution to the character and appearance of the adjacent CA.
  14. I have found that the proposal would intrude into the countryside to the rear of High Street, which is an important element of the setting of the CA. The proposal has been designed to resemble an agricultural building. Nevertheless, its siting and scale would result in a dominant structure which would significantly detract from the character of this part of the CA.
  15. The existing metal clad storage building does not follow the prevailing pattern of development in terms of its siting. Moreover, the utilitarian design and materials of this building do not reflect the character of the CA. I therefore consider that the existing building does not provide compelling justification for the appeal proposal.
  16. Whilst the proposal would not be prominently sited in relation to public vantage points within the CA, it would appear unduly prominent from within the appeal site itself, from neighbouring properties and adjacent land to the north.
  17. I acknowledge that the proposed building would be used to store vehicles and items of equipment which are currently kept outside. At the time of my visit, the site did not have a particularly untidy appearance that detracted unduly from the appearance of the area. I therefore attribute limited weight to this consideration.
  18. In conclusion, the proposed development would fail to preserve or enhance the character and appearance of the CA. The proposal would therefore conflict with Policy 37 of the DLP which, amongst other things, seeks to ensure that development proposals would not detract from the heritage significance of a conservation area by virtue of their location, layout, nature, height, density, form, scale, materials or design.
  19. Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Paragraph 202 of the Framework states that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposed development. Notwithstanding the conclusions of the appellants' Heritage Impact Assessment, the harm that I have identified to the significance of the CA would be less than substantial. The benefits of the scheme are set out in the appellants' statement, notably the growth of the existing business, and an associated contribution towards the local economy and community. Given the relatively modest scale of the development, the contribution to the local economy and vitality of the community would be limited. Therefore, the public

benefits would not outweigh the significant harm I have identified to the character of the CA.

20. I therefore conclude that the proposal would fail to comply with national policy outlined in the Framework, which seeks to sustain the significance of heritage assets.

### **Other Matters**

21. An interested party is concerned that the proposal may give rise to increased noise disturbance. However, based on the evidence before me, I have no reason to disagree with the Council's conclusion that the proposal would not have any significantly harmful effects in this regard. The absence of harm in this regard is however a neutral matter which does not weigh in favour of allowing the appeal.

22. I note that there is some support for the proposal from interested parties. However, there are also objections. I have found the proposal to be harmful and therefore the weight of support is not a determinative matter in favour of the proposal.

### **Conclusion**

23. I have had regard to the benefits of the scheme. However, given the scale of the proposal, the benefits would not be sufficient to outweigh the harm I have identified and the conflict with the policies I have referred to.
24. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal should be dismissed.

*Mark Ollerenshaw*

INSPECTOR