



Appeal Decision

Site visit made on 7 December 2021

by **F Wilkinson BSc (Hons), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 December 2021

Appeal Ref: APP/F4410/W/21/3278490

Land to the west of Station Road, Blaxton, Doncaster

- 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 Reece Musson of Modern Edge Development Group Limited against the decision of Doncaster Council.
 - The application Ref 20/03082/OUT, dated 5 November 2020, was refused by notice dated 6 April 2021.
 - The development proposed is residential development of up to 5 dwellings (access and principle only to be considered).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline with approval of access sought. Detailed matters relating to layout, appearance, landscaping and scale are reserved for future consideration. I have determined the appeal on this basis, treating supporting plans as illustrative.
3. The Council's decision was made on the basis of the Doncaster Council Core Strategy 2011-2028 and the Doncaster Unitary Development Plan (UDP). These plans were superseded by the Doncaster Local Plan (the Local Plan) when it was adopted in September 2021. My decision is based on the policies within the Local Plan and the National Planning Policy Framework 2021 (the Framework). The substantive elements of the new Framework have not changed from the previous iteration so far as they relate to the main issue of the case.

Main Issue

4. The main issue is whether the proposed development would provide a suitable location for housing, having particular regard to the effect on the character and appearance of the area.

Reasons

5. The appeal site is an area of open land to the north of Finningley, on the western side of Station Road which runs between this village and Blaxton to the north. The site lies adjacent to but outside of the Development Limit of Finningley. It therefore sits within the Countryside Policy Area as defined in Policy 1 of the Local Plan. The proposed development would comprise outline permission for up to five dwellings, with the indicative layout showing five detached properties fronting on to Station Road.

6. The Local Plan allows for new residential development in the Countryside Policy Area only in limited circumstances. Policy 25 allows for new dwellings where it is to meet the essential needs of an existing agriculture, forestry or other enterprise which justifies a rural location and certain other criteria are met. The policy also supports new dwellings in line with national policy for 'entry level' exception sites or rural exception sites for housing and for isolated homes of exceptional design quality.
7. If the Council is unable to demonstrate a deliverable five year housing land supply (HLS) or fails the Government's Housing Delivery Test, Policy 1 of the Local Plan allows residential development in the Countryside Policy Area, subject to a number of criteria being met. These include being adjacent to a Development Limit of a settlement in levels 1-3 of the hierarchy (which would include Finningley); the development being consistent with the role and service function of the settlement; the site being well related to the existing built form of the settlement and representing a logical extension to the built up area or of a scale and nature that is in keeping with the core shape, form and size of the settlement; the development not causing significant harm to the character, setting and appearance of a settlement (including partial or total coalescence with another settlement) or to the intrinsic character and beauty of the surrounding countryside.
8. The proposed development would not meet any of the essential needs identified in Policy 25. There is no evidence to suggest that it would be for affordable housing in the form of an entry level or rural exception site. Whilst noting the appellant's statement that the proposal would be of a high quality design, there is no indication of an exceptional design that would address the requirements of this policy or paragraph 80 of the Framework. The Council can demonstrate a HLS of 11.26 years and has delivered 232% of the total number of homes required in the 2020 Housing Delivery Test. The Council is clearly performing well in terms of housing delivery and so there is no requirement to provide for additional housing sites in the Countryside Policy Area. The proposed development would therefore be contrary to Policies 1 and 25 of the Local Plan.
9. The site is adjacent to the northern boundary of Finningley's Development Limit. However, the majority of the village is located to the south of the rail line, including its services and facilities. There is only a relatively limited amount of development to the north of the rail line. The proposed development would not therefore be well related to the existing built form of Finningley, nor would it represent a logical extension or be in keeping with its general form.
10. There are dwellings on the east side of Station Road opposite the site. There are also dwellings to the south of the site fronting on to Station Road and on Station Lane. However, the west side has only limited built development beyond the cluster of houses at Station Lane, with a bungalow approximately 100m to the north and another property located around a further 170m northwards, with the remainder of the area being open fields. The land to the west of Station Road therefore has a more rural character and provides an important open gap between the settlements of Blaxton and Finningley. The site is part of this open gap and therefore makes an important contribution to the open countryside between the two settlements, irrespective of its agricultural value, and contributes positively to their setting.

11. The proposed development would extend built development further into the countryside and would, both visually and spatially, extend the coalescence of Blaxton and Finningley. Car parking areas, the laying out of gardens and the general domestic activities associated with a residential use would further exacerbate the urbanising effect. This would be markedly at odds with the open rural character of the site and wider area along this part of Station Road.
12. Whilst Policy ENV4 of the UDP included infill development as an exception to the more restrictive approach in the Countryside Policy Area, this has not been carried forward into Policies 1 or 25 of the Local Plan. In any event, I would not class the proposed development as infill. Built development along the western side of Station Road is sporadic and intermittent, such that it would not be classed as a built-up frontage. The gaps in between what built development is present are varied and extensive, and development at the site would represent ribbon development rather than a logical completion of the pattern of development here.
13. The appellant highlights that the proposed development would be of a high quality design which would respond to the character of the site, and thus would be in accordance with the design objectives of paragraph 130 of the Framework. The appellant is also willing to restrict the proposal to bungalows if required to assist with maintaining the character of the area. However, this would not address the harm that I have found to the character and appearance of the area arising from the development of the site for residential use, nor would it represent a sufficient justification to depart from the recently adopted development strategy.
14. For the aforementioned reasons, the proposed development would cause significant harm to the character and appearance of the area. I therefore conclude that the proposed development would not be a suitable location for housing having particular regard to the effect on the character and appearance of the area. It would therefore conflict with Policies 1 and 25 of the Local Plan, which have been summarised above. It would also conflict with paragraph 174 of the Framework which requires development to recognise the intrinsic character and beauty of the countryside.

Other Matters

15. A bus stop is located on Station Road beside the site. The proposed development would be within a reasonable walking distance of the services and facilities within Finningley and Blaxton. Station Road is lit between the site and the two settlements and there is a separate footway. I am therefore satisfied that occupiers of the proposed dwellings would have a genuine choice of how to travel to services and facilities by modes of transport other than the car. However, this would not outweigh the harm I have found to the character and appearance of the area arising from the site's location.
16. The appellant states that the site represents previously developed land as it was previously used as a quarry in the 1950s, and the proposed development therefore has support from paragraph 119 of the Framework. I do not agree that the site would be classed as previously developed land because the Framework defines that in its Glossary as excluding land "that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures". Although the site has an overgrown appearance, any former quarrying

activities have been subject to restoration and/or have naturally regenerated. I therefore give this matter very limited weight.

17. The appellant's Statement of Community Consultation sets out the consultation undertaken at the pre application stage to satisfy what was at the time a requirement of Policy 2 of the Publication Version of the Local Plan. This requirement was not carried forward to the adopted version of the Local Plan. The appellant sent out 462 community newsletters, with 26 completed feedback forms returned. Of those 26 responses, 15 indicated support for the proposal. Whilst it is important to take account of the views of local residents and the parish council which also supported the proposal, the comments expressed in favour of the proposed development would not lead me to take a different view of its acceptability.
18. The appellant highlights that there would be no adverse effects on the living conditions of occupiers of neighbouring properties. Whilst this may be the case, a lack of harm is a neutral factor in any balance. Accordingly, it would be incapable of weighing against harm.
19. Although the proposed development may be aimed at young families, there is no evidence to suggest that there is a lack of such housing in the area, nor would it be reasonable to place such restrictions on its use. I therefore give this matter very limited weight.
20. The proposed development would boost the supply of housing but as set out above, the Council's HLS is substantially more than 5 years and thus the presumption in favour of sustainable development in paragraph 11 of the Framework would not apply. There would also be economic benefits such as construction employment and additional residents supporting shops, businesses and community facilities in the area. However, the contribution from five dwellings would be limited and as such has limited weight.

Conclusion

21. The proposed development would conflict with the development plan taken as a whole as well as the Framework. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. Therefore, for the reasons given, I conclude that the appeal should not succeed.

F Wilkinson

INSPECTOR