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# Appeal Decision

Site visit made on 15 November 2022

**by Paul Martinson BA (Hons) MSc MRTPI**

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

**Decision date: 2 December 2022**

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**Appeal Ref: APP/F4410/W/22/3302327**

**Land on East side of Green Lane, Old Cantley, Doncaster DN3 3QW**

- 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 David Riley against the decision of Doncaster Metropolitan Borough Council.
  - The application Ref 20/03548/FUL, dated 18 December 2020, was refused by notice dated 31 March 2022.
  - The development proposed is described as: 'erection of a detached bungalow with integral garage'.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is whether the location of the proposed development would be acceptable having regard to the development plan policies.

## Reasons

3. The appeal site is a parcel of land on the fringes of Old Cantley. The appeal site lies adjacent to the side elevation and garden of a detached dwelling, Moorwood. The relatively long side garden to a bungalow, Malawi, lies opposite the appeal site. The roadside boundary is delineated by a high hedge. The access into the site is fronted by tall gates. Green Lane narrows in the vicinity of the access taking on a more rural appearance with grassed verges to both sides of the road. Beyond the appeal site is a rough surfaced area providing parking for the nearby riding stables.
4. Policy 1 of the Doncaster Local Plan (adopted September 2021) (the Local Plan) sets out the settlement hierarchy for the Borough. Consistent with the approach in paragraph 105 of the National Planning Policy Framework (the Framework), Policy 1 seeks to focus development principally in accessible locations where sustainable modes of transport are readily available. On this basis, most new development is to be accommodated in the Main Doncaster Urban Area and the seven defined Main Towns. Outside of these areas development is focussed on accommodating an appropriate level of growth to meet local needs within the defined 'Service Towns and Villages'.
5. Old Cantley is one of 40 'Defined Villages' in the hierarchy. Policy 1 sets out that these villages have a limited number of services and house commuters to destinations elsewhere. Within their defined Development Limits, development proposals will be considered against other policies of the Plan as shown on the

Policies Map. Owing to their position in the settlement hierarchy, these villages do not have allocations for new development.

6. Outside of the Development Limits the land is termed Countryside. The appeal site lies outside of the Development Limits of Old Cantley, albeit adjacent to the boundary which is consistent with the garden boundary of Moorwood.
7. Support for new housing development in the Countryside Policy Area, through Policy 25 of the Local Plan, is limited to a number of exceptions. In this regard, the appeal proposal is not a replacement dwelling or a conversion of an existing building. There is no information before me that would indicate the proposal is intended to be a house for a rural worker to serve an established enterprise. There is also no evidence to suggest that it would be for affordable housing in the form of an entry level or rural exception site. Finally, there is nothing to indicate that the proposal would be of an exceptional design that would address the requirements of Policy 25 or paragraph 80 of the Framework.
8. The proposal does therefore not meet any of the exceptions for new housing development in the Countryside Policy Area. It is therefore contrary to Policy 1 of the Local Plan and the housing strategy. In accordance with the requirements of s38(6) of the Planning and Compulsory Purchase Act (2004), I am required to determine the appeal in accordance with the development plan unless material considerations indicate otherwise.
9. Neither party has referred to housing supply and there is no evidence before me that indicates that the Council cannot demonstrate a five year supply of deliverable housing sites. I accept that paragraph 79 of the Framework states that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. However, this approach will have been taken into account when formulating the Council's housing strategy. Nonetheless I accept that there would be economic benefits arising from the construction and occupation of a dwelling. However, owing to the small scale of the proposal these benefits carry limited weight.
10. The appellant has analysed the Development Limits boundaries around Old Cantley and has highlighted inconsistencies with how tightly these are drawn around existing built development. However, it is not my role to second guess why the boundaries have been drawn in the way they have. I also note that the Local Plan is up to date, being adopted after the most recent revision of the Framework.

## **Conclusion**

11. There are no material considerations that, in this instance, justify taking an approach contrary to the newly adopted development plan and housing strategy having regard to the requirements of s38(6). I have considered all other matters raised, including the approach in the Framework, but none outweigh the conclusions I have reached. For the reasons set out above, I dismiss the appeal.

*Paul Martinson*

INSPECTOR