



# Appeal Decision

Site visit made on 6 December 2022

**by F Rafiq BSc (Hons) MCD MRTPI**

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

**Decision date: 13 January 2023**

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**Appeal Ref: APP/F4410/W/22/3295446**

**Beacon Ridge, Common Lane, Clifton, Doncaster S66 7RX**

- 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 Ms Chloe Price against the decision of Doncaster Council.
  - The application Ref 21/02095/FUL, dated 29 January 2021, was refused by notice dated 24 September 2021.
  - The development proposed is a new dwelling.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. At the time the Council made its decision on the appeal application the Development Plan included the Doncaster Unitary Development Plan (UDP). The Council's decision notice also referred to the emerging Doncaster Local Plan 2015-2035 (Local Plan), which has subsequently been adopted, superseding the policies of the UDP. The Development Plan now comprises of the Local Plan which I have taken into account in making this appeal determination.
3. Reference was made in the decision notice to the Council's Development Guidance and Requirements: Supplementary Planning Document, but the Council has confirmed that this and other Supplementary Planning Document's were revoked with the adoption of the Local Plan.

## Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area and on the setting of the Clifton Conservation Area.

## Reasons

5. The appeal site forms part of the curtilage of an existing dwelling, Beacon Ridge, which is situated on the northern periphery of the village of Clifton but outside the Green Belt. The existing dwelling, and other surrounding buildings are set back from the road within garden areas that contain a range of vegetation and trees. The varying land levels, and the spacing between buildings allow for wide ranging views across the rural surroundings that contribute to the spacious and verdant character of the area.
6. The proposed dwelling would be sited close to the road frontage and in this regard, it would not reflect the setback positioning of nearby dwellings. It would also be in a more restricted plot, with the proposed building occupying

- most of its width. This cramped siting of the proposed dwelling would be clearly seen given the prominent position of the appeal site close to the road, and at the edge of the village.
7. The appeal site is positioned just outside the Clifton Conservation Area (CA), a historic rural village which is situated in an elevated location from the surrounding agricultural areas. Views of surrounding fields, including groups of trees and other mature planting contribute positively to the CA's rural setting.
  8. There is extensive evidence provided in relation to trees, including a 'supplemental tree report'<sup>1</sup> submitted with the appeal that differs from the appellant's earlier Tree Survey<sup>2</sup> in its assessment of trees. Nevertheless, whatever the position in terms of the category of trees, it is common ground between the main parties that the trees within and around the site contribute positively to the area.
  9. The development would result in the removal of a number of trees, but these trees are close to a large coppice at the edge of the village. Although there could be pressure to prune or remove further trees as identified by the Council, given the number of trees in this area at the edge of the village, I do not consider potential further tree removals, in addition to those identified as requiring removal as a result of the proposal, would be unduly harmful to the verdant character of the area or to the setting of the CA. The proposed driveway access would reduce the informal verge to the side of the road, but given its width of 4m, I do not consider that this would be harmful.
  10. Despite this, and whilst recognising the design of the proposed dwelling reflects the materials and vernacular of traditional buildings in the CA, its tight siting within the plot and small setback from the road would result in it having a cramped appearance which would erode the spacious setting of the CA.
  11. I therefore conclude that the proposal would unacceptably harm the character and appearance of the area and the setting of the CA. In terms of the National Planning Policy Framework (Framework), I assess the harm in relation to the latter as less than substantial. Even so, great weight should be given to an asset's conservation. Paragraph 202 of the Framework advises that the harm should be weighed against the public benefits of the proposal. No specific public benefits have been put forward by the appellant, although I do recognise that the proposal would result in an additional dwelling that would contribute to the supply of housing in the area. Given the proposal is for a single dwelling, this would be a limited public benefit, which would not be sufficient to outweigh the identified harm to the setting of the CA.
  12. Of the policies referenced in the decision notice, I consider Local Plan Policies 10, 33, 34, 37 and 44 to be of most relevance to this appeal proposal. The proposal would be contrary to these, insofar as they require development to conserve the local distinctiveness of an area and to prevent harm to a conservation area, including to its setting. It would also be contrary to Sections 12 and 16 of the Framework which seek development that is sympathetic to local character and to avoid harm to the significance of designated heritage assets, including from development within its setting.

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<sup>1</sup> Anderson Tree Care, April 2022

<sup>2</sup> South Yorkshire Tree Services, undated

### **Other Matters**

13. I acknowledge that the proposal would be acceptable in principle as would the external architectural form and the orientation of windows that serve the main habitable spaces, as well as the position of the outdoor amenity space. The development raises no concerns in relation to highway safety, contamination or in terms of living conditions. The proposal is also satisfactory in relation to flood risk and drainage. These are however neutral matters and not considerations which weigh in favour of the proposal.
14. I note the concerns expressed by the Council in relation to the loss of biodiversity, but I've not been provided with any further information on specific harm. I appreciate that trees can provide food and shelter for birds and animals, but as the appeal site is situated near a large group of trees, I do not find that the proposal would be harmful in this regard.
15. I have taken into account all other matters raised, such as those relating to the Tree Preservation Orders, past tree felling, the future growth and management of trees and that the appeal scheme has been amended from an earlier proposal, but they do not have a bearing on the main issue in this appeal. The appellant has raised concerns on the Council's decision making with reference to the Framework, but I can confirm that I have determined the appeal before me on its own merits.

### **Conclusion**

16. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations including the provisions of the Framework, I conclude the appeal should be dismissed.

*F Rafiq*

INSPECTOR