
Appeal Decision

Site visit made on 18 May 2020

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th May 2020

Appeal Ref: APP/F4410/W/20/3245250

43 Auckland Road, Wheatley, Doncaster DN2 4AF

- 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 Mrs Alicia Beardsall against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref: 19/00578/FUL, dated 6 March 2019, was refused by notice dated 15 November 2019.
 - The development proposed is the change of use from a single dwelling to five flats.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mrs Alicia Beardsall against Doncaster Metropolitan Borough Council. This application is the subject of a separate Decision.

Procedural Matter

3. The Council's first reason for refusal concerns the effect of the proposal on the character of the area by way of density. In reviewing the Council's appeal statement, this concerns two matters, namely the proposed outdoor amenity space provision for the future occupiers, and housing mix considerations arising from the properties in the area that are available for single and non-single occupancy households. This is reflected in the main issues that I set out below. I also address matters in relation to whether or not the proposal would preserve or enhance the character or appearance of the Doncaster Thorne Road Conservation Area later in my decision.

Main Issues

4. The main issues are (i) whether the proposal would provide suitable living conditions for its future occupiers by way of the outdoor amenity space provision; (ii) the effect on the living conditions of the occupiers of the neighbouring properties concerning the refuse storage provision, litter, associated noise, anti-social behaviour and security; (iii) the effect on the housing mix in the area; and (iv) the effect on highway safety in relation to the proposed parking provision.

Reasons

Living Conditions – Future Occupiers

5. The appeal site contains a large end of terrace dwelling that covers a significant proportion of the site. There is also a separate rear outbuilding, that would be demolished as part of the proposal.
6. The proposal would be confined in its arrangement, as it would include 5 flats, off-street car parking and bin storage, as well as the proposed outdoor amenity space provision. The latter would take the form of a small area in between the proposed ground floor flat at the rear of the building (flat 1) and the proposed rear parking area.
7. This modest sized provision would be intended to serve all of the occupiers of the proposed 5 flats. The submitted landscaping details show that the area would not be unattractive. Nevertheless, this would not address that its size would be unlikely to provide adequate levels of outdoor amenity space, based on the likely occupancy levels. Its proximity to what are indicated as patio doors on the rear of flat 1 would further restrict the living conditions of the future occupiers of that property, or would else impede the use of the space by the occupiers of the rest of the flats by virtue of the close juxtaposition.
8. The remaining open areas around the proposed flats and car parking would be of a more incidental nature and would not adequately make up for the limited amount of outdoor amenity space. In addition, public open space in the area would not offer a convenient equivalent in lieu of on-site provision.
9. The appellant considers that outdoor amenity space needs to be balanced against the other requirements of the future occupiers, such as parking and bin storage. The internal living space and outlook are also not in dispute. However, this should not be at the expense of an overall acceptable level of outdoor amenity space provision. Due to the limitations of the site and the density of the proposal, this would not be satisfactorily achieved.
10. I conclude that the proposal would not provide suitable living conditions for its future occupiers by way of the outdoor amenity space provision. As such, it would not comply with Policy CS 14 A of the Doncaster Council Core Strategy 2011-2028 (2012) in this regard, where this policy identifies density (intensity of development) as a component of ensuring that the development proposed is robustly designed, works functionally, is attractive, and will make a positive contribution to achieving the qualities of a successful place, amongst other considerations.

Living Conditions – Neighbouring Properties

11. Refuge storage is proposed by way of a covered area adjacent to the property. The Council has provided details of the refuge storage provision that is afforded to residents in Doncaster. The size of the refuge storage area that is proposed would not be sufficient to accommodate the various bins and boxes that would be available to the future occupiers.
12. The appellant has indicated that additional provision could be made, but it is not clear how this could be accommodated within the dedicated refuge storage area and as the site is constrained in respect of providing additional capacity. If the proposed provision is exceeded, this would lead to an increased

- likelihood of litter, with refuse bags or similar stored freely, including when bin collection is made from the roadside, as well as resulting in bin clutter.
13. The associated noise with these refuse storage concerns, whilst not decisive on its own, would contribute to what would be an unsatisfactory arrangement that would adversely affect the living conditions of the occupants of the neighbouring properties. This would not be addressed by that noise would not be unacceptable in other respects.
 14. The Council's concerns over anti-social behaviour and security relate to the proposed car parking provision to the rear. South Yorkshire Police caution against vehicle parking to the rear of the premises and parking areas that are not under surveillance. The proposed rear parking area would be, though, accessed via an alleyway that is gated. It is also clearly not intended to be left unlocked. In addition, the proposed rear parking area would be overlooked from windows on the upper storeys of the appeal property.
 15. I also note comments that the likely increase and type of occupancy of the appeal property has the potential to lead to anti-social behaviour in the area. However, the proposal would be unlikely to contribute significantly to this issue due to the number of occupiers and, in any event, this would depend on the behaviour of the individuals involved. Anti-social behaviour and security matters do not, though, address my concerns over refuse storage, litter and associated noise.
 16. Overall, I conclude that the proposal would have an unacceptable effect on the living conditions of the occupiers of the neighbouring properties. This is due to the harm that would arise from refuse storage provision, litter and noise. As a consequence, it would not comply with Policy CS14 A in this regard, in particular where it concerns private property, public areas and the highway, and that proposals are environmentally responsible and well managed. It would also not accord with paragraph 127 (f) of the National Planning Policy Framework (Framework) where it concerns a high standard of amenity for existing and future users.

Housing Mix

17. The layout of the existing appeal property on the submitted plans shows the accommodation relates to single household occupancy. The area in which the property is found also comprises mainly single occupancy households, which the Council has stated amounts to 88% of properties. The remainder are understood to be flats and Houses in Multiple Occupation. Interested parties have provided me with a list of such properties in the area.
18. As non-single occupancy households only occupy around 12% of the housing stock, this does not constitute a large number of properties, in relative terms. Hence, that the proposal would result in the loss of 1 property that could accommodate a single occupancy household would not create an unacceptable imbalance and nor would it unduly reduce the housing stock that would be available for other types of occupation.
19. As a result, there would likely be sufficient housing left in the area that would be suitable for family type accommodation and the proposal would not jeopardise that a housing mix is maintained. It would accord with the Framework in this respect. Single occupancy households would still be a

significant contributor to local character, if occupancy types are deemed to be a relevant consideration in this respect.

20. I conclude that the proposal would not have an unacceptable effect on the housing mix in the area. Accordingly, it would comply with Policy CS 14 A in this regard, as far as housing mix contributes towards qualities of a successful place by way of character.

Highway Safety

21. The submitted plans show a total of 5 off-street car parking spaces would be available for the future occupiers of the proposed flats. The Council consider that an equivalent of 7.5 spaces would be required, including one visitor space, based on the Development Guidance and Requirements: Supplementary Planning Document (2015) (SPD). The parking standards for residential development are expressed as a minimum.
22. The appeal site is located in a highly accessible location as regards local services and public transport provision. Doncaster town centre is also located a short distance away from the site. This would encourage the future occupiers to use modes of transport other than the car. To assume a worse-case scenario would not give sufficient weight to that the site is in a location that would lend itself to responsibly lowering the parking provision.
23. The evidence before me is also not of a compelling nature concerning whether the proposal would unduly add to the levels of on-street car parking in the area and competition for spaces. The same applies in relation to whether it would cause parking problems elsewhere and around local road junctions. It does not lead me to believe that it would cause unacceptable parking issues when the proposed number of off-street spaces are considered with the accessibility of the location, and even if the area is used for parking associated with Doncaster Royal Infirmary. Visitor use, by definition, would be occasional and not cause harm to an untoward degree, especially when the accessible location is considered.
24. I conclude that the proposal would not have an unacceptable effect on highway safety in relation to the proposed parking provision. As adequate car parking levels would be provided, this would outweigh the conflict in strict terms with the minimum parking standards that the SPD sets out for residential development.

Other Matters

25. The site lies in the Doncaster Thorne Road Conservation Area. On this side of Auckland Road there are rows of largely red brick late Victorian Terraces. They are positioned towards their site frontages with small front gardens which, in some cases, have been turned over to car parking. The gaps between the terraces and along the rear alleyway allow for views towards the rear of the properties.
26. The appeal property contributes towards this significance as far as the presence of its imposing built form, as viewed from Auckland Road. The white external finish is not in keeping and the property has been the subject of more modern unsympathetic alterations. It has somewhat of a dilapidated appearance.

27. The appellant considers the alterations would significantly enhance the front of the property and the conservation area. The details of what these alterations would be, though, are of a limited nature. Alterations to the boundary treatment of the site are shown but it is not evident how this relates to the significance of the conservation area. Nevertheless, given its current external state, the proposal would preserve or enhance the character or appearance of the conservation area. Such an effect would be neutral, based on the evidence before me.
28. The principle of a conversion to flats does not appear to be in dispute between the main parties and I have been made aware that the Council has granted permission¹ for a change of use to 3 flats. The appellant considers this permission is not viable as a fallback position and nor is retaining the existing property as a single dwelling. Evidence has been submitted to this effect and concerns are also expressed that the building would fall into vacancy and disrepair. This would not, though, warrant allowing a proposal that would result in unacceptable living conditions for both its future occupiers and for neighbouring residents. To say otherwise would be to underplay the importance of providing satisfactory living conditions through the planning system.
29. Whilst I have not found unacceptable harm as regards housing mix and highway safety, these matters attract neutral weight, as do those that are not in dispute between the main parties. Hence, when the harm that would arise by way of the effect on the living conditions of both the future occupiers and the occupiers of the neighbouring properties is considered, the planning balance does not favour the proposal.

Conclusion

30. The effect on the living conditions of the future occupiers and on the occupiers of the neighbouring properties would be unacceptable and is decisive. For these reasons, I conclude that the proposal conflicts with the development plan when taken as a whole and there are no material considerations to outweigh this conflict. Having regard to all matters that have been raised, the appeal should be dismissed.

Darren Hendley

INSPECTOR

¹ Council ref: 19/02839/FUL