



Appeal Decision

Site visit made on 19 September 2023

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th October 2023

Appeal Ref: APP/F4410/W/23/3320062

4 St Marys Road, Wheatley, Doncaster DN1 2NW

- 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 Stones of K Stones Ltd against the decision of City of Doncaster Council.
 - The application Ref 22/00043/FUL, dated 4 January 2022, was refused by notice dated 10 February 2023.
 - The development proposed is the erection of two single storey terraced dwellings following demolition of existing outbuildings and conversion and extension of attached outbuilding to form third unit.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the application form is 'replacement outbuilding to form 3 single storey terraced dwellings'. The scheme was amended during the Council's consideration of the application. The description of the development proposed in the banner heading is taken from the Council's decision notice rather than the application form as it more accurately describes the proposal. I have determined the appeal on this basis.

Main Issue

3. The main issue is whether the proposal would constitute good design.

Reasons

4. The appeal site is the rear grounds of a substantial two storey semi-detached dwelling with accommodation in the roof which has been converted to six flats. It lies within a mainly residential area. The site also lies within the Thorne Road Conservation Area (the CA), the significance of which is in part derived from the character of the well detailed late Victorian and Edwardian villas and villa pairs well-spaced in large grounds.
5. Many of the properties along the northern part of St Marys Road are terraced or semi-detached dwellings with relatively narrow gaps between them, although they appear to have quite long, albeit fairly narrow rear gardens. The street scene here has a somewhat compact appearance. However, the character and appearance noticeably change in the area between Highfield Road and the large open area to the south east, where the appeal site is. Here, the larger, mainly semi-detached properties sit on more substantial plots. The larger gaps between the dwellings and their side boundaries and the reasonably generous rear gardens provide a sense of space around the

- properties. This contributes positively to a sense of spaciousness in the street scene in the vicinity of the site.
6. While amendments have been made to reduce the scale, the proposal would introduce a pair of semi-detached bungalows with accommodation in the roof along the rear boundary where the outbuildings are currently located. A third additional residential unit would be created through the conversion and extension of the existing single storey rear projection. The area in front of the proposed dwellings would be used for parking.
 7. Although the semi-detached bungalows would not take up the full width of the rear of the site as is the case with the existing outbuildings, they would still take up much of the width of the plot, would project a similar distance from the rear boundary, and would be noticeably taller. A large proportion of the site would be given over to the nine parking spaces proposed and the access to them, which all three proposed dwellings would be close to. This would leave little effective space for landscaping, irrespective of the appellant's landscape proposals; limited outdoor amenity space for the proposed bungalows; and no meaningful directly accessible outdoor space for the dwelling that would be created in the rear projection.
 8. The appellant contends that the size of the outdoor amenity space that would be provided for the two bungalows would be in accordance with the 2011 South Yorkshire Residential Design Guide (the RDG). However, I am mindful that the RDG has been revoked as a supplementary planning document but retained as informal guidance and so has only limited weight. There may be circumstances where the size of outdoor amenity space proposed would be acceptable. However, in this case, when in these areas they would likely appear dominated by the close presence of the car parking areas and the access to them. As a result, future occupiers would experience an environment lacking in satisfactory private outdoor amenity space.
 9. In addition, no clear information has been provided by the appellant on the arrangements for outdoor space for occupiers of the unit that would be created in the rear projection. If it would be provided through a shared use of the front garden, I am not persuaded that the available space would be appropriate for the more intensive use of the site. While I accept that there is potential for occupants to use facilities at the nearby open area, this would not be a reasonable alternative to the use of appropriate privately accessed outdoor amenity space.
 10. In the context of the other nearby dwellings with gaps to their sides and spacious rear gardens, the addition of three dwellings together with the proposed parking areas and access to them would appear incongruously cramped within the plot, with the site dominated by parking. I acknowledge that the site in its present state has limited landscaping and at the time of my site visit had a small number of cars parked on the hardstanding areas. However, the extent of parking proposed and the access to them in combination with three additional dwellings would markedly intensify the use of the site. The proposal would therefore represent a significant and unacceptable over development of the site.
 11. In my judgement, the site would not represent previously developed land, bearing in mind the definition in the glossary to the National Planning Policy Framework 2023 (the Framework). Nevertheless, the creation of three new

dwelling in a mainly residential location relatively close to services and facilities, including public transport and the city centre, would amount to an efficient use of land, in principle. Policy 42 A) of the 2021 adopted Doncaster Local Plan (the Local Plan) allows for maximising the density of development in appropriate instances, such as highly sustainable locations with good public transport accessibility. The Framework also encourages an effective and efficient use of land and appropriate densities.

12. However, both Policy 42 and the Framework also expect proposals to achieve well designed places and to respond to local character. The area in the vicinity of the site has a suburban sense despite its relative proximity to the city centre. For the reasons given above, my view is that the high density that would result on the plot would not respond to local character.
13. The proposed development would not be very visible from public views given the position of existing buildings on St Marys Road and Auckland Road to the rear. However, the absence of public visibility does not in itself obviate the need to achieve well designed places. Furthermore, the proposal would appear as a cramped form of development for future occupiers given the dominance of the parking areas and associated access, in combination with the small outdoor amenity areas proposed.
14. For the above reasons, I conclude that the proposal would not constitute good design. It would therefore conflict with the requirements of Policy 42 of the Local Plan, as summarised above, as well as Local Plan Policy 44 which requires proposals to respond positively to the context and character of existing areas or the host property and create high quality residential environments through good design. There would also be conflict with Local Plan Policy 45 which, while focussed on housing design standards, does require new housing proposals to be designed to include sufficient space for the intended number of occupants.

Other Matters

15. The appellant argues that the proposal would enhance the CA. However, while the proposal would remove the rear outbuildings, which I acknowledge do not enhance the CA, these nevertheless sit relatively unobtrusively within the site and street scene. Furthermore, while some limited landscaping is proposed, the development would nevertheless include significant areas of parking and the creation of three additional dwellings which would, when considered together, have the overall effect of intensifying the use of the site to the extent that it would represent a significant and unacceptable over development. Any potential benefit to the character and appearance of the CA would not therefore outweigh the harm I have identified, despite attaching considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the CA.
16. The proposal would contribute (numerically) to housing supply on a small site in a location that is relatively close to services and facilities. There would also be social and economic benefits such as construction employment and additional residents supporting local services and facilities. However, I do not afford such benefits very significant weight given the quantum of dwellings proposed.

17. The benefit to biodiversity identified by the appellant through the proposed landscaping and amenity areas would be very limited given the size of the area.
18. The appellant identifies a willingness to enter into an agreement with the Council to programme works to replace the two dormer windows. This appears to be on the basis of a statement in the Council's officer report, although my interpretation is that the Council is referring to the windows of the property in general. In either case, I am not satisfied that a planning condition requiring the replacement of the windows would meet the tests in paragraph 56 of the Framework, or those for planning obligations in paragraph 57 even if such a mechanism was before me.
19. The appellant has identified a number of Local Plan policies relating to matters including the location of development, living conditions of neighbouring occupiers, internal space standards, flood risk, and sustainable construction that it is contended that the proposal would accord with. While this may be the case, a lack of harm in other respects is effectively neutral in the planning balance. The absence of objection from consultees does not in itself render the scheme acceptable.
20. There is no clear evidence to suggest that anti-social behaviour is a particular issue at the appeal site.
21. None of the other matters raised alter or outweigh my overall conclusion on the harm that would be caused by the proposal.

Conclusion

22. The proposal would conflict with the development plan taken as a whole, and there are no material considerations that would indicate a decision other than in accordance with the development plan. Therefore, for the reasons given, the appeal should be dismissed.

F Wilkinson

INSPECTOR