
Appeal Decision

Site visit made on 7 January 2025 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th February 2025

Appeal Ref: APP/F4410/W/24/3350735

12 Eastfield Lane, Auckley, Doncaster DN9 3JW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Naylor against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref is 24/00265/FUL.
 - The development proposed is described as 'dwelling to rear of existing property.'
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Decision

1. The appeal is allowed and planning permission is granted for development described as 'dwelling to rear of existing property' at 12 Eastfield Lane, Auckley, Doncaster DN9 3JW in accordance with the terms of the application, Ref 24/00265/FUL subject to the conditions in the attached schedule.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal site comprises part of the large rear garden for 12 Eastfield Lane (No.12). Being one of the last properties on Eastfield Lane, No.12 borders open countryside. The other sides border the gardens of other dwellings. There is no striking uniformity between the closest properties that differ in design and materials however they are generally detached and set back from the roadside. Land levels lower towards the rear of the site.
5. The proposal would be set within the confines of the existing garden in the rear portion of the site. It would therefore be within a back land position of which there are no other examples close to the site. Nevertheless, there would still be adequate space around No.12 and the proposed new dwelling and therefore it would not create a cramped environment for either property. Furthermore, the dwelling would be mainly screened from Eastfield Lane due to the lower levels of the garden and the position of No. 12. The proposed dwelling would have a sense of subordination when compared to the host dwelling because it would be of a smaller height and

footprint coupled with the fact that the land levels are set lower to the rear giving No.12 a level of prominence.

6. The proposed dwelling would be 1.5 storey with dormers to the front and rear creating a contemporary appearance. There would be pitched roofs over the dormers to the front and flat roofs to the rear. The surrounding residential properties are of varying designs and layouts and therefore the design of the proposal would sit comfortably there amongst. The appellant has confirmed that they could use more traditional materials that could be addressed via condition.
7. The proposal would therefore respect the character and appearance of the area and comply with Policies 41 and 44c of the Doncaster Local Plan 2021 (DLP) and Policies APN2 and APN6 of the Auckley Parish Neighbourhood Plan 2023 which are concerned with development having regard to the overall character of an area amongst other things.

Other Matters

8. There is no compelling evidence before me to suggest that the existing access and the provision of 2 parking spaces would not be adequate for the dwelling proposed. The removal of any hedging and consequent presence of nesting birds or grass snakes prior to the submission of the planning application is outside the scope of what I can consider as part of this appeal. I have not been provided with any history regarding the static caravan on the site and it does not in any case form part of the scheme before me.
9. The proposed development would have little potential for any overlooking or loss of privacy by virtue of the land levels of the site, the distance to the closest properties and the orientation of the proposed dwelling. It appears the tree shown on the proposed plans may be in a slightly different position, but this would not alter the Council's findings with regard to living conditions with which I concur given the above. Given that the proposal is for only one dwelling, overall vehicle movements would not be significant in an otherwise residential context.

Conditions

10. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for certainty and enforcement purposes. In the interests of the character and appearance of the area, a condition relating to the agreement of materials is necessary. I see no reason why these details should be pre-commencement and I have therefore recommended that they are submitted prior to any development above slab level.
11. A condition relating to the requirement for an ecological enhancement plan would be necessary to satisfy the relevant development plan requirements. This should be submitted within one month of commencement of development and implemented on site prior to the first occupation of the dwelling. I have amended the wording of the condition to cover light spillage across the whole of the site rather than just to the east. The Council have suggested a condition relating to hours of construction however given that the proposal is for a single dwelling, I do not consider such a condition to be reasonable or necessary.
12. A condition relating to the requirement for an assessment for the potential for land contamination is necessary given the previous use of the site. The condition would

be pre-commencement to allow the risk to be assessed prior to any development taking place. For adequate functioning given the Council and third party comments on the same, a condition is necessary to agree a foul and surface water drainage system. The condition would need to be pre-commencement to allow any percolation testing as required to take place and to ensure that the required systems are incorporated into the scheme.

Conclusion and Recommendation

13. For the reasons given above, the appeal scheme would comply with the development plan. I therefore recommend the appeal be allowed, subject to the conditions mentioned.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, subject to the stated conditions.

John Morrison

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing no 23020-002 revision B.
- 3) No development shall take place until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency, Land Contamination Risk Management (LCRM) (or equivalent British Standard and Model Procedures if replaced), has been submitted to and approved in writing by the local planning authority. If any contamination is found, no development shall take place until:
 - i. i. a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority;
 - ii. ii. the site has been remediated in accordance with the approved measures and timescale; and
 - iii. iii. a verification report has been submitted to and approved in writing by the local planning authority.

If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended until:

- iv. i. additional measures for the remediation of the site have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; and
 - v. ii. a verification report for all the remediation works has been submitted to and approved in writing by the local planning authority.
- 4) No development shall take place until details of a scheme for the management and disposal of foul and surface water at the site has been submitted to and approved in writing by the local planning authority. The approved scheme(s) shall be completed prior to the first occupation of the dwelling hereby permitted.
- 5) Notwithstanding the plans hereby approved, no development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 6) Within one month of the commencement of development, an ecological enhancement plan shall be submitted to and approved in writing by the local planning authority. The plan shall include details of the following measures, all of which shall be implemented prior to the first occupation of the site or an alternative timescale to be approved in writing by the local planning authority. Photographic evidence of the implementation of the measures shall also be submitted to the local planning authority.

- i. One swift box of the Vivara Pro Woodstone type or similar, to be located on the northern aspect of the building above 5m on walls away from trees.
- ii. One bat box of the Vivara Pro Woodstone to be sited above 4m at south or south west locations on the new building.
- iii. proposals to retain and enhance existing hedgerows with native species.
- iv. Proposals for external lighting to clearly demonstrate the minimisation of light spillage around the site