



Appeal Decision

Site visit made on 30 September 2025

by Andreea Spataru BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th November 2025

Appeal Ref: APP/F4410/W/25/3369014

Bridgeworks, Broughton Avenue, Bentley, Doncaster DN5 9QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Dereje Hailemariam (SHOA Limited) against the decision of City of Doncaster Council.
 - The application Ref is 25/00747/PRIOR.
 - The development proposed is described as 'Notification to determine if prior approval is required for change of use from Class E, to Use Class C3 residential for 12 self-contained apartments.'
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 3, Class MA of the GPDO for notification for the change of use from Class E to Use Class C3 residential for 12 self-contained apartments at Bridgeworks, Broughton Avenue, Bentley, Doncaster DN5 9QD in accordance with the terms of the application ref 25/00747/PRIOR and the details submitted with it.

Preliminary Matters

2. The prior approval application was accompanied by a Technical Note dated 11 October 2024, which outlines a parking survey that was carried out on 3 October 2024. A Transport Statement dated March 2025 was also submitted, and it outlines an overnight parking survey in accordance with the Lambeth Methodology that was carried out on 20 March 2025 and 21 March 2025. A further Technical Note dated 19 May 2025 was submitted prior to the Council's determination of the application.
3. In addition to the above surveys, the appellant has provided, at the appeal stage, an additional parking survey which was undertaken on 18 June 2025. The Council has had the chance to express their views on the latest parking survey. Although the appeal's process should not be used to evolve a scheme, I am satisfied that in this case, given that the appeal parking survey draws similar conclusions to those of the previous parking surveys, accepting this survey would not prejudice other interested parties. I have therefore accepted the latest parking survey and taken it into account in my assessment below.

Background and Main Issue

4. Article 3(1) and Schedule 2, Part 3, Class MA, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) provides for a permitted development right for the change of use of a building falling within use class E (Commercial, Business and Service) to class C3

(dwellinghouses). This is subject to limitations and conditions, as set out in subsequent paragraphs of Class MA.

5. Paragraph MA.1. (1) and (2) set out the requirements to qualify for permitted development under Class MA. There is no dispute between the parties that the criteria of Class MA.1 are satisfied, and I find no reason to arrive at a different view on this matter.
6. Paragraph MA.2 requires that where any development under Class MA is proposed, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for its prior approval subject to a number of matters. In this case the matter in dispute between the main parties is the transport impacts of the development.
7. My attention is drawn to the development plan policies. The principle of development is established by the GPDO and provisions of Schedule 2, Part 3, Class MA of the Order do not require regard be had to the development plan. Therefore, I have had regard to the policies of the development plan and the National Planning Policy Framework (the Framework) only in so far as they are a material consideration relevant to the prior approval matter at issue in this case. In this regard, the Council has drawn my attention to an appeal decision¹, to which I have had regard.
8. In light of the above, the main issue is whether the development would accord with the condition of Schedule 2, Part 3, Class MA of the GPDO with regard to the transport impacts of the development, particularly to ensure safe site access.

Reasons

9. The appeal site relates to an office building, located on a corner plot, at the junction of Broughton Avenue with Bentley Road. The area is predominantly residential, and the nearby streets mostly accommodate rows of terraced properties. The proposal seeks to convert the office building into 12 apartments, which would have their access from Broughton Avenue.
10. The Council have expressed no concerns regarding the proposed cycle and waste storage arrangements or about the access itself. Given the evidence before me, I have no reason to find otherwise. The Council's concerns relate to the lack of off-street parking for the proposed development, and thus the effect of the proposal on the existing on-street parking within the area.
11. The appeal site is located within an accessible area that has good public transport links, and a good range of services and facilities are within a reasonable walking distance. The nature and condition of the roads as well as the street lighting also ensure that cycling is a viable transport option. In terms of parking, future occupants would rely on on-street parking within the surrounding area.
12. The Technical Note dated 11 October 2024 outlines a parking survey which was carried out on 3 October 2024 between 20:00 – 22:00 and presents the assessment of the parking capacity within 200m of the appeal site at 30-minute intervals. The Transport Statement dated March 2025 outlines an overnight parking survey in accordance with the Lambeth Methodology that was carried out on 20 March 2025 at 04:45 and 21 March 2025 at 02:00. It also assessed the parking capacity within

¹ Appeal ref: APP/W3330/W/19/3234524

200m walking distance of the site. A further Technical Note dated 19 May 2025 was submitted prior to the Council's determination of the application. The latest parking survey that was carried out on 18 June 2025 observed and analysed the parking situation during daytime hours between 11:00-16:00.

13. The parking survey area as outlined within the submitted surveys included several nearby streets and it looked at the total number of parking opportunities, total number of cars parked, and then presented the parking stress in a percentage. The surveys indicate that it is widely accepted that an observed parking stress of 85% is the threshold for acceptable parking stress. This threshold has not been contested by the Council.
14. Even in the worst-case scenario where the development would generate demand for parking up to the Council's parking standards, an additional 18 cars parked within the surveyed area is shown to increase the identified parking stress by 7%, which would still result in a parking stress percentage lower than the 85% threshold. Accordingly, it has been demonstrated that on-street parking could be safely achieved for the proposed development without adding unacceptable parking stress on the nearby residential streets.
15. I acknowledge that the Council's local plan policies set specific requirements for off-street parking. However, prior approval applications are not subject to these standards; instead, it must be demonstrated that the transport impacts of the development are acceptable in accordance with the requirements of the GPDO. Paragraph 116 of the Framework states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
16. The Council does not consider the Lambeth Parking Survey methodology used in the submitted survey to be appropriate, citing differences between London and Doncaster in public transport connectivity, access to services, and highway infrastructure. However, there is no evidence before me to demonstrate that the Lambeth methodology is inherently unsuitable for use outside London. The Council's submission includes photographs taken on 14 August 2025 showing cars parked along Broughton Avenue. In contrast, the appellant has provided more comprehensive evidence, illustrating parking arrangements and availability across various days and times. During my site visit, conducted in the late afternoon, I observed several available parking spaces in the immediate vicinity. While this observation represents only a moment in time, it aligns with the appellant's broader evidence.
17. Concerns have also been raised regarding the potential on-street parking spaces being out of view of the future occupants of the development, and regarding potential obstruction of the highway due to delivery vans. Given the nature of the nearby roads, and the lack of off-street parking for most of the nearby dwellings, these elements are common in such areas. The submitted accidents records do not show a particular issue in the appeal site's area. Furthermore, I have not been provided with substantive evidence that the proposal would worsen the existing situation to such a degree as to make the transport impacts of the development unacceptable.

18. The Council expressed concerns regarding a potential pressure on mobility impaired and disabled drivers. However, the results of the submitted parking surveys demonstrate that even in the worst-case scenario the proposed development would not result in an excessive parking stress which would put unacceptable pressure on the existing residents.
19. Accordingly, given the appeal site's accessible location, the proposed provision of cycle storage, and the substantive evidence regarding the effect of the proposal on the existing on-street parking situation, I find that the transport impacts of the proposed development, particularly to ensure safe site access, would not be materially harmful. The proposal would therefore accord with condition MA.2.(2)(a) of Schedule 2, Part 3, Class MA of the GPDO.

Other Matters

20. The Council has referred to the appellant's fallback position in relation to the provision of off-street parking spaces required for the site's current use, as set out in its adopted parking standards. While I am allowing the appeal based solely on the merits of the proposal before me, I have taken into account both the fallback position and the Council's comments on it. However, this has not been a decisive factor in my overall conclusion.

Conditions

21. Development under Class MA is permitted subject to conditions at Paragraphs MA.2.(5) and (6) which include that the development must be completed within a period of 3 years starting with the prior approval date; and that any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.
22. The Council has suggested a condition to secure the submitted plans. However, as paragraph W. (12) (a) of the GPDO requires the development to be undertaken in accordance with the approved details, there is no need for an additional plans condition.

Conclusion

23. For the reasons above, I conclude that the appeal should be allowed, and prior approval should be granted.

Andreea Spataru

INSPECTOR