



Appeal Decision

Site visit made on 23 December 2025

by **M Willis BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29th December 2025

Appeal Ref: APP/F4410/W/25/3373303

63 Christ Church Road, Doncaster DN1 2QS

- 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 Beki Jani against the decision of City of Doncaster Council.
 - The application Ref is 25/01015/FUL.
 - The development proposed is for the conversion of a dwelling to 2 self contained flats including erection of part single storey part two storey extension to the rear.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have adopted the description of the development from the decision notice in the banner heading above, in the interests of clarity.
3. I note the Council's delegated officer report says it has concerns about the character, scale and design of the proposal. However, the decision notice dated 18 June 2025 only contains one reason for refusal which relates to concerns over the living conditions of the future occupants of the flats and that of the neighbouring residents. The wider design concerns do not therefore form a reason for refusal. I have therefore determined this appeal based on the cited reason for refusal only.

Main Issues

4. The main issues are:
 - whether the proposal would provide acceptable living conditions for future occupiers, with particular regard to the provision of sufficient internal space and light; and
 - the effect of the proposal on the living conditions of neighbouring residents, with particular regard to daylight, outlook and privacy.

Reasons

Whether the proposal would provide acceptable living conditions for future occupiers, with particular regard to the provision of sufficient internal space and light

5. No. 63 Christ Church Road is a mid-terrace, two-storey dwelling located within an urban residential area. The property forms part of a row of terrace houses which back onto the rear of another row of terrace houses separated by a rear

passageway. The terrace properties are relatively uniform in their overall scale and design and are characteristic of this part of Doncaster. Similar residential properties surround the property to the north, east and south some of which have rear two storey extensions.

6. The proposed extension would comprise an L-shaped building extending the full width of the property with a single storey, flat roof element and a two-storey pitched roof element above the deepest part of the extension. The proposed extension would facilitate the conversion of the property into two flats.
7. Flat 2 is advanced as a 2-bed, 3 person dwelling spread over two storeys. Policy 45 of the Doncaster Local Plan 2015-2035 (Adopted September 2021) (DLP) says proposals will be supported where they are large enough for the intended number of occupants and that all new housing should meet the Nationally Described Space Standard (NDSS) as a minimum. Under the NDSS, Flat 2 is required to have a minimum Gross Internal Area (GIA) of 70m². The appellant says the GIA of Flat 2 would be 72m² however, the Council disagrees and says it equates to 69m² as the staircase that leads to Flat 2 should not be included within the GIA calculation.
8. The NDSS says that the GIA of a dwelling is defined as the total floor space measured between the internal faces of perimeter walls that enclose the dwelling and that this includes flights of stairs and voids above stairs. The standard GIAs set out in the NDSS therefore take account of the extra circulation space needed for stairs to upper floors and deals separately with one storey dwellings and two and three storey dwellings.
9. Based on the plans before me, the entrance to Flat 2 would be located at the top of the stairwell that leads from the shared hallway which also serves the ground floor flat (Flat 1). The hallway and stairwell between Flats 1 and 2 are therefore communal spaces. In my judgement, this stairwell should not therefore be included within the GIA calculation for Flat 2 as it does not form part of the living space associated with that flat. Consequently, when this area is omitted the living space associated with Flat 2 would fall below the prescribed minimum space standards required for a 2-bed, 3 person flat over two storeys.
10. Although I acknowledge Policy 45 of the DLP says exemptions to the minimum space requirements can be acceptable in certain circumstances, no evidence has been provided which robustly demonstrates any of the specified exemptions apply in this case. Similarly, whilst the appellant says comparable urban conversions have been granted elsewhere in Doncaster where housing sites are limited, there is nothing before me to indicate that the Council has an inadequate supply of housing land which might otherwise weigh in favour of the development or justify a deviation from the policy requirements of the development plan. In any case each appeal must be considered on its own merits and so I have determined the appeal on this basis.
11. In order to ensure acceptable levels of daylight are achieved in new developments, Table 2 of the Revised Transitional Developer Guidance (April 2024) (TDG) states that no part of a building should breach a 45 degree line drawn from the centre of a habitable room window. Although the TDG is not adopted supplementary planning guidance or a supplementary planning

document, it is a material planning consideration and I have afforded it a little weight in the determination of this appeal.

12. The proposed two-storey extension would cut through the 45 degree lines of the single window serving the kitchen/living space of Flat 1. It would also cut through the primary window serving the main living space of Flat 2. Although some daylight would still be achieved due to the adjacent open yard and given the dual aspect nature of Flat 2, in my judgement, the north-east orientation of these windows combined with the proximity and massing of the extension would result in reduced light levels within the flats and poor living conditions for the future occupants.
13. For the reasons set out above, I therefore conclude that the proposed development would not provide acceptable living conditions for future occupiers as result of insufficient internal space and light. The proposal therefore fails to comply with Policies 10 and 45 of the DLP which together seek to ensure new development provides for an acceptable level of residential amenity for new residents and for homes to be large enough for the intended number of inhabitants that meet the NDSS as a minimum.
14. I also find the proposed development does not accord with the TDG, notably the guidelines contained within Table 2. It would also conflict with paragraph 135 of the National Planning Policy Framework (the Framework) which requires developments to create places with a high standard of amenity for future users and which do not undermine quality of life.

Effects on the living conditions of neighbouring residents, with particular regard to daylight, outlook and privacy

15. The proposed extension would extend the full width of the property and so be built right up to the boundary of the plot. According to the Council the extension would project out from the rear of the property by approximately 3.92m reducing the separation distance between the rear garden of 47 Copley Road and the extension to around 6.2m.
16. The TDG states that for two-storey extensions projecting over 3m they should be set back 1m from the boundary for each additional metre; that habitable room windows overlooking neighbouring gardens should normally be at least 10 m from the boundary, although shorter distances may be acceptable with oblique or obscured views; and, no part of a building should breach a 45 degree line drawn from the centre of a habitable room window in order to ensure acceptable levels of daylight and to safeguard outlook.
17. Although not shown on the submitted plans, as I observed during my visit, there is a rear first-floor window associated with 61 Christ Church Road which sits above the passageway that runs between the two properties. The two-storey element of the proposed extension would be constructed immediately adjacent to this window and so be contrary to the guidance contained within the TDG. Similarly, the single storey element of the proposed extension would cut through the 45 degree lines of the rear window that serves the ground floor of 65 Christ Church Road. Whilst the appellant says daylight and sunlight assessments confirm compliance with Building Research Establishment guidelines, no such assessments or evidence is before me which supports this position. Therefore, this has not been substantiated and so in the absence of sufficient evidence to prove otherwise, I am not

persuaded that the proposal would not have an adverse effect on the living conditions of neighbouring residents as result of the loss of daylight.

18. In terms of effects on outlook and privacy, whilst the proposed extension would not adhere to the 1m boundary set back as set out in the TDG, the passageway between the appeal property and 61 Christ Church Road creates a degree of physical separation between the two properties. In my view this separation, would reduce the visual dominance of the two-storey element of the extension on the occupants of 61 Christ Church Road. In respect of effects on 65 Christ Church Road, again although the extension would not be set back from the boundary, as it would be single storey, it would not in my judgement appear overly dominant to these neighbouring occupants.
19. In respect of impacts on other neighbouring properties, the proposed extension would reduce the separation distances currently enjoyed between the appeal property and 1 Montague Street and 47 Copley Road which lie to the rear. Whilst the occupants of the proposed first-floor flat would therefore have views into the rear gardens/yards of these properties (and those that adjoin the site) this would not be dissimilar to that which can be obtained currently from the property. Consequently, in my judgement the proposal would not exacerbate overlooking or lead to any loss of privacy and would not have an overly dominant effect that would adversely affect the outlook of neighbouring residents.
20. Notwithstanding the above, I have found that the proposal would have an unacceptable adverse effect on the living conditions of neighbouring residents as a result of the loss of daylight. The proposal would therefore be contrary to Policies 10 and 44 of the DLP which together require proposals to protect and provide an acceptable level of residential amenity for existing residents.
21. I also find the proposed development does not accord with the TDG, notably the guidelines contained within Table 2. It would also conflict with paragraph 135 of the Framework which requires developments to create places with a high standard of amenity for existing and future users and which do not undermine quality of life.

Other Matters

22. The appellant points out that there are small flat roof rear extensions and properties with rooflights in the surrounding area like that which forms part of the proposed development. They also commented that the property could be extended without the need for planning permission. Whilst this is noted, it has not been shown that any such extension would be of a comparable scale as that before me or be capable of facilitating the creation of two flats of an acceptable standard in terms of available living space. As I have no substantive evidence to indicate that there is more than a merely theoretical prospect that such a fallback would be constructed should this appeal be dismissed, I attach this fallback position very little weight.
23. I recognise potential benefits include the delivery of two residential flats resulting in an additional home compared to the existing single dwelling. I also accept the proposal represents an efficient use of land which would reduce pressure on greenfield sites to supply housing; would support local employment during the construction phase and increase custom to support local services and facilities. However, as the Council has an adequate supply of housing land and given the

limited scale of the development, I consider these benefits to be very modest and so carry little weight.

24. I also acknowledge the lack of objection from neighbouring residents and note the Council does not raise any objections in terms of the location of the development, highways and flood risk. The lack of any objection and compliance with the development plan in these respects, however, are neutral factors in the planning balance.

Conclusion

25. I conclude that the proposal conflicts with the development plan taken as a whole, and there are no other considerations, including those raised by the appellant and the Framework, which outweigh that conflict. For the reasons outlined above, the appeal is dismissed.

M Willis

INSPECTOR