



Appeal Decision

Site visit made on 4 July 2017

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8th August 2017

Appeal Ref: APP/F4410/W/17/3171859

3 St Mary's Cottages, St. Mary's Road, Tickhill, Doncaster DN11 9JJ

- 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 Roger Smith against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 16/01898/FUL, dated 25 July 2016, was refused by notice dated 20 September 2016.
 - The development proposed is change of use from garages to a one bedroom cottage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant submitted revised ground floor ('Alternative Ground Floor Plan 2') and front elevation ('Alternative Front Elevation 2') plans with the appeal submission. The Council have commented on these plans in their statement and published the plans on their website, so interested parties were also able to comment. I have therefore dealt with the appeal on the basis of the revised plans.

Main Issue

3. The main issue is whether the proposal would provide acceptable living conditions for future occupiers of the proposal in terms of outlook, privacy, amenity space, and noise and disturbance.

Reasons

4. The appeal property comprises a pair of double garages. There is a residential property above, and within the same building, to the west of the garages, there are a further two residential properties. A small area of decking is provided in front of the shared entrance to the upper floor properties. In front of the property is a driveway access that also serves further properties beyond the site. The driveway is of single car width and is bordered by a stone wall of a height of around 1.5m which runs along the entirety of the site boundary. A bin storage area is found adjacent to the garages. Directly to the rear of the property is a public car park.
5. The proposed habitable room windows, and glazed external doors that would serve the bedroom and lounge/kitchen, would all face directly towards the

stone wall opposite. With the proximity and massing of the wall, it would be visually dominant. The outlook from the proposal would therefore be extremely limited, also having regard to the lack of windows in the other elevations of the habitable rooms. Although the top of the windows would be higher than the wall, this does not account for how the wall would dominate the outlook. No 1 St Mary's Cottages benefits from windows on the elevation facing St Marys Road, as well as facing the wall, and so this is not directly comparable to the proposal.

6. The bedroom and lounge/kitchen windows and doors would contain a significant amount of clear glazing and they would directly abut the driveway. Users of the driveway accessing other properties would be able to look into the appeal property at very close proximity. This would result in an undue lack of privacy for future occupiers. The use of full length blinds would serve only to emphasise the uncomfortable effect on privacy and further add to the poor level of outlook. The use of obscure glazing on the bathroom window would be expected, so this is only a neutral factor. The alterations in glazing on the amended plans do not significantly reduce the loss of privacy because of the similar levels of clear glazing proposed and the proximity to the driveway.
7. There would be no new outdoor amenity space provided and whilst the area of decking would be available, its small size would not provide an appreciable outdoor area. The appellant has offered to make an off-site compensatory contribution for open space, although no details of an agreement that would secure this have been provided, so only very limited weight can be attached to this. The bin storage area is on land which is under control of the appellant and whilst there would be a removal of parking spaces, this does not equate to a loss of amenity space. Although the lack of amenity space equally applies to the existing properties and this would not, on its own, be determinative, it does add to the detrimental effect on the living conditions of the future occupiers caused by a poor outlook and lack of privacy.
8. The rear wall of the property that abuts the car park boundary is a substantial stone construction. Only one small high level window is proposed in the rear wall and it would not serve a habitable room. The effects that would arise from noise and disturbance related to the use of the car park are therefore unlikely to raise significant living conditions concerns.
9. I conclude that the proposal would not provide acceptable living conditions for the future occupiers of the proposal in terms of outlook, privacy, and in combination with these matters, amenity space. It would not therefore comply with Policies CS1 and CS14 of the Doncaster Council Local Development Framework Core Strategy (2012) that seek broadly to protect amenity. I also conclude it would not comply with paragraph 58 of the National Planning Policy Framework because it would not create an attractive and comfortable place to live.

Other Matters

10. The site lies within Tickhill Conservation Area. The significance of this part of the Conservation Area is derived from long linear plots, often containing buildings which extend back, and outbuildings, constructed of stone. The main external alterations relate to the replacement of the garage doors with the doors and windows. The design of the windows largely reflects the existing first floor windows and the design of the doors, with the glazing arrangement,

also seeks to broadly follow the design of the windows. I conclude the proposal would preserve the character and appearance of the Conservation Area, and therefore would comply with the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and similar controls in Conservation Areas provided by policies HE1 and DE6 of the Tickhill Town Council Tickhill Neighbourhood Plan (2016). However, this does not outweigh my conclusion on the main issue identified.

11. I attach limited weight to the Doncaster Local Plan Consultation: Homes and Settlements (March 2016), as it is only at an early stage of preparation, and its approach and content in respect of local housing demand and targets may change before it is adopted.

Conclusion

12. I conclude the appeal should be dismissed.

Darren Hendley

INSPECTOR