



Appeal Decision

Site visit made on 25 September 2018

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th October 2018

Appeal Ref: APP/F4410/W/18/3202326

42 St Georges Avenue, Dunsville, Doncaster DN7 4DR

- 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 Mrs A Fairbrass against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 17/02679/FUL, dated 30 October 2017, was refused by notice dated 22 December 2017.
 - The development proposed is a 2 bedroom detached bungalow with off-street parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant submitted amended plans with the appeal in response to the Council's reason for refusal concerning internal living space. The Procedural Guide, Planning Appeals – England states that the appeal process should not be used to evolve a scheme. Nonetheless, I have taken the amended plans into account as the Council and interested parties have had the opportunity to comment on these plans during the appeal and, ultimately, they do not change my decision. Hence, there is no possible prejudice to the Council and interested parties. This is a matter which depends on the circumstances of the case and so whilst the Council has referred me to an appeal decision¹ where the Inspector took a different view this does not change my stance, notwithstanding in that appeal, the amendment concerned land outside of the planning application boundary and so is a materially different situation from the amended plans before me.
3. The revised National Planning Policy Framework (2018) has been published during the course of the appeal. In the interests of fairness, the appellant and the Council were also given the opportunity to comment on this matter.

Main Issues

4. The main issues are (i) the effect of the proposal on the character and appearance of the area; and (ii) whether it would provide acceptable living conditions for its future occupiers regarding the standard of the living accommodation, in particular the internal living space.

¹ Appeal ref: APP/F4410/W/16/3158500

Reasons

Character and Appearance

5. The appeal site comprises of part of the garden of No 42 St Georges Avenue which has a frontage onto Gorse Close. The site boundary with Gorse Close is formed by a hedgerow, which also extends along the boundaries with Nos 4 and 6. Although small in size, as the site is approached towards the end of this cul-de-sac, both its side boundary with No 4 and its frontage are prominent in the streetscene. The dwellings in its vicinity are a fairly close knit arrangement of predominately bungalows, with occasional houses.
6. As a consequence, the site provides pleasant relief from the more dense built up form of the dwellings in its vicinity and this attribute of the site appreciably contributes to the local character. The Doncaster Metropolitan Borough Council, Development Guidance and Requirements: Supplementary Planning Document (2015) (SPD) states that new residential developments must be accommodated in a manner that, in part, contributes to the attractiveness of the borough.
7. The site retains a sense of openness, even though it is enclosed by the hedgerow because, unlike its surroundings, it is devoid of significant development. The proposed dwelling, though, would result in the loss of much of the gap the site creates between Nos 4 and 6. Hence, there would be a marked loss of spaciousness to the extent that a continual pattern of development around the end of the cul-de-sac would result. Accordingly, the contribution of the site to the local character would be significantly eroded.
8. With the visibility of the site from the streetscene, and the proposed siting of the dwelling close to the site frontage, the loss of openness would be clearly evident. The removal of parts of the hedgerows would not increase openness as it would simply reveal the loss of this aspect of the character of the site. The erection of a domestic style fence along the boundary of No 4 and the overall appearance to match the existing bungalows would not overcome this harm as it would not address the loss of openness as an attribute of the site's character.
9. The appellant has drawn my attention to a dwelling which has been constructed between Nos 19 and 21 that was allowed on appeal². However, that dwelling is found in a considerably less prominent position as it is closely sited in between the dwellings on either side. The site circumstances are, therefore, sufficiently different so as not to alter my conclusion. In relation to whether interested parties have raised issues of openness, I am aware that the effect on character was expressed as a concern during the planning application and, in this case, openness is a contributory factor. Moreover, it is clearly expressed in the reason for refusal concerning character.
10. I conclude that the proposal would have an unacceptable effect on the character and appearance of the area. As such, it would not comply with 'Saved' Policy PH11 of the Council's Doncaster Unitary Development Plan (1998) where it states that within residential policy areas development for housing will normally be permitted except where the development would be at a density or of a form which would be detrimental to the character of the

² Appeal ref: APP/F4410/A/06/2011227

surrounding area or would result in an over-intensive development of the site. It would also not comply with the SPD where it seeks to maintain and enhance character.

Standard of Living Accommodation

11. The living accommodation for the proposed dwelling would include an open plan room comprising a lounge and dining room area, as well as separate bedrooms and a bathroom. The bedrooms would be of a fairly modest size, although this would not unduly restrict their use. More broadly, the layout of this space would be, as such, that it would be generally unconfined, and it would allow for circulation and the reasonable separation of domestic functions. Likely storage needs would also be able to be accommodated.
12. There is a dispute between the parties whether or not the proposal would accord with the Government's Nationally Described Space Standards³ and the internal space standards in the South Yorkshire Residential Design Guide Supplementary Planning Document (2011). As is set out in the Planning Practice Guidance, such standards, though, can only be required by reference to a local plan, and the Council's related reason for refusal does not set this out to be the case. This does not mean that the effect on the living conditions of the future occupiers is not a relevant matter for this appeal; however, for the reasons that have been set out, the living space that would be provided for the future occupiers would not be unacceptable with the proposed layout. For similar reasons, I also find the outdoor amenity space provision, whilst constrained, not to be unacceptable based on the size and the likely occupancy of the dwelling.
13. Thus, the proposal would provide acceptable living conditions for the future occupiers regarding the standard of the living accommodation, in particular the internal living space.

Other Matters

14. The Council's Highways Officer found the proposal not to be unacceptable in highway safety terms, and I see no reasons to disagree given that 2 off street car parking spaces would be provided. It would also not be unacceptable as regards the effects on the privacy levels of the occupiers of the neighbouring properties, as well as the visual impact on their living conditions with the partial screening afforded by the existing and proposed boundary treatment. As with the standard of living accommodation, these matters attract neutral weight and do not address the concerns that I have identified with regard to the effect on the character and appearance of the area.

Conclusion

15. For the reasons set out above, and having regard to all matters that have been raised, the appeal should be dismissed.

Darren Hendley

INSPECTOR

³ Department for Communities and Local Government (2015) Technical housing standards – nationally described space standard.