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## Appeal Decision

Site visit made on 8 January 2019

**by Kate Mansell BA(Hons) MPhil MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 February 2019**

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**Appeal Ref: APP/F4410/W/18/3214965**

**66 Crookes Broom Lane, Hatfield, Doncaster, DN7 6LD**

- 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 Bibby against the decision of Doncaster Metropolitan Borough Council.
  - The application Ref 18/02123/FUL, dated 23 August 2018, was refused by notice dated 18 October 2018.
  - The development proposed is the erection of a dwelling.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are:
  - The effect of the proposed development on the character and appearance of the area;
  - Whether the development would provide acceptable living conditions for future occupiers with regard to the provision of sufficient garden space, and the effect of the development on the living conditions of neighbouring occupiers having regard to light and outlook; and
  - The effect of the proposal on highway safety as a result of the proposed parking arrangement.

### Reasons

#### *Character and appearance*

3. Crookes Broom Lane forms part of a post-War housing estate with a mix of house types and styles. The building line is generally consistent and dwellings are laid out with good size gardens to the front and rear. Milcroft Crescent, onto which the appeal proposal would face, is a street of consistently spaced two-storey dwellings, set back from the road behind a front garden with generous gaps between them.
4. The appeal site would originally have been part of the rear garden of 66 Crookes Broom Lane, a two storey semi on the corner with Milcroft Crescent. On my site visit I saw that a large two storey rear and side extension<sup>1</sup> was

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<sup>1</sup> Council ref: 18/01231/FUL

being constructed at No 66. I also saw that a fence had been erected, subdividing the garden of No 66 from the appeal site. The appeal proposal would introduce a detached dormer bungalow within this plot. It would have one bedroom with an attached dressing room. A previous application for a dwelling on this site was also refused by the Council<sup>2</sup>.

5. Comparable with other corner properties within the vicinity of the appeal site, prior to the erection of the fence noted above, No 66 would have had a long rear garden. This would provide separation to the dwellings to the rear on the adjacent street. On my site visit I noted similar relationships on corner properties, not least on the opposite corner, between 62 Crookes Brook Lane and No 2 Milcroft Crescent. In my view, this contributes to the character of the estate. As a result of sub-dividing the garden of No 66 to create the appeal plot, the generous spacing between the rear elevation of No 66 and the flank elevation of 1 Milcroft Crescent would be lost. I therefore find the erosion of this gap between dwellings to be contrary to the established layout and character of the area.
6. The appeal proposal would also sit tightly within the site, being between approximately 1m from each side boundary and approximately 1m at the closest point to the rear boundary. In contrast, the prevailing character of houses surrounding the site are dwellings that are spaciouly set out, particularly those on Milcroft Crescent with a typically wide gap between the flank elevation and side boundary and long rear gardens. The proposal would also sit forward of the very uniform building line on Milcroft Crescent, which would increase its prominence. In this context, I consider that the dwelling would appear crammed onto this constrained site and fail to assimilate sufficiently with the surroundings.
7. The proposal would therefore result in harm to the character and appearance of the area contrary to Policies CS1 and CS14 of the Doncaster Council Core Strategy (CS) 2011-2018 and saved Policy PH11 of the Doncaster Unitary Development Plan (1998) (UDP). These policies require development to be of a high quality contributing to local distinctiveness, that also protects and enhances the built environment and the character of the surrounding area.

#### *Living Conditions*

8. The Council's Development Guidance and Requirements Supplementary Planning Document (Development Guidance SPD) establishes amenity space standards for two and three bedroomed properties, being 50m<sup>2</sup> and 60m<sup>2</sup> respectively. I note the Council's statement also refers to the failure of the proposal to provide 60m<sup>2</sup> of un-shaded private amenity space. However, the appeal proposal would be a one bedroom bungalow and provision for this size is not specifically highlighted within the SPD.
9. Nevertheless, the Development Guidance SPD recognises that gardens provide many health, social and physical benefits as well as providing space for drying clothes for example. The site block plan indicates that the entire area around the proposed dwelling would be hard surfaced. Furthermore, the building would sit in very close proximity to the rear and side boundaries and this area around the house would partly be north facing and shaded. The area to the front of the

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<sup>2</sup> Council ref: 18/00874/FUL

house would not be private, screened from the street by a low wall. Consequently, even if the internal accommodation layout were satisfactory, the proposal would provide extremely limited opportunities for future residents to sit out within a private area or hang washing for example. Even as a relatively small bungalow, I consider that it would be inadequate. The proposed development would therefore fail to provide sufficient garden space.

10. Given the commencement of the two-storey side and rear extension to No 66, the Council's officer report states that the distance between the rear elevation of that extension and the proposed dwelling would be 3m, significantly below the guidance stipulating that new properties should be sited 11m apart. I appreciate that the proposal would be a dormer bungalow, but the plan titled 'floor plans and perspective illustrates the proportion of the proposal that would be visible above the fence line from the rear of No 66, which is not insignificant. I note the appellant's statement that they followed advice with regard to the design of the dwelling. Nonetheless, at such close proximity and given the orientation of the proposed dwelling, broadly to the east of No 66, the proposal would result in loss of light and outlook to this neighbouring occupier. I am not, however, convinced that it would be harmful to the living conditions of the occupiers of No 68 Crookes Broom Lane. Whilst the proposal would be 4.4 metres from their nearest rear elevation, it would be at an oblique angle and not directly to the rear.
11. Nevertheless, for the reasons above, I conclude that the proposed development would not provide acceptable living conditions for future occupiers of the proposal and it would also be harmful to the living conditions of the neighbouring occupiers at No 66. It would therefore conflict with Policies CS1 and CS14 of the Doncaster Council CS and saved Policy PH11 of the Doncaster UDP. These policies seek to protect local living conditions by ensuring no unacceptable negative effects upon the amenity of neighbouring occupiers. It would further conflict with the National Planning Policy Framework (the Framework) which requires a high standard of amenity for all existing and future users of development.

#### *Highway safety*

12. To the front of the proposed dwelling, two spaces would be provided for car parking accessed from Milcroft Crescent. The Council considers that these spaces are not workable according to adopted standards, being positioned tightly to the front entrance of the dwelling and close to each other with little room to open car doors.
13. I note that the Development Guidance SPD sets out a parking standard only for 2+ bed dwellings, the minimum being 1.5 spaces for a 2 bed unit. The proposal would be a 1 bedroom dwelling and I consider that there would be space that would be sufficiently functional to park at least one vehicle on the driveway. This would be a greater provision than the recently extended house at No 66 Crookes Broom Lane, which will have 4 bedrooms upon completion of the extension and no off-street car parking.
14. At the time of my site visit, I also noted that Milcroft Crescent was quiet in relation to traffic movements. I saw that many houses on Milcroft Crescent within the immediate vicinity of the appeal site had the opportunity for off-street parking. Spaces were readily available on-street, albeit I recognise that I visited during the day when parking pressure might be less. Nevertheless, for

these reasons, I am minded to concur with the appellant that there would be room for occasional parking on the street if this was necessary, not least for visitors.

15. Given that the Council also acknowledge that one additional dwelling would not significantly increase traffic levels in the area, on the basis of the information before me, I am not convinced that the access and parking area would function so unsatisfactorily to the extent that it would fail to protect highway safety. I therefore find that the proposal would accord with Policy CS14 of the Doncaster Council CS and saved Policy PH11 of the Doncaster UDP. These policies promote development that works functionally to make a positive contribution to the quality and safety of the highway and would not result in unsatisfactory access arrangements.

### **Conclusion**

16. The appeal site lies within an established residential area where the principle of the development is acceptable. Additionally, the Government seeks to boost significantly the supply of housing. However, having considered all matters, whilst I regard the parking and access to be sufficient, I consider that the harm the proposal would cause to the character and appearance of the area and the living conditions of the occupiers of No 66, as set out above, outweighs the benefits of providing one new dwelling.

17. For these reasons, I conclude that the appeal should be dismissed.

*Kate Mansell*

INSPECTOR