



Appeal Decision

Site visit made on 8 January 2020

by **M Seaton DipTP MRTPI**

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

Decision date: 27 March 2020

Appeal Ref: APP/F4410/W/19/3239619 47 Warnington Drive, Doncaster, DN4 6ST

- 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 P Marshall against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 09/01700/FUL, dated 9 July 2019, was refused by notice dated 17 September 2019.
 - The development proposed is the erection of 2 detached houses with detached garages, associated access road and boundary wall, following demolition of existing bungalow within a conservation area.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the South Bessacarr Conservation Area.

Reasons

3. The appeal site is comprised of a broadly rectangular plot which currently accommodates a detached bungalow and separate garage set within the front half of the site, with a substantial garden laid predominantly to lawn to the rear, with substantial mature trees set along the boundaries with the adjoining dwellings. To the East, the boundary is shared with the curtilages of dwellings on Birchwood Court, whilst to the North is further garden land. The appeal site is set within a residential area which is accessed from a series of private drives and roads.
4. The development would be situated within the South Bessacarr Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) places a duty upon the decision-maker, in the exercise of planning functions, to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas. This is also reflected in the approach set out within the National Planning Policy Framework (the Framework), which advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

5. It is apparent that despite the South Bessacarr Conservation Area (SBCA) being designated in 2004, it does not benefit from an accompanying full Conservation Area Appraisal. However, my attention has been drawn by the parties to a summary on the Council website which highlights the SBCA as a 20th Century residential suburb with a mixture of older and more modern dwellings of varying size and architectural detailing set across its extent. It is highlighted that despite this variation, many plots are generous in size with dwellings set comfortably back from the road frontage with substantial long rear gardens, with buildings well-spaced along a strong building line. The wooded character of the former Hatchell Wood and Whin Hill Plantation remains and provides a backdrop to the built form, and along with deep front gardens and wide verges provide a prevailing green character to the area. I regard these aspects to be key in defining the significance of the heritage asset.
6. On the basis of my observations of the appeal site and the Conservation Area I would agree with this broad summary, and in particular how it relates to the appeal site. The existing dwelling sits within a strong established building line along the northern side of Warnington Drive and possesses a comfortable set back from the road frontage behind a deep front garden, as well as a long rear garden within which a wooded character is maintained by the substantial and mature boundary tree planting. In this regard the appeal site currently exhibits the positive characteristics which are of importance in defining the significance of the Conservation Area.
7. The appeal proposals would result in the replacement of the existing single-storey dwelling with a substantial 2-storey property on a similar footprint, albeit with a significantly increased massing. However, in the context of adjacent development including No. 45 Warnington Drive, I do not regard the scale of the proposed dwelling on Plot 1 to be either uncharacteristic or harmful to the appearance of the Conservation Area or streetscene.
8. I accept that the access road to serve the two properties would be widened in comparison with the existing driveway, but this would not in itself have any significant visual impact in the context of the conservation area given the clear variety of other examples. Furthermore, the position of the footprint of Plot 1 would, whilst a little further forward on the site than the existing dwelling, retain a comfortable set back from the road frontage and essentially maintain the existing building line. I also consider that the dwelling proposed for Plot 2, although visible from neighbouring properties, would as a consequence of its smaller scale and massing only be visible from the streetscene through limited vistas beyond the proposed dwelling on Plot 1 and from Birchwood Court, which I am satisfied would not result in any significant harm to the streetscene.
9. Additionally, and being mindful of the existing variety of architectural detailing within the Conservation Area, I am satisfied that the detailed design of each of the proposed dwellings taken in isolation would not appear uncharacteristic or obtrusive in terms of their individual character or appearance.
10. Despite my conclusions regarding the above, the proposal comprises an uncharacteristic tandem form of development on the appeal site. Whilst I recognise that it would appear historically that other backland redevelopment or infill developments have taken place within the area covered by the SBCA, there is no evidence of a prevalence of such piecemeal or tandem development elsewhere in the vicinity. I accept that there is a certain degree of variation in

plot sizes and widths across the wider Conservation Area, but there remains an absence of development within the long rear gardens of properties on the Northern side of Warnington Drive. This retained area of openness is a positive spatial characteristic of the SBCA, and to allow its erosion would result in an undoubted adverse impact on the existing openness of the appeal site, and the Conservation Area.

11. I have carefully considered the appellant's point regarding the absence of any full appraisal of the SBCA as having been undertaken by the Council, and I regard this as being at best unhelpful in allowing consideration in detail of the impact of future development proposals within the SBCA. However, I disagree with the appellant's contention that the passage of time and continued absence of this document now undermines the designation of the SBCA in the first instance. It is clear from the appeal submissions and my observations that the area possesses special interest which would be conducive to its designation as a Conservation Area, albeit that it is not within the remit of this decision letter for me to advise with any authority on the continued legitimacy of the designation.
12. Nevertheless, I do accept that irrespective of its status as a Conservation Area, in accordance with paragraph 127 of the Framework, where development accords with and is sympathetic to local character and history, including the surrounding built environment and landscape setting, development should be allowed. However, even allowing for the possibility of further landscaping of the appeal site for the reasons set out, the appeal proposal does not meet this design expectation.
13. The Framework makes a distinction between a development causing substantial harm to the significance of a designated heritage asset and works that would lead to less than substantial harm. Paragraph 196 of the Framework continues by stating that where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal.
14. In this case, I find that the proposal would result in less than substantial harm for the reasons described. In respect of public benefits, I accept that the provision of an additional dwelling would make a very limited contribution towards the housing supply and need of the area, and that there would also be some economic and social benefits related to the development, and the future occupation of the dwellings. I also acknowledge that despite the spatial shortcomings, the architectural design quality of the proposed development would accord with the context of the area. However, I am not persuaded that these matters represent any more than a limited public benefit which would be insufficient to outweigh the otherwise identified harm.
15. For these reasons, I have found that the proposal would neither preserve nor enhance the character or appearance of the Conservation Area, and in accordance with Section 72 of The Act, great weight should be given to the asset's conservation. There would be conflict with policies CS1, CS14 and CS 15 of the Doncaster Council Core Strategy 2011-2028, adopted 2012 and saved Policies PH11(a) and ENV25 of the Doncaster Unitary Development Plan 1998, as well as the SPD. These policies and guidance seek to ensure that development is of a high quality that reinforces local distinctiveness, preserves or enhances the character or appearance of conservation areas, and where for

housing it is of a form which would not be detrimental to the character of the surrounding area and works with its surroundings to protect the built and natural environment.

Conclusion

16. For the above reasons, the appeal is dismissed.

Martin Seaton

INSPECTOR