



## Appeal Decision

Site Visit made on 15 February 2021

**by Robert Walker BA (Hons) DipTP MRTPI**

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

**Decision date: 26 February 2021**

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**Appeal Ref: APP/F4410/W/20/3263552**

**Land adj 17 Riverside Gardens, Auckley, Doncaster DN9 3QE**

- 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 Shah (Hosewell Developments Ltd) against the decision of Doncaster Metropolitan Borough Council.
  - The application Ref 19/02300/FUL, dated 23 September 2019, was refused by notice dated 26 May 2020.
  - The development proposed is the erection of a single dwelling (resubmission of 18/02070/FUL).
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The description of development on the application form and decision notice differ. I have used the description from the application form in the banner heading above which accurately describes the proposal.
3. An updated flood risk assessment (FRA) was submitted as part of the appeal. The Council and interested parties have had the opportunity to comment on this document as part of the appeal process. As such, no party has been prejudiced by its submission at this stage. Following the Environment Agency's response to the FRA, the Council has withdrawn its second reason for refusal.

### Main Issue

4. Having regard to the above, the main issue is the effect of the proposal on the character and appearance of the surrounding area.

### Reasons

5. The appeal site is a parcel of land at the entrance to a small residential development (Riverside Gardens) at the edge of the settlement of Auckley. Although lying within the Council's residential policy area, there is no evidence before me that the land is previously developed land having regard to the definition within the National Planning Policy Framework (the Framework). In any case, there is no dispute between the main parties that the principle of housing would be acceptable in this location subject to considerations, including, amongst other things, the effects on the character and appearance of the area.
6. Although there is not a strict uniformity to the layout, properties and their grounds within Riverside Gardens are set back from the river. The extent of undeveloped land along both sides of the river forms an attractive soft edge to

the settlement, despite there being no underlying landscape designation. This is particularly distinct from the bridge along the B1396. The appeal site forms part of this soft edge and contributes to both a pleasant spacious entrance into the Riverside Gardens and the open soft edge of the settlement.

7. The proposed dwelling would be located outside of an easement strip to the river. However, the positioning of the dwelling, the parking, grounds of the dwelling and domestic accoutrements within the grounds would significantly erode the pleasant soft edge to the settlement when viewed from the bridge. Moreover, from this view, the design of the proposed dwelling, due to the change in ground levels, would have a large area of solid massing accentuating the contrast with other properties in Riverside Gardens.
8. The result would combine to appear as an ad-hoc development that would intrude obtrusively into the soft edge along the river and would jar injuriously with the prevailing layout and character of the Riverside Gardens housing.
9. From the Riverside Gardens street scene, the density, design of the house and its positioning angled toward the entrance would not appear discordant. Moreover, the proposal would maintain an area free of built development at the entrance to Riverside Gardens. However, these elements do not overcome or outweigh my concerns in relation to views from the bridge where the proposal would appear contrived.
10. Although the design has evolved through various iterations with a view to finding a solution, this does not outweigh or overcome my concerns regarding the design of the proposal before me.
11. I therefore conclude that the proposal would result in significant harm to the character and appearance of the surrounding area. The proposal would therefore conflict with the requirements of Policy CS14 of the Doncaster Council Core Strategy (CS) and Policy PH11 of the Doncaster Unitary Development Plan (UDP), along with the aims of the Doncaster Council Development Guidance and Requirements: Supplementary Planning Document and the National Design Guidance.
12. These stipulate, amongst other things, that within residential policy areas development for housing will normally be permitted except where the development would be of a form which would be detrimental to the character of the surrounding area.
13. Policy CS14 of the CS and Policy PH11 of the UDP are consistent with the provisions of the Framework insofar as they relate to this main issue. I therefore conclude that the proposal would conflict with paragraphs 127 and 130 of the Framework which broadly seek to secure high quality design.

### **Other Matters**

14. There is no dispute that the Council can currently demonstrate a 5-year supply of housing. Nonetheless, the government places considerable importance on making effective use of land to boost the supply of housing, including from small developments. The proposal would deliver economic and social benefits from the construction and occupation of the dwelling, in a sustainable location and on a vacant unused parcel of land. However, as a single dwelling, the extent of these benefits would be limited and, as such, I attach limited weight to them.

15. The absence of harm in relation to other considerations including, amongst other things, highway safety, ecology, living conditions and flood risk are neutral matters, weighing neither for nor against the proposal.

**Conclusion**

16. Good design is a key aspect of sustainable development and the desirability of new development making a positive contribution to local character and distinctiveness and, in this regard, the proposal would significantly harm the character and appearance of the surrounding area. I therefore conclude that the proposal would conflict with the development plan when read as a whole.

17. A net gain of a single dwelling would have limited benefits. As such, I find there to be no material considerations that would indicate that the appeal decision should be taken other than in accordance with the development plan.

18. For the reasons given above, the appeal is dismissed.

*Robert Walker*

INSPECTOR