



Appeal Decision

Site visit made on 27 May 2022

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2022

Appeal Ref: APP/F4410/D/22/3295314

1 Church View, Wadworth, Doncaster DN11 9BZ

- 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 Paul Chiddey against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 20/03418/FUL, dated 11 December 2020, was refused by notice dated 6 January 2022.
 - The development proposed was originally described as '*Alterations and Extensions which have already been completed. Two storey and single storey extensions which have already been built. This is a retrospective application to retain same.*'
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Decision

1. The appeal is dismissed insofar as it relates to the boundary treatments to the front and sides of the driveway of the dwelling. The appeal is allowed insofar as it relates to the side and rear extensions to the dwelling, and planning permission is granted for erection of two storey and single storey extensions, at 1 Church View, Wadworth, Doncaster DN11 9BZ, in accordance with the terms of the application Ref 20/03418/FUL, dated 11 December 2020, and the plans 2019/10/01; 2019/10/02 and 2020/10/01(E) submitted with it, subject to the following condition:

- 1) Unless within four months of the date of this decision a scheme for the maintenance of colour tinting of the roof tiles of the dwelling is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within the timeframe agreed with the local planning authority, the use of the site shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme is approved and implemented.

The submitted scheme shall include details of the tinting colour, the manufacturer of the product, the longevity of the product and a timetable for the renewal of tinting of the main roof of the dwelling.

If no scheme in accordance with this condition is approved within six months of the date of this decision, the use of the site shall cease and all equipment and materials brought onto the land for the purposes of such use shall be removed until such time as a scheme approved by the local planning authority is implemented.

Upon implementation of the approved scheme specified in this condition, the works detailed in the scheme shall thereafter be maintained and/or repeated in accordance with the approved timescales.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the

time limits specified in this condition will be suspended until that legal challenge has been finally determined.

Procedural Matters

2. The application was made on a retrospective basis, and I saw on site that works to construct the extensions and front boundary treatment appeared to be complete. The exception to this is the proposed reduction in the height of the boundary treatment dividing the front gardens of Nos 1 and 3 Church View. Therefore, whilst I have had regard to the works as built, for the avoidance of doubt I have considered the appeal on the basis of the proposed plans.
3. For the reasons that follow, I find the extensions to the dwelling to be acceptable and clearly severable both physically and functionally from the front boundary treatments. Therefore, I intend to issue a split decision in this case and grant planning permission for the extensions only. Accordingly, I have amended the description of development in my formal decision to accurately reflect the development permitted.

Background and Main Issue

4. The appeal relates to a semi-detached dwelling standing at an angle to the road at the corner of Church Road and Church View. Permission was granted in 2019 for a two storey side extension and single storey rear extension. The roof of the side extension as constructed stands flush with the main roof of the dwelling, and not in accordance with the approved plans which show the ridge of the extension stepped down from the main ridge and the front elevation recessed from that of the main dwelling. The appellant seeks to retain the extensions as built, alongside changes made to the boundary treatments surrounding the front driveway.
5. The Council does not oppose the single storey rear extension, which differs from the approved scheme only in the detailing of its fenestration. Having seen the extension on site, I have no reasons to disagree with the Council on this element of the development. For the avoidance of doubt, an outbuilding erected to the rear of the site did not form part of the application and I have not considered it as part of the appeal.
6. The main issue, therefore, is the effect of the side extension and front boundary treatments on the character and appearance of the area.

Reasons

Side Extension

7. The principle of a two storey side extension has been established through the 2019 permission, which included a lower roof ridge to the extension and a slightly recessed front elevation. Both elements align with the main roof and front wall of the dwelling in the scheme now before me, and as has been built on site.
8. The Council's Development Guidance and Requirements Supplementary Planning Document (SPD) (July 2015) sets out that extensions should be subservient to the existing dwellings. It indicates that the ridge and eaves lines should be level or lower than those of the existing dwelling, and in some cases it may be better to make a distinct break in the roofline and wall to ensure the

extension remains secondary and to avoid unsightly matching of old and new materials. As such, the absence of a break in the roofline is not necessarily unacceptable, but will depend on the design of the dwelling in question and the impact on the surrounding built form.

9. In this case, the approved extension was subservient through its recessed ridge line and front elevation. These elements have been omitted, and in doing so have reduced the legibility of the original dwelling. However, the extension has maintained the characteristic hipped roof shape of the surrounding semi-detached pairs. The position of Nos 1 and 3 is such that the pair is read primarily as part of the Church Road street scene, rather than part of Church View. From Church Road, the corresponding corner pair on the opposite side of the road, Nos 2 and 4, is seen in the same vista. This pair appears wider in footprint than the original footprint of Nos 1 and 3. Consequently, following the extension to No 1, the overall massing of Nos 1 and 3 does not appear demonstrably larger in size than Nos 2 and 4 opposite, with both having similar overall roof spans.
10. Moreover, whereas Nos 2 and 4 are directly adjacent to a second corner building of similar scale, the surroundings of the appeal site are more open due to the presence of a low height electricity substation immediately next to the site, in addition to the rear gardens of dwellings on St Johns Croft to the east. Given this more spacious setting, the side extension, despite not being set down in height from the main dwelling, does not result in the dwelling or the semi-detached pair appearing excessive in size or overly dominant within the site or the street scene, but rather it maintains the general scale and form of the semi-detached pairs on Church View. Having regard to the SPD, the absence of a break in the roofline or the front elevation is not harmful to the overall appearance of the dwelling in this instance.
11. The Council was further critical of the colour of the grey roof tiles installed on the appeal dwelling, given the prevailing use of red tiles on Church View and St Johns Croft. The appellant has subsequently applied a red tint to the tiles, which I saw on site blends reasonably well with the roof of No 3. Overall, I am satisfied that the extension matches well with the parent building and surroundings in terms of materials. However, I agree with the Council that the tinting should be maintained for the life of the development in order to ensure a satisfactory appearance. This could be secured by planning condition.
12. For these reasons, I conclude that the side extension preserves the character and appearance of the area, in accordance with Policies 41 and 44 of the Doncaster Local Plan 2021, which together support development proposals which respond positively to their context, setting and existing site features; and which respect and enhance the character of the locality, having regard to factors such as layout, siting, spacing, scale, massing, form and materials.

Boundary Treatments

13. The Council indicates that the front garden/driveway of the appeal site was previously enclosed by a low brick wall to the front, and a hedgerow to the side boundary with No 3. I saw low, red brick walls to No 3 and other dwellings in Church View which form a characteristic feature of the streetscape, and provide for open frontages which add to the visual interest and spacious feel of the surroundings.

14. The replacement front boundary comprises a low brick wall of similar height to that at No 3. However, it is interspersed with taller pillars to a height of between 1.96 and 2.05 metres above ground level. Between the pillars, solid grey timber panelling sections have been installed to a height of 1.8 metres.
15. The height and solid form of the front boundary treatment creates an uncharacteristic sense of enclosure to the property which contrasts with the generally open frontages to surrounding dwellings. The taller fencing to the side of 3 Church View appears to be an isolated exception to this pattern, and stands out prominently as a result. I also have no details of the planning history of this fencing. The absence of any soft landscaping to the appeal site further contrasts with the general appearance of surrounding front gardens and adds to the stark appearance of the site.
16. I acknowledge the appellant's point that the dwelling is seen mainly within the Church Road streetscape. Several examples of taller boundary treatments have been pointed out to me, which I saw on site. These other examples tend to relate to side or rear boundaries which address the road, rather than front boundaries. Taking the wider extent of Church Road, I saw that dwellings fronting the road predominantly retain low front boundary treatments allowing views into the site, with the cited examples of taller boundaries being occasional exceptions which have not altered the overall character of the area.
17. The enclosure of the front garden of the site is exacerbated by the 1.8 metre close boarded fence on the boundary with the front garden of No 3. Due to its length and clear visibility from the street, it appears as a conspicuous and jarring feature, particularly compared to the modest brick walls which enclose the garden of No 3. The appellant has proposed reducing this fence to 1.3 metres in height. This would go some way to reducing its imposing appearance, but it would still be seen in conjunction with the front boundary, and together they would continue to form a aberrant feature of the street scene that would fail to harmonise with surrounding development.
18. A fence of similar scale has been erected to the opposite side of the front driveway, where the site adjoins the electricity substation. This fence is not proposed to be lowered. It is similarly prominent in views from the east on Church Road, and adds to the overall enclosed, fortress-like appearance to the front of the property.
19. For these reasons, I conclude that the cumulative effect of the front boundary treatments would cause significant harm to the character and appearance of the area, contrary to the aforementioned aims of Policies 41 and 44 of the Doncaster Local Plan 2021 to support developments which respond positively to their context, setting and existing site features and respect and enhance the character of the locality.

Other Material Considerations

Conservation Area

20. The green open space across the road from the appeal site lies within the Wadworth Conservation Area (WCA). The Council determined that the appeal scheme did not have an adverse effect on the setting of the WCA. From my observations, the appeal site is physically and visually detached from the historic core of the WCA, forming part of the wider residential surroundings to

the south of the conservation area. The appeal scheme is not of a scale that would demonstrably alter the relationship between these wider surroundings and the WCA, or how it is experienced. Therefore, I concur with the Council that there would not be an adverse effect on the heritage significance of the WCA through an adverse effect on its setting. This, however, is a neutral consideration in the overall planning balance.

Security

21. The appellant refers to security needs having prompted the installation of the boundary treatments, both in terms of protecting his family from the busy Church Road, and due to the nature of the appellant's business requiring him to regularly park high value motor vehicles on the drive for temporary periods.
22. I appreciate that the taller boundary treatments may provide some additional peace of mind for the appellant in these respects, but securing the site for family members could be achieved by other, less harmful forms of boundary treatment. Any benefit in this respect would also be a private benefit, rather than a public one.
23. Moreover, I have little evidence of a specific security problem at the site, as no details of any specific incidents have been provided. It is therefore unclear as to the scale of the security risk which may exist. There is also a lack of detail as to the extent to which the appellant has considered other security measures. As above, any benefit accruing in this respect would be modest in scale and private to the appellant.
24. Therefore, I afford limited weight overall to these other material considerations and find they do not outweigh the harm to the character and appearance of the area caused by the front boundary treatments.

Conclusion

25. For the reasons set out, I conclude that the front boundary treatments result in conflict with the development plan, to which I afford significant weight. Material considerations advanced in this case would not outweigh this conflict so as to justify granting planning permission. Therefore, I conclude that this part of the appeal should be dismissed.
26. However, I find that the side and rear extensions to the main dwelling accord with the development plan, taken as a whole, and as these are physically and functionally severable from the front boundary treatments, I conclude that this part of the appeal should be allowed.

Conditions

27. As those parts of the appeal being allowed have already been developed, it is not necessary to impose conditions relating to the time limit or compliance with the approved plans, though these are listed in my formal decision for the avoidance of doubt.
28. For the reasons set out above, I agree that a condition requiring reapplication of the roof tile tint for the lifetime of the development is necessary to secure a satisfactory appearance. However, as worded, the Council's suggested condition lacks precision in terms of when such works would be required to be undertaken, or the specifications of the product to be used.

29. Therefore, Condition No 1 is imposed to ensure that a scheme for the maintenance of colour tinting of the roof tiles is submitted, approved and implemented so as to make the development acceptable in planning terms. There is a strict timetable for compliance because permission is being granted retrospectively, and it is not possible to use a negatively-worded condition to secure the approval of the maintenance scheme before the development takes place. The wording of the condition will also ensure that the development can be enforced against if the requirements are not met.

K Savage

INSPECTOR