



Appeal Decision

Site visit made on 9 May 2023

by Ian Radcliffe BSc(Hons) MRTPI MCIEH DMS

an Inspector appointed by the Secretary of State

Decision date: 26 May 2023

Appeal Ref: APP/F4410/W/23/3314684

18 Parkway South, Wheatley, DONCASTER, DN2 4JS

- 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 S Heseltine against the decision of Doncaster Council.
 - The application Ref 22/02012/FUL, dated 20 August 2022, was refused by notice dated 22 November 2022.
 - The development proposed is a detached house (re-submission of refused application 22/00528FUL).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - the effect of the proposed development on the character and appearance of the area;
 - the effect of the proposal on the living conditions of the occupiers of 18 Parkway South in relation to outdoor amenity space provision and outlook;
 - whether the occupiers of the proposed house would have acceptable living conditions with regard to privacy; and,
 - whether the dimensions of the proposed parking spaces would allow convenient access to parked vehicles, No 18 and the proposed house.

Reasons

3. The appeal site is located within a Residential Policy Area as defined by the Doncaster Local Plan where residential development in principle is acceptable.

Character and appearance

4. 18 Parkway South is located within a municipal housing estate on the corner of Parkway South and Beckett Road. The appeal site faces Beckett Road and occupies part of the garden associated within No 18.
5. In the vicinity of the appeal site along the straight sections of road the estate is characterised by closely spaced, two storey, semi-detached houses set close to the road. The resulting fine grain of development is counterbalanced at the cross-roads of Parkway South with Beckett Road by the openness of corner plots. On the western side of the junction this takes the form of houses on the corners being set well back from the road with long, open front gardens. On the eastern side of the junction openness is achieved by No 18's wide, open side garden which separates it from its neighbour, No 204 Beckett Road.

6. In occupying the gap between No 18 and No 204 the proposed house would reduce the openness of the corner and would result in a far more urban street scene. With a minimal gap between its eastern flank and the side boundary with No 204 it would also appear cramped within its plot.
7. The gap between the house on the corner of Parkway North and Beckett Road facing the appeal site has been infilled by a house, and similar infill development has occurred on both corners of Parkway North with Norwich Road which is the next road to the north. However, these instances of cramped infill development are too few and far between to have changed the character and appearance of the area to the extent that the proposed development would fit in. Moreover, these developments would have been assessed against the development plan policies and the government's planning policy guidance that existed at the time they were approved and not against the policies of the current Local Plan and National Planning Policy Framework (the Framework) which both came into force in 2021. Consequently, the presence of these developments has not altered my findings in relation to the proposal.
8. Parking in the area is typically either on street or on site to the side of dwellings. As a result, the front elevations of houses are not obscured and are able to contribute to the street scene. Parking to the proposed house would be provided on-site directly across the front elevation of the dwelling. This would result in a car dominated dwelling that would detract from the quality of the street scene to the detriment of the character and appearance of the area.
9. For all of these reasons, I therefore conclude that the proposed development's cramped appearance, which would be at odds with the carefully laid out pattern of development on the estate, would cause unacceptable harm to the character and appearance of the area. As a result, it would be contrary to policies 10, 41 and 44 of the Doncaster Local Plan (Local Plan) and the Framework which require the protection of the character and appearance of a locality through high quality design that respects local design features. Consequently, it would also be contrary to the South Yorkshire Residential Design Guide (SYRDG) and Transitional Developer Guidance (TDG). As these two guides though are not formally adopted supplementary planning documents, I attach limited weight to them.

Living conditions

10. The rear first floor windows of the existing house from the side would directly overlook the rear garden of the proposed house at a distance of less than 10m. The resulting lack of privacy would result in poorer living conditions than it is reasonable to expect and would be contrary to the TDG.
11. As No 18 is a three bedroom house and the proposed dwelling would be a two bedroom house both are family sized dwellings. To provide acceptable living conditions for the occupiers of houses it is important that an adequate, usable private garden is provided. At approximately 51 sqm the proposed dwelling would have an acceptably large private rear garden. However, following the proposed development the rear garden to No 18, which is its only private amenity space, would be 44sqm. This is smaller than it is reasonable to expect for a three bedroom, family sized house.
12. The flank wall of the proposed house would partly extend across the rear elevation of No 18. However, in my judgement, the extent of its encroachment into the outlook enjoyed from the rear of No 18 would be insufficient to be overbearing.

13. Notwithstanding my favourable findings in relation to outlook, this does not obviate the harm that would be caused to living conditions by virtue of an inadequate private garden at No 18 and overlooking from it of the proposed house. Taking all these matters into account, I conclude that the proposed development would result in unacceptable living conditions at No 18 and the proposed house. This would be contrary to policies 10 and 44 of the Local Plan, the Framework and the SYRDG which seek to prevent such harm.

Parking spaces

14. At 5m in length and 2.4m in width the proposed parking spaces would not be large enough to allow a person to conveniently pass between two parked cars, nor would there be sufficient space for a person to comfortably pass between the proposed house and vehicles parked directly in front of it. As a result, the proposed spaces would be contrary to policy 44 of the Local Plan and the SYRDG and TDG which, amongst other matters, require that convenient car parking space is provided. Policy 13 part 4 of the Local Plan was referred to by the Council. However, as it relates to the amount of parking that should be provided for a given type of development it is not relevant to this issue.

Conclusion

15. The appeal site is located within a Residential Policy Area where the principle of residential development is supported by the development plan. The proposal though would cause unacceptable harm to the character and appearance of the area and to the living conditions of the occupiers of No18 and the proposed house. It would also fail to provide convenient car parking spaces. As a result, I find that the proposed development would be contrary to the development plan considered as a whole.
16. The other considerations put forward in favour of the proposal, namely that the scheme would make effective use of land and that the house is easily accessible and well located in relation to public transport, facilities and services are insufficient to outweigh the harm that would be caused and non-compliance with the development plan. Material considerations therefore do not indicate that the proposal should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be dismissed.

Ian Radcliffe

Inspector