



Appeal Decision

Site visit made on 2 August 2023

by Laura Renaudon LLM LARTPI Solicitor

an Inspector appointed by the Secretary of State

Decision date: 14 August 2023

Appeal Ref: APP/F4410/C/22/3306782

175 South Street, Highfields, Doncaster DN6 7JH

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Arkadiusz Buja of Buja Group Limited against an enforcement notice issued by Doncaster Metropolitan Borough Council.
- The enforcement notice was issued on 19 August 2022.
- The breach of planning control as alleged in the notice is the unauthorised development of a ground floor extension to the front of the property.
- The requirements of the notice are to remove the extension; to make good the remaining building; and thereafter to permanently remove the resultant materials from the land.
- The period for compliance with the first two requirements is two months, and three months for the third.
- The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 as amended.

Summary Decision: the appeal is dismissed and the enforcement notice is upheld.

Main Issue

1. The main issue in the appeal concerns the effect of the development on the character and appearance of the property and surrounding area.

Reasons

2. Highfields is a former mining village located to and accessed from the west of the Great North Road, the A638. It consists of a large triangle of mainly residential development, with South Street forming the southern side of that triangle. The appeal property is towards the western end of the street, on rising land.
3. On lower ground, the houses closer to the Great North Road generally face away from their respective access roads, including South Street, looking out onto farmland or woodland, or onto areas of recreational space in the centre of the settlement. However, from a point shortly west of the junction with Market Street that relationship is reversed, with the newer and larger post-war semi-detached or double-fronted terraced dwellings towards the edge of the settlement having a direct facing relationship with the street and generally lying somewhat closer to it than the older housing stock.
4. No. 175 is one of those newer properties, forming the right hand house of a semi-detached pair when viewed from the road. Like its neighbour, it is largely finished in a light render with some brick courses below the ground floor windows.

5. A 'before' photograph supplied by the Council reveals that some development has taken place recently, not all of which is the concern of the notice that has been issued. A ground floor side extension extending the width of the plot to the western side of the dwelling has been constructed. To the northern front of both this side extension, and of around half of the pre-existing house at the ground floor, a wide unenclosed extension has been constructed. Functionally, it being no more than around a metre deep, it provides overhead shelter, with a step below across part of its width. It contains the front door to the dwellinghouse and an 'up and over' garage door. This front extension is the concern of the present notice.
6. The extension is rather modern in its design and materials, in contrast to the post-war dwelling to which it is attached. It mostly consists of what appear to be horizontal wooden panels, finished in a black and tan colour palette. Whilst this bold design and finish could be successful in some contexts, this is not one of them.
7. The design of the extension is effectively of a very wide front porch, to give shelter both at the front door and outside the garage door. I saw no other like examples in the vicinity. Where porches do exist, they are generally modest and around a metre squared in floor area, providing shelter outside the front door. Small canopies are more usual in the area. Almost all examples of either porches or canopies that I saw consisted of front-facing pitches, with no other examples of such an extensive flat roof.
8. The finishing materials used are, although not unattractive in themselves, not congruent with either the host property or with any others in the location: almost all the houses nearby are finished in brick or render, with wood used predominantly only as a fencing material and not as a facing material on dwellinghouses. Given this context, I am unable to find that the development has a positive impact on the site or on the area generally.
9. Planning policies for the area, principally policies 41 and 44 of the Doncaster Local Plan 2015 – 2035, adopted in September 2021, are supportive of residential extensions and alterations, but subject to an assessment of any development's impact on the character and appearance of its host property and neighbourhood. Development proposals that are of a high quality design contributing to local distinctiveness, and that respond positively to their context, will be supported. Here, I am unable to find that these policy criteria are met, because the development does not respond appropriately to its context and detracts from the appearance of its host property and from the street scene.
10. No other considerations have been brought to my attention indicating that a decision should be made other than in accordance with the development plan for the area. I find that the development does not accord with the development plan for the area.

Conclusion

11. For the reasons given above I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the deemed application.

Formal Decision

12. The enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Laura Renaudon

INSPECTOR