
Appeal Decision

Site visit made on 9 December 2019

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th January 2020

Appeal Ref: APP/A3010/W/19/3237251

Former Council Garage Site, Gateford Road, Worksop S81 5AE

- 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 Raisbeck against the decision of Bassetlaw District Council.
 - The application Ref 19/00901/FUL, dated 5 July 2019, was refused by notice dated 4 September 2019.
 - The development proposed is erection of 2No affordable dwellings.
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Decision

1. The appeal is allowed and planning permission is granted for 2No affordable dwellings at Former Council Garage Site, Gateford Road, Worksop S81 5AE in accordance with the terms of the application Ref: 19/00901/FUL, dated 5 July 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PC360/01 and PC360/02.
 - 3) No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the local planning authority within 30 days of the report being completed and approved in writing by the local planning authority.

- 4) No development above ground works (slab level) shall commence until details / samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted along with hard surfacing details have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
- 5) No dwelling shall be occupied until its off-street parking spaces have been provided. The spaces shall thereafter be kept available at all times for the parking of vehicles.
- 6) No dwelling shall be occupied until a dropped kerb vehicular crossing has been provided across the full width of the approved driveway and parking spaces and the redundant length of dropped kerb crossing has been reinstated to full-height footway.
- 7) No structure or erection exceeding 600mm in height shall be placed within the first 2 metres of the plot frontages (measured from the rear of the adjacent Gateford Road footway).
- 8) No shrubs, trees or other vegetation shall be allowed to grow above 600mm within the first 2 metres of the plot frontages (measured from the rear of the adjacent Gateford Road footway).

Procedural Matter

2. The proposal also includes the erection of a double garage. The evidence does not indicate that there is any disagreement between the parties relating to this part of the proposal.

Main Issue

3. The main issue is the effect of the dwellings on the character and appearance of the area.

Reasons

4. The immediate area is primarily residential in nature to the north with terraced and semi-detached residential dwellings of relatively uniform design, scale, massing and height lining Gateford Road.
5. However, around the appeal site the surrounding buildings lack the same uniformity. The substantial bulk and massing of the Jubilee Court Nursing Home occupies a large site across the road from the appeal site, while to the south on the same side of the road buildings within different uses are well spaced with varying design, scale and massing.
6. The appeal proposal includes the provision of two bedrooms per dwelling within the roof spaces. This has resulted in buildings which incorporate a tall roof, resulting in buildings of a differing design, greater ridge height, scale and massing than properties to the north.
7. However, the appeal site relates more closely to the mixed development to the south of the appeal site. The proposed scale and massing, width and depth of the buildings would not therefore be out of context with the large and bulky Jubilee Court building. The gaps that would be retained would maintain separation to the buildings to the north and south which would mean that the

proposal would not appear cramped within the street scene nor dominate adjoining properties. The ridge heights proposed would not be excessively higher than nearby buildings and the design which differs from properties to the north would relate appropriately to the area to the south which contains buildings of mixed design. There are a range of wall and roof materials within the area and the red brick and clay tiles proposed would be appropriate within this context.

8. Therefore, the proposal would be appropriate to the character and appearance of the area and would comply with Policy DM8 of the Bassetlaw District Core Strategy & Development Management Policies DPD (2011) which amongst other things requires development of good architectural quality which is appropriate to local character and distinctiveness. The proposal would also comply with Paragraphs 124 and 127 of the National Planning Policy Framework and SPD¹ guidance.

Conditions

9. As well as the standard time limit, I have imposed a condition in the interests of certainty concerning the approved plans. To safeguard the character and appearance of the building and the area a condition is necessary requiring details of external surfacing and hard surfacing materials. Given the evidence indicates that the site is previously developed and does not confirm the absence of contamination, combined with the change to a more sensitive receptor, a contaminated land condition is necessary. Conditions 5-8 are necessary in the interests of highway safety given that Gateford Road is a well-used route. I have not deemed conditions suggested by third parties relating to working hours or driveway gradients necessary, respectively, due to the small scale of the development and as the site does not contain any significant gradients.

Conclusion

10. For the reasons set out above, I conclude that the appeal should be allowed subject to the conditions.

T J Burnham

INSPECTOR

¹ Successful Places Supplementary Planning Document (2013)