



Appeal Decision

Site visit made on 24 October 2017

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 December 2017

Appeal Ref: APP/F4410/W/17/3176718

Land adjacent to Beechwood, Park Drive, Sprotbrough, Doncaster DN5 7LP

- 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 & Mrs M Haczynskj against the decision of Doncaster Metropolitan Borough Council.
 - The application Ref 17/00519/FUL, dated 28 February 2017, was refused by notice dated 18 April 2017.
 - The development proposed is a four bedroom detached house with single garage.
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Decision

1. The appeal is allowed and planning permission is granted for a four bedroom detached house with single garage at Land adjacent to Beechwood, Park Drive, Sprotbrough, Doncaster DN5 7LP in accordance with the terms of the application, Ref 17/00519/FUL, dated 28 February 2017, subject to the conditions in the Schedule attached to this decision.

Preliminary Matter

2. The site address on the application form differs slightly from the more precise ones used in the appellants' Appeal Form and the Council decision notice. For clarity I have used the latter in the heading above and in my decision.

Main Issue

3. The main issue raised by this appeal is whether the development would preserve the setting of Sprotbrough Park Stables, a grade II listed building.

Reasons

4. The site of the proposed house is a vacant area of land party bounded by tall stone walls. The site is surrounded on three sides by dwellings and their gardens with a modest but verdant area of woodland to the east through which the access serving the site, and two detached dwellings to the south, runs.
5. Sprotbrough Park Stables are located immediately to the north west of the site, in an elevated situation to it. The Stables have a symmetrical composition centred on a two storey gateway linked to pavilions beyond which wings extend, enclosing a courtyard on three sides. It has been converted to a number of dwellings and, along with new detached houses arranged symmetrically beyond its wings, has created a formal arrangement, with the rear elevation of the nearest of those houses backing onto the appeal site.

6. It derives much of its special interest, and hence significance as a designated heritage asset, from its architecture, age, plan form and original use. It also derives some significance from historic associations with the former Sprotbrough Hall which it served, noted in the listing description as having been demolished in 1926. An historic map provided by the appellants shows the area currently occupied by the appeal site and adjacent dwellings to have been an area with trees, possibly formally laid out, between the stable block and the Hall.
7. The Stables have in the most part been surrounded by new development of a less formal arrangement than that to the south, giving the listed building a predominantly built up setting. The mature trees which remain in the vicinity of the site and farther east serve as physical remains of the former Hall's pleasure grounds. A visual and historic relationship remains between these, the area which they occupy and the Stables. Consequently, the stables derive some significance from this aspect of its setting.
8. The site forms part of this setting in which the Stables are experienced and the Council's Conservation Officer notes that the wall marks the boundary between the former service function of the Stables and their environs and the former pleasure grounds. In its current, cleared form the site has a neutral effect on the setting of the listed building. The absence of buildings on the site enables a visual relationship between the Stables and the area of trees to the east of the site to be experienced. From within the Stable courtyard the tops of these trees can be viewed above intervening roofs, although a gap between the east wing of the Stables and the adjacent house at 6 Stable Gardens enables a fuller view of the stone wall bounding the site and trees beyond, albeit that a large, mature tree to the rear of No 6 dominates the foreground of this view slot.
9. The Council point out that previous outline permissions on the site required development on the appeal plot to be single storey. The appeal scheme would insert a largely two storey house onto the site, although an attached garage with accommodation above would have a notably lower hipped roof than the main part of the house. This lower element would be in line with the aforementioned gap.
10. Those parts of the proposed dwelling which would be visible above the intervening wall might be more noticeable from the environs of the Stable than those of a bungalow. However, its configuration nearest to the Stables would avoid it appearing so extensive as to block views of the tree canopies beyond and it would maintain the visual and historic links between the Stables and remaining fragments of the former Hall's designed landscape. The slightly more strident roofscape when compared to that of a bungalow would have more of a presence but would not unduly or adversely affect the relationship between the Stables and trees beyond and not divorce the two.
11. Although of a different design, the overall scale, mass and bulk of the proposed house would be similar to that of existing detached houses immediately to the south. Given the extent and height of existing buildings which largely surround the stables the proposed house would not be at odds with the Stables' existing built setting and would not dominate the listed building or result in it feeling or appearing materially any more 'hemmed in' than the existing situation.
12. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires the decision maker to have special regard to the

desirability of preserving the listed building or its setting in considering whether to grant planning permission. In doing so, and in giving great weight to the conservation of the designated heritage asset, I consider that these effects would have the effect of preserving this setting and consequently the significance of the listed building would not be harmed as a result.

13. The development would accord with Core Strategy¹ Policy CS15's provision that proposals which preserve the heritage significance and setting of heritage assets will be supported. As such the development would also avoid conflict with the National Planning Policy Framework's (the Framework) requirements in respect of conserving and enhancing heritage assets. An appendix to the Core Strategy advises that saved UDP² Policy ENV34, cited in the Council's refusal reason, has been replaced by Policy CS15.

Other Matters

14. I have noted the concerns that occupiers of adjacent dwellings have raised in respect of the effect they consider the development would have on their living conditions. However, taking into account the configuration of the proposed house and its distance from and orientation to adjacent dwellings, particularly No 6 which would be the nearest at the rear, I consider that material harm by way of a loss of privacy or any overbearing effect would not occur. In note that my conclusion in this respect concurs with that of the Council who found the arrangements would accord with their guidance in these respects.

Conditions

15. It is necessary to specify the approved plans as this provides certainty. Having noted the Council Pollution Control Officer's suggestion of a precautionary approach to potential contamination risks it is necessary to ensure that such risks are assessed, and if necessary remediated, in order to ensure the safety of future occupants, although I have used a more concise form than that suggested by the Council. However, in the absence of any evidence that there is a specific risk to health from imported soil in this instance I have not attached a condition requiring the testing, sampling and verification of such materials as suggested by the Council.
16. The site includes areas of trees alongside the access and it is necessary to ensure their protection during construction. Requiring approval of materials and boundary treatments will ensure the character and appearance of the area is preserved. In order to reduce flooding risk and ensuring sewage is disposed of appropriately it is necessary to implement an approved drainage scheme.

Conclusion

17. For the above reasons, and having had regard to all other matters raised, the proposed development would preserve the setting of the listed building and accord with the Act, the development plan and the Framework. The appeal is therefore allowed.

Geoff Underwood

INSPECTOR

¹ Doncaster Council Core Strategy 2011-2028, 2012.

² Doncaster Unitary Development Plan, 1998.

Schedule of 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: Location Plan, 956/1A, 956/2, 956/3 and 956/4.
- 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 (LPA). 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 permitted development shall be submitted to and approved in writing by the LPA. 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 LPA. 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 LPA. 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 LPA within 14 days of the report being completed and approved in writing by the LPA.
- 4) No development shall commence until a scheme for the protection of all retained trees that complies with section 6.2 of British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations has been submitted to and approved in writing by the local planning authority (LPA). Tree protection shall be implemented on site in accordance with the approved scheme before any equipment, machinery or materials have been brought on to site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the LPA.
- 5) Prior to the commencement of the relevant works, details of the proposed external materials, including windows, doors, and rainwater goods, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.
- 6) The development hereby permitted shall not be occupied until foul, surface water and land drainage systems and all related works necessary to drain the site have been implemented in accordance with a scheme which has first been submitted to and approved in writing by the local planning authority.
- 7) The development hereby permitted shall not be occupied until boundary treatments, including any gates, have been implemented in accordance with details, including a plan indicating their positions, design, materials, height, and type, which have first been submitted to and approved in writing by the local planning authority.