

MR TIM CLARK

**Land adjacent to 18 Station Road,
Worsbrough Dale, Barnsley**

Supporting Statement

June 2010

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1. Introduction

- 1.1 This statement is submitted on behalf of Mr Tim Clark ("the Applicant") in support of an application for planning permission for the removal of a garage and replacement with 2 off-street parking spaces and turning area on land adjacent to 18 Station Road, Worsbrough Dale, Barnsley ("the Site").
- 1.2 The Site comprises the curtilage of 16 and 18 Station Road and was originally occupied by a stone wall with a garden/planting on top with a single garage situated approximately half way along the wall. However, the Applicant has demolished the wall and excavated materials from the site in preparation for the proposed parking area. Retrospective permission is therefore also sought for these unauthorised works as part of the permission for the proposed parking area.

2. Statutory Context

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the determination of a planning application must be made in accordance with the development plan unless material considerations indicate otherwise.

3. The Development Plan

- 3.1 The Barnsley Unitary Development Plan ("UDP") was originally adopted in 2000 and in September 2007 the Secretary of State issued a Direction which saved the majority of the policies in the UDP until the new system of Local Development Framework documents are adopted. The Regional Spatial Strategy for Yorkshire and the Humber ("RSS") was recently adopted in May 2008. The RSS and the saved policies in the UDP therefore form the statutory development plan for the area.
- 3.2 The UDP contains the detailed development control policies and details of these are set out below. Reference has not been made to the policies in the RSS as these are spatial policies.
- 3.3 The Site is located within the Green Belt. Saved Policy GS7 of the UDP deals with development in the Green Belt and states:

"... DEVELOPMENT WITHIN THE GREEN BELT WILL NOT BE PERMITTED UNLESS IT MAINTAINS THE OPENNESS OF, AND DOES NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND IN, THE GREEN BELT."

3.4 Saved Policy GS8 of the UDP deals with the construction of new buildings in the Green Belt and provides that this will not be permitted unless it is for a purpose specified in the Policy such as agriculture, forestry or replacement of existing dwellings. However, the unauthorised works (the removal of the garage) and the proposed parking area would not result in the construction of a new building. This Policy is not therefore relevant to the Site.

3.5 Saved Policy GS9 of the UDP deals with visual amenity in the Green Belt and states:

"DEVELOPMENT WITHIN THE GREEN BELT, OR CONSPICUOUS FROM IT, SHOULD NOT BY REASON OF ITS SITING, MATERIALS OR DESIGN RESULT IN SIGNIFICANT HARM TO THE VISUAL AMENITY OF THE GREEN BELT."

3.6 The UDP policies (which reflect national policy) therefore provide that any new development in the Green Belt is limited to that which preserves the openness and visual amenities of the Green Belt and does not conflict with the purposes of including land in it.

4. Material Considerations – National Planning Guidance

4.1 Government guidance in relation to developments in the Green Belt is set out in PPG2 and is a material consideration in the determination of planning applications. PPG2 advises that there are five purposes of including land in Green Belts. These are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

4.2 PPG2 provides that there is a general presumption against inappropriate development within the Green Belt. Paragraph 3.2 of PPG2 states:

"Inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the Secretary of State will attach substantial weight to the harm to the Green Belt when considering any planning application or appeal concerning such development."

4.3 Paragraph 3.12 of PPG2 provides that the carrying out of engineering and other operations and the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt.

4.4 It is clear that the proposed parking and turning area would be inappropriate development within the Green Belt and it is therefore for the Applicant to demonstrate that 'very special circumstances' exist to justify the development.

5. **Very Special Circumstances**

- 5.1 Station Road is a very busy main road and there is an existing highway safety issue as a result of the need to park cars on the street. A number of residents along Station Road have experienced physical and/or personal damage as a result of the existing highway situation. The provision of an off-street parking area for 16 and 18 Station Road would therefore be beneficial to highway safety in that it would remove some parked cars from the street.
- 5.2 A Transport Statement has been prepared by HY Consulting to assess the existing situation on Station Road and the benefits of the proposed development. The Transport Statement confirms in the first instance that the sightlines (as required in Manual for Streets) can be satisfied and the proposed development is therefore acceptable in terms of access and visibility.
- 5.3 The Transport Statement advises that the provision of parking and turning space on the Site will directly benefit the undesirable situations which presently occur along Station Road. The Transport Statement also confirms that the proposed development will remove on-street parking along this frontage and thus the manoeuvring and turning and vehicle damage associated with this will be removed.
- 5.4 The Transport Statement concludes that the benefits resulting from the proposed development will significantly improve highway safety along Station Road. The improvements to highway safety are therefore 'very special circumstances' which justify the proposed development.
- 5.5 We understand that the highway officer has previously commented (in relation to pre-application discussions) that any on-street parking transferred to the new off-street parking spaces could at any time be replaced on the street by any other member of the public parking there and there would not therefore be any real difference in highway safety terms. However, given the location of the Site, the only people who would want to park in this location are residents of dwellings located along Station Road. There are no other residential properties along this stretch of Station Road (other than numbers 16 and 18) who would want to park in this location. It is therefore a highly remote possibility that the on-street parking would be replaced by any other members of the public. The proposed parking area would therefore represent a significant improvement to highway safety.
- 5.6 As part of the proposed development, the Applicant also proposes to complete the rear wall and provide planting up the rear wall to provide a green appearance to the parking spaces. The proposed planting will assist in assimilating the development into the landscape. The Applicant is happy to agree a scheme for the proposed planting with the planning authority.

6. **Conclusions**

- 6.1 The Site is located within the Green Belt and the proposed development is therefore inappropriate development within the Green Belt. It is therefore for the Applicant to demonstrate that 'very special circumstances' exist to justify the development.

- 6.2 The proposed development would provide off-street parking for 16 and 18 Station Road and would therefore remove on-street parking along this frontage which has existing highway safety issues. This would significantly improve highway safety along this part of Station Road and would represent a very special circumstance which would justify the development in the Green Belt.
- 6.3 The Transport Statement which is submitted in support of the application also demonstrates that the proposed development would be safe in its own right in terms of access and sightlines.

DRW.PC
1 June 2010