
**TOWN & COUNTRY PLANNING
APPLICATION**

for

DETACHED HOUSE

on

**LAND AT 271 MIDLAND ROAD
ROYSTON
BARNSELY**

**For
MR N FIELDER**

**DESIGN AND ACCESS STATEMENT
REVISION 1- JANUARY 2010**

Prepared by

WHITE AGUS PARTNERSHIP

This Statement is in support of a Full Town & Country Planning application for a detached dwelling on land at 271 Midland Road, Royston, Barnsley.

This follows refusal of application ref 2009/1336.

This statement is supplementary to, and should be read in conjunction with, the Design & Access Statement submitted with the earlier application.

The statement addresses the reasons for refusal and examines the Planning Officer's report that concluded with the negative recommendation.

The Local Planning Authority refused the earlier application for the following reasons

1. The proposed dwelling is contrary to UDP policies H8A & H8D and the Council's Supplementary Planning Guidance Note 3, in that it fails to meet the required spacing standards stated and would be detrimental to the amenities of the nearby property and garden area by reason of loss of outlook and privacy. In addition the close relationship to the nearby dwelling would mean that the proposed dwelling itself would suffer from substandard privacy and aspect.
2. The layout, orientation and design of the proposed dwelling and its relationship to the existing built form is considered unsympathetic and as such the dwelling would appear as an incongruous feature, which fails to reflect the local vernacular on the north side of Midland Road. Furthermore, owing to the disjointed, cramped and awkward shaped plot, it is not considered that the site is capable of accommodating a suitably designed dwelling that would positively contribute to the character of the area. In such respects the proposal is contrary to U.D.P. policies H8D and BE6 as well as the advice in Supplementary Planning Guidance Note 3, Planning Policy Statement 1 and Planning Policy Statement 3.

In view of Reason 1 the resubmitted proposals have been modified so that the separation distances to boundaries with the adjacent property meet the standard in Supplementary Planning Guidance Note 3

Policy H8A

THE SCALE, LAYOUT, HEIGHT AND DESIGN OF ALL NEW DWELLINGS PROPOSED WITHIN THE EXISTING RESIDENTIAL AREAS MUST ENSURE THAT THE LIVING CONDITIONS AND OVERALL STANDARDS OF RESIDENTIAL AMENITY ARE PROVIDED OR MAINTAINED TO AN ACCEPTABLE LEVEL BOTH FOR NEW RESIDENTS AND THOSE EXISTING, PARTICULARLY IN RESPECT OF THE LEVELS OF MUTUAL PRIVACY, LANDSCAPING AND ACCESS ARRANGEMENTS.

New development which would materially harm the amenity of existing residential properties, for example, due to a loss of privacy or overshadowing, will not be permitted. The Council will also seek to ensure reasonable levels of privacy and private garden space are provided. Further information on how to achieve satisfactory housing layouts will be provided in Supplementary Planning Guidance.

The revised boundaries meet or exceed the minimum standard set out in Supplementary Planning Guidance.

Further, as the standard has been met this will provide a reasonable level of privacy and private garden space to both existing and proposed dwellings.

The revised proposals meet the requirements of Policies H8A and H8D(with regard to amenity of existing residents).

The reason for refusal also states:

In addition the close relationship to the nearby dwelling would mean that the proposed dwelling itself would suffer from substandard privacy and aspect.

The privacy issue has been addressed. With regard to aspect the plans below show the open aspect from the habitable rooms towards Midland Road. The plans also show boundary/separation distances.



Due to the orientation of the proposed dwelling in relation to the habitable rooms in 271 Midland Road there will be no loss of privacy due to window to window relationships.

It is apparent that Reason 2 was determined without any weight given to the outline approval that lapsed in March 2008.

The Officer's report states:-

Whilst outline permission was granted in 2003 (ref B/03/0149/RO) for a single dwelling on the site; the permission has lapsed (March 2008). Since the grant of the B/03/0149/RO permission, circumstances have changed with the adoption of the aforementioned planning policies (PPS1 and PPS3) and, notably, the grant of planning permission for no 271 which involved the change of use from a dentist to a shop and dwelling (2006/0164). In light of the change in circumstances, little weight is afforded to the previous, now expired, outline permission (B/03/0149/RO).

This implies that, if 'circumstances' had not changed, the principal of a detached dwelling on the site would be acceptable in terms of the UPD policies H8A and H8D. However the Officer has sought to establish reasons for refusal contained within planning policies that have been adopted post the granting of outline consent (i.e. PPS1 and PPS3)

The particular policies referred to are:

Planning Policy Statement 1 (Delivering Sustainable Development) – states, inter alia, that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

Planning Policy Statement 3 (Housing) – seeks to encourage the efficient use of land for housing, setting national targets for the development of brownfield land. Promotes high quality design and the overall need to minimise environmental impacts.

The basis of these policies is not substantially different to the criteria in respect of design and efficient use of land and their aims and objectives contained in earlier guidance (PPG1 & PPG3) that would have been a material consideration when the Local Planning Authority granted outline approval. Clearly the outline approval was granted having taken fully into account design and context.

Therefore there has been no significant change in circumstances with regard to design issues relevant to the site.

Although the outline approval excluded siting and external appearance, the Local Planning Authority do not normally grant outline approval without an indicative proposal for the siting of a building if they consider that difficulties may arise. The details submitted with the outline application included an indicative position for the dwelling. This was found to be appropriate otherwise approval would not have been granted. Also this implies that the Local Planning Authority considered that when viewed from Midland Road the dwelling would not appear disjointed, out on a limb or would not improve the character or quality of the area

Good, complementary design has always been at the cornerstone of place making and this is reinforced in PPS1 and PPS3. However this is not a new concept simply because it has been repackaged in recent planning guidance. These same principals

would have been applied by the Local Planning Authority when granting outline approval.

In addition, to a dormer window in the roof, the proposals now includes 'non-vision' windows to the rear elevation to improve the appearance of the dwelling from the north. This elevation cannot clearly seen from a significant number of public vantage points.

Contrary to the opinion of the Planning Officer the site is not in a prominent location.

However it is agreed that the only type of dwelling that can be physically accommodated on the site is a detached dwelling. Although, as stated by the Officer, this in itself is unusual given the immediate local vernacular that consists mainly of terrace dwellings, the provision of a modest dwelling in this residential location is not unusual or inconsistent with developments across the Borough. Many different styles and scale of developments have been accepted by the Local Planning authority to sit comfortably side by side.

Policy H8D

PLANNING PERMISSION FOR INFILL, BACKLAND OR TANDEM DEVELOPMENT INVOLVING SINGLE OR A SMALL NUMBER OF DWELLINGS WITHIN EXISTING RESIDENTIAL AREAS WILL ONLY BE GRANTED WHERE DEVELOPMENT WOULD NOT RESULT IN HARM TO THE LOCAL ENVIRONMENT OR THE AMENITIES OF EXISTING RESIDENTS, CREATE TRAFFIC PROBLEMS OR PREJUDICE THE POSSIBLE FUTURE DEVELOPMENT OF A LARGER AREA OF LAND.

The narrative to this policy contained in the UDP concludes that infilling in residential areas can make a valuable contribution to the housing stock and character and appearance of an area, particularly when utilising neglected, unused or derelict land.

It is clear that the statement highlighted above would adequately describe the application site. In addition, the development proposed would not result in the loss of valuable green spaces, damage the character, nature conservation value, or appearance of the area, detract from the amenities of existing residents, or result in traffic problems.

There were no objections to the proposals from local residents in respect of any of the reasons for refusal contained within the Planning Officer's report. The only conclusion that can be drawn from this is that local people were satisfied that the proposals were acceptable and that the dwelling would not be inappropriate as suggested by the Planning Officer

The Officer had also stated that the change in circumstances included :

"notably, the grant of planning permission for no 271 which involved the change of use from a dentist to a shop and dwelling (2006/0164)"

However no explanation was given as to why this was a material change would have a negative effect upon the proposal .

The removal of the dental surgery with associated visitors is a factor that reinforces the argument for the use of the site for residential purposes.

Without question, Planning Officers that determined the outline application would have applied longstanding criteria regarding design issues and the suitability of sites for development when arriving at the recommendation for approval of the outline application. This opinion was reinforced by the granting of consent by the Local Planning Authority.

Clearly, the opinion of individual Officers may differ. However on sites that have had the benefit of earlier approvals (albeit lapsed by 18 months) the earlier opinions of other Officers and The Local Planning Authority should be material considerations. Particularly as the circumstances relating to the site and its immediate surroundings have not changed significantly. This would apply unless there have been fundamental and particular changes to Planning Guidance or adopted policies. In this instance the same principals and planning considerations that applied to the outline application are equally relevant.

It therefore follows that the Local Planning Authority would have been aware that the site was awkward and that an innovative solution would be required. Furthermore, if it was considered that a suitable dwelling could be accommodated outline approval would not have been given.

**TOWN & COUNTRY PLANNING
APPLICATION**

for

DETACHED HOUSE

on

**LAND AT 271 MIDLAND ROAD
ROYSTON
BARNSELY**

**For
MR N FIELDER**

DESIGN AND ACCESS STATEMENT

Prepared by

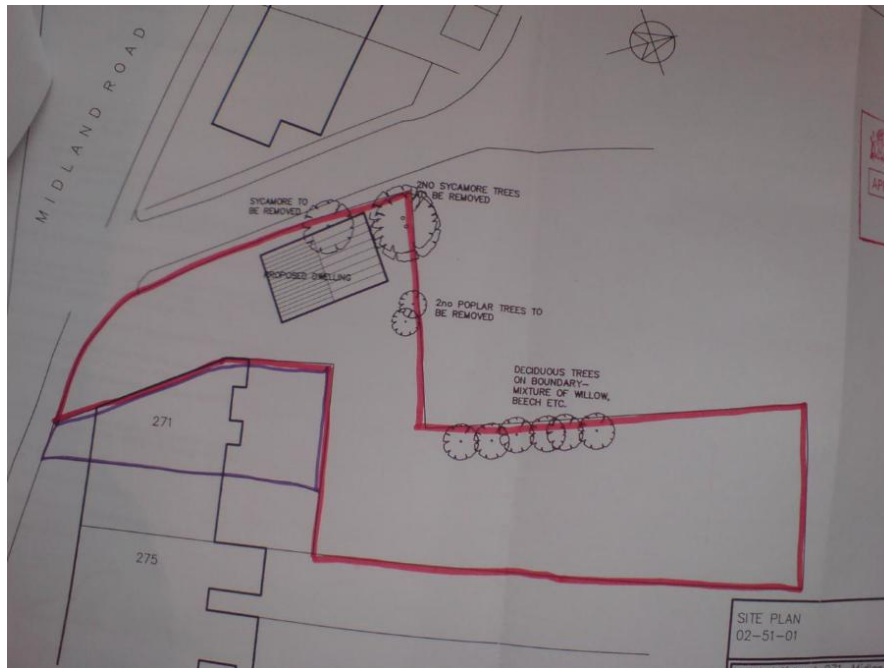
WHITE AGUS PARTNERSHIP

1 **BACKGROUND**

This Statement is in support of a Full Town & Country planning application for residential development on land at 271 Midland Road, Royston., Barnsley.

Outline Town and Country planning approval was granted by Barnsley M.B.C. in 2003 with all matters reserved.

This approval related to a site area that is shown outlined in red on the image below.



2 **THE SITE**

The application site is situated at the western end of Royston, a village in the Metropolitan borough of Barnsley in South Yorkshire, England. The site area is 402 sq m or thereabouts.

The land, as identified on the drawings submitted with the application, is situated to the north of Midland Road and is within the existing garden area of 271 Midland Road.

271 Midland Road is a dwelling that also incorporates an independent shop to the road frontage.

The site lies on the western edge of Royston within an established residential area.

The site is zoned within a Housing Policy Area on the UDP.

The main residential, commercial and retail areas of Royston lie are to the west of the site.

The area is predominantly residential in nature with general shops and post office a short distance away in Royston.

Public transport is available a short distance from the site with frequent services into Barnsley.

3 THE PROPOSALS & DESIGN CONSIDERATIONS

The proposals include the construction of a single dwelling with access via a side road from Midland Road

There are no buildings to be demolished.

The proposals have regard to the policies and proposals contained in the UDP particularly with regard to

Policy H8A

Policy H8D

SPG3 – Infill Development

Policy H8A

THE SCALE, LAYOUT, HEIGHT AND DESIGN OF ALL NEW DWELLINGS PROPOSED WITHIN THE EXISTING RESIDENTIAL AREAS MUST ENSURE THAT THE LIVING CONDITIONS AND OVERALL STANDARDS OF RESIDENTIAL AMENITY ARE PROVIDED OR MAINTAINED TO AN ACCEPTABLE LEVEL BOTH FOR NEW RESIDENTS AND THOSE EXISTING, PARTICULARLY IN RESPECT OF THE LEVELS OF MUTUAL PRIVACY, LANDSCAPING AND ACCESS ARRANGEMENTS.

The traditional two storey property proposed are compatible with the general context of residential properties in the locality. The separation distances proposed exceed the minimum guideline requirements set out by Barnsley M.B.C. in the UDP. The siting of the buildings proposed will not cause unacceptable overshadowing, overlooking or loss of privacy.

The access proposals from the side road are as recommended by the Highways Officer on the report relating to the earlier Outline approval.

The scale and appearance of the proposed dwelling was considered in the context of surrounding properties and recent local residential developments.

Policy H8D

PLANNING PERMISSION FOR INFILL, BACKLAND OR TANDEM DEVELOPMENT INVOLVING SINGLE OR A SMALL NUMBER OF DWELLINGS WITHIN EXISTING RESIDENTIAL AREAS WILL ONLY BE GRANTED WHERE DEVELOPMENT WOULD NOT RESULT IN HARM TO THE LOCAL ENVIRONMENT OR THE AMENITIES OF EXISTING RESIDENTS, CREATE TRAFFIC PROBLEMS OR PREJUDICE THE POSSIBLE FUTURE DEVELOPMENT OF A LARGER AREA OF LAND.

By reference to the Outline approval and an assessment of the proposals these criteria have been met with no harm caused to the local environment, amenities of residents or traffic problems.

In particular it has been shown that the requirements regarding minimum separation distance between existing and proposed dwellings are exceeded.

In the context of the existing use of the site, and associated car parking, the redevelopment of the site will not result in harm or loss of amenity to the local environment or amenity of existing residents.

The size proposed for the dwelling is considered appropriate for the location when assessed in relation to other residential developments in the locality and market forces.

The orientation and aspect of the buildings has been designed with regard to separation from adjoining buildings, footways, highways, site topography and scale of surrounding features.

The size and location of openings has been determined with full regard to the scale of building, and orientation of accommodation.

The development has not been designed in isolation. Consideration has been given to buildings in the wider context and the impact of the proposals on views from surrounding properties, the highway and pedestrian routes.

The scheme has been designed with a view to providing visually attractive aspects from both traffic routes and pedestrian footways.

The layout of the development was governed by the location of the proposed access points, existing rights of way and separation distances to surrounding dwellings

‘Secured By Design’ is the official police flagship for security and designing out crime.

The principals set out therein have been adopted where appropriate. This includes:

Vehicular and pedestrian routes have been designed in a way that ensures that they are open, direct and used as much as possible. The layout does not undermine the defensive space of neighbourhoods because of the positioning of boundary fences and location of private amenity areas.

Pedestrians will have good visibility along the length of the access roads to maximise the natural surveillance. Further, main windows from the proposed dwellings may be positioned to provide views over the access roads.

4 SOCIAL & ECONOMIC CONTEXT

Due to the modest scale of the development there will be no significant impact upon local services.

5 ACCESS

Access to the site will be via the existing roadway off Midland Road as described plus a new access and private drive.

The site is generally reasonably level and it is intended that approaches to the entrance doors will meet the requirements of Part M of the Building Regulations with regard to either a 'level' or 'ramped' approach from the footway and parking areas.

The access to the site and turning area will be constructed to appropriate Local Authority standards. The location of the access points have been positioned to provide a safe and efficient layout.

Entrance doors, and the internal layout of dwellings will meet or exceed the requirements of all relevant provisions of the Building Regulations, Particularly regarding features and provisions to meet Part M requirements for disabled people and Part B in relation to fire and emergency escape and Part K regarding guarding of stairways and prevention of falling (particularly with regard to children).

6 ASSESSMENT

The proposal is within an existing settlement and therefore complies with Local and National policies relating to residential development.

The development of the site will not impact on land safeguarded on the UDP for other purposes.

The development is within an existing settlement, close to existing amenities and public transport links.

Because the scheme is small in scale it will not impact on the community infrastructure, services or facilities.
