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Our ref: E111/C1/Let 01
14th November 2011

Dear Sir

PLANNING APPLICATION TO EXTEND THE TIMESCALE FOR IMPLEMENTATION OF PLANNING APPLICATION 2009/0013

This planning application is to extend the timescale to implement an approved development of four detached houses and two blocks of garages. The planning application was approved in outline in 2005, and full planning permission was granted in 2009. The principle of the development has therefore been accepted twice and the detail of the development was approved in 2009.

The main change in planning policy since the approval of planning permission in 2009 has been the adoption of the Barnsley Core Strategy. The Core Strategy recognises that Birdwell is now part of the Hoyland principle town for planning policy purposes. This means that Hoyland is one of the main locations in the Borough which can accommodate housing growth. The Core Strategy therefore provides further support for the principle of housing development on the site.

The detail of the development is still supported by national planning policy and planning policy in the UDP. The detail has not changed since the application was approved in 2009 so the development will still be acceptable. Pre application advice has been undertaken with Highways Development Control and they have confirmed that the access onto The Walk for vehicles and pedestrians is still acceptable.

The application comprises the following documents:

- This covering letter;
- Planning forms;
- Planning Statement;
- ~~Planning fee of £170 will follow by post;~~
- Copy of planning notice served on neighbour.

We trust that this application includes all the information required to register the application. If any further information is required so not hesitate to contact the writer.

Yours faithfully 

DAVID BARKER MRTPI MRICS
Partner

Evolution Town Planning LLP
is a Limited Liability Partnership

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Registered in England Number
OC362837

Planning Statement

**For a Development of 4
Dwellings and 10 Garages
Land off the Walk, Birdwell, Barnsley**

November 2011



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**For the Development of 4 Dwellings and 10 Garages
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Reference: E111.D1.Rep02. RevA

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1.0 Introduction

1.1 This Planning Statement has been prepared to support a planning application made by the Vernon Wentworth Nominee Trustees. This application is for a new permission to extend an extant planning permission. The extant planning permission (number 2009/0013) is for a development of 4 dwellings, and two block of garages, which will contain 10 garages, on land between the Walk, and Sheffield Road in Birdwell. This planning permission is being extended to give time for the development of the site, the progress of which has been slowed by the current poor economic conditions.

1.2 This planning statement is divided into the following sections:

2.0 Description of this Planning Application

3.0 Description of the Site

4.0 Planning History

5.0 Planning Policy

6.0 Highways an Access

7.0 Assessment of this Planning Application

8.0 Conclusion

2.0 Description of This Planning Application

- 2.1 The 4 dwellings proposed in this application are two storey detached homes. Two different house types are proposed. The Type 1 home is proposed on plots 1, 2 and 3. This has three bedrooms with a family and en-suite bathroom on the first floor, and a kitchen, lounge and dining area on the ground floor. The house type has an integral garage. This house has been designed with a gable to the front and single storey cat slide roofs to the front and rear to add interest to the design. House Type 2 is proposed on plot 4. This is a simpler design and has three bedrooms and a family bathroom on the first floor. On the ground floor are a kitchen and a lounge area. The garage for this house is in the garage blocks proposed as part of the application. All the dwellings will have front and rear gardens.
- 2.2 10 garages are proposed in two blocks of 5 which are positioned to either side of the vehicular access into the site from The Walk. The garages are a simple open fronted design with pitched roofs.

3.0 Description of The Site

- 3.1 The application site comprises land to the rear of the houses fronting The Walk and Sheffield Road in Birdwell, Barnsley. Birdwell lies approximately 4 miles to the south of the centre of Barnsley. Vehicular and pedestrian access to the site is gained between a driveway between numbers 19 and 25 The Walk. A new dwelling is under construction next to 19 The Walk. Discussions have taken place with the developer of this dwelling and the Council's highways officers to ensure that this new dwelling has not impinged on the access required for the application site. The application site is approximately 0.2 hectares in size.
- 3.2 To the north of the site two large blocks of flats known as Rockley Court have been developed. These flats are two and a half storeys high and have been developed close to the north western boundary of the application site where a windowless gable wall faces the application site. A gated access has been formed from the flats to the application site. This access was not a requirement of the planning permission for the development of the flats as the flats have their own access directly off The Walk. The retention of the gated access through the application site is not catered for by this proposal, and is not a requirement of the Council. This was accepted when the 2009 planning application was approved. The developer of the flats to the north who installed the gated access has confirmed to my client's legal advisors that there are no rights of access through the application site from the flats to the north.
- 3.3 The application site had been used as a garage court for a number of years. The garages are in the process of being cleared, and notice has been served on all owners stating that their continued occupation of the site is unlawful. 10 garages are proposed in this application, nine of which could be made available for local residents.

4.0 Planning History

4.1 The recent relevant planning history of the site is as follows:

4.2 An outline planning application, reference B/05/0358/WB was submitted on the 1st March 2005, and was refused on the 15th July 2005. This application was originally submitted for 5 dwellings and 6 garages. The garages were intended for use by residents of the surrounding properties. The access then proposed is the same as that proposed in the current application and in 2009. The application was recommended for approval by officers, and was put to the Councils Planning Regulatory Board. Following member's comments at a meeting of the Board on the 14th June 2005, the application was amended on the 22nd June 2005 to reduce the number of dwellings from 5 to 4, and to increase the number of garages that could be made available to local residents to 9. The application was again considered at a meeting of the Planning Regulatory Board on the 12th July 2005. It was again recommended for approval by officers, and no highway objections were raised. Despite an officers recommendation for approval the application was refused by members for the following reason: "The Council considers that the proposed development will result in the loss of parking and garaging facilities for the local community. As such it is considered that this, together with the development itself, will result in significant additional on street parking on The Walk, to the detriment of highway safety."

4.3 Following this refusal the application was appealed, and a further outline planning application was submitted. This outline application number 2005/2139 was approved giving outline consent for 4 dwellings, and 10 garages in two blocks of 5. In the light of the approval of outline planning permission the appeal was withdrawn.

4.4 In April 2009 planning application number 2009/0013 approved the development of 4 dwellings, and 10 garages on the site. The time limit on this application is being extended in this application.

5.0 Planning Policy

- 5.1 Relevant planning policy is set out in national planning policy, the saved policies of the Unitary Development Plan (UDP) (2000), and in the Barnsley Core Strategy which was adopted in September 2011.
- 5.2 National planning policy in Planning Policy Statement 3 (PPS3) Housing (2006) aims to ensure the provision of a flexible, responsive supply of housing land. PPS 3 encourages the development of previously developed land such as the application site for housing.
- 5.3 National planning policy in Planning Policy Guidance 13: Transport (PPG13) states in paragraph 6 that "local authorities should accommodate housing principally within existing urban areas, planning for increased intensity of development for both housing and other uses at locations which are highly accessible by public transport, walking and cycling" such as the application site. The application site is highly accessible by public transport and walking and cycling. Birdwell and nearby Hoyland have good public transport links to the nearby towns and cities including Barnsley and Sheffield.
- 5.4 Paragraph 51 of (PPG13) states that "local planning authorities should not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls." The number of cars using Burtons Yard for parking has steadily declined. The loss of the existing garages will not therefore cause parking problems. The provision of new garages will help to accommodate the cars of any local residents who want to park on the site.
- 5.5 The UDP was adopted in 2000 and a number of policies were 'saved' by the Secretary of State in 2007, in the interim period whilst the Council continues to prepare an LDF.

- 5.6 UDP policy H8A covers design in existing residential areas. It is applicable to the development and states: "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 mutual privacy, landscaping and access arrangements." Policy BE6 "Design Standards" has similar criteria. UDP policy H8D "Infill, Backland and Tandem Residential Development" states that: "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 areas of land." Policy H8F "Private Garages / Access" states that garages should be designed, and located to respect the character of the area. Policy BE6A "Design to Avoid Crime" requires that development layouts reduce the opportunity for crime. The development in this application was held to accord with these policies in 2009 and therefore this scheme which is unchanged from the 2009 proposal must still accord with these policies.
- 5.7 The Core Strategy was adopted recently in September 2011, and so is very relevant to this application. This document prioritises the efficient use of brownfield land to *minimise the development needed on greenfield land*. The settlement hierarchy states that Birdwell is part of the Hoyland principle town. Principal Towns along with Urban Barnsley should be the main local focus for housing, employment, shopping, leisure, education, health and cultural activities and facilities, and their roles as accessible and vibrant places to live should be enhanced. Hoyland, including Birdwell, is proposed to take 1,800 new homes between 2008 and 2026. The Core Strategy which was adopted after planning permission was granted on the site increases the policy support for the principle of housing development on the site.

- 5.8 There is nothing in emerging government guidance such as the National Planning Policy Framework (NPPF) which requires the merits of the proposal to be reconsidered. The support for sustainable development in the NPPF provides further support for the development of this site which the Core Strategy recognised was in a sustainable location for growth.

6.0 Highways and Access

- 6.1 The highway and pedestrian access into the site was approved as part of planning application 2009/0013. The visibility splays required in this application can still be achieved. Pre application advice has been sought from Highways Development Control at Barnsley Metropolitan Borough Council. This pre application advice has confirmed that the visibility requirements imposed on application 2009/0013 are still acceptable to be used on this application. Details of this pre application advice are included in **Appendix 1**.
- 6.2 It has been agreed with the developer of the flats to the north of the site, that there is no right of way from the flats over the application site and no requirement for access to the gates to be retained. Clearly it was not considered necessary when deciding planning application 2009/0013 to keep an access open to the flats to the north.

7.0 Assessment of This Planning Application

- 7.1 This planning application simply proposes to extend the period for the implementation of the approved scheme on the site. There have been no material changes in planning policy relevant to the development since it was approved save for the adoption of the Core Strategy. The Core Strategy provides further support for the development as it strengthens the role of Birdwell as a location for housing growth.
- 7.2 The development accords with the provisions of national planning policy by proposing the development of a brownfield site in a sustainable location. The site is close to a main bus route linking Sheffield and Barnsley which runs along the Sheffield Road, and close to the services and facilities in Birdwell and Hoyland.
- 7.3 In 2009 the development was held to accord with local planning policy in the Local Plan in respect of the design of the homes, the layout of the site and the protection of trees on the site. In these respects nothing has changed and this application simply seeks to extend the timescale to implement the approved scheme.

8.0 Conclusion

- 8.1 This planning application simply seeks to extend the time allowed to implement a scheme for development of 4 houses and 10 garages which was allowed in 2009. The scheme has not changed. It therefore still complies with the Local Plan policy which was in force in 2009. National planning policy continues to support brownfield development on sustainable sites in urban areas. The site is sustainable being within close proximity to the bus route along Sheffield Road which links Barnsley and Sheffield. Emerging national planning policy in the National Planning Policy Framework supports sustainable development. The Core Strategy recognises Birdwell as a sustainable location for growth.
- 8.2 Birdwell is now classified by the recently adopted Core Strategy as part of the Hoyland principle town for development purposes. This policy which is up to date and relevant sets out Birdwell as a good location for housing growth, being one of the principle areas in the Borough which can accommodate housing growth.
- 8.3 The 2009 planning application was held to be acceptable in its impact on the surrounding area. It is a development which is appropriate in scale and layout for the site, and so given that the principle of development is not in doubt the period for implementation of the consent should be extended.

Appendix 1

----- Original Message -----

From: Ellam, Kevin

To: Nuttall Yarwood & Partners Limited

Sent: Wednesday, October 19, 2011 2:51 PM

Subject: RE: Residential Development Land off the Walk Birdwell

Hi Stephen,

In response to your enquiry there is no reason why we should not stand by our earlier decision.

Regards

Kevin Ellam

 Highway DC Officer,

Highways Development Control
Barnsley Metropolitan Borough Council
Traffic
Environmental Services
PO Box 601
Barnsley
S70 9FA

 <mailto:KevinEllam@Barnsley.gov.uk>

 <mailto:HighwaysDC@Barnsley.gov.uk>

Sat Nav Ref only: S70 2DR

From: Nuttall Yarwood & Partners Limited [<mailto:nyp.barnsley@btconnect.com>]

Sent: 18 October 2011 16:29

To: HighwaysDC

Subject: Residential Development Land off the Walk Birdwell

Dear Mr. Ellam

Further to our telephone conversation of this morning,

Our client is considering submitting a planning application to renew the planning approval Ref.No.2009/0013.

We have attached the approval notice for your information.

We have also attached the site plan Ref.No.39-14-P5A which received planning approval together with the location plan Ref.No.39-14-P1.

We would be pleased if you could confirm that the the road access standards detailed on this approved drawing are still acceptable and can be recommended for approval by your department when an application to renew the planning approval is made.

These details were established with Bob Pell.

If you require additional information please do not hesitate to contact me.

Regards

Stephen Woodcock

For & behalf of:

NUTTALL YARWOOD & PARTNERS LIMITED
CHARTERED ARCHITECTS
THE GROVE, HIGH STREET DODWORTH,
BARNSELY, S75-3RQ.