



*dynamic development solutions™*

For and on behalf of  
**Barbara Martin and Matthew Nicholson**

**Planning Statement**

**Courtland, Halifax Road, Thurgoland, Barnsley**

Prepared by  
**DLP Planning Ltd**  
**Sheffield**

February 2017

Prepared by:



**Graham Northern BSc  
(Hons) MA, MRTPI  
Senior Planner**

Approved by:



**Michael Edgar BA (Hons)  
Dip TP MRTPI  
Director**

Date:

February 2017

**DLP Planning Ltd**  
Ground Floor  
V1 Velocity  
Tenter Street  
Sheffield  
S1 4BY

Tel: 01142 289190  
Fax: 01142 721947

DLP Consulting Group disclaims any responsibility to the client and others in respect of matters outside the scope of this report. This report has been prepared with reasonable skill, care and diligence. This report is confidential to the client and DLP Planning Ltd accepts no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. Any such party relies upon the report at their own risk.

<b>Contents</b>	<b>Page</b>
<b>1.0 Introduction</b>	<b>4</b>
<b>2.0 Site Context</b>	<b>6</b>
<b>3.0 Planning History</b>	<b>10</b>
<b>4.0 Proposed Development</b>	<b>11</b>
<b>5.0 Planning Policy Context</b>	<b>13</b>
<b>6.0 Previous Proposal</b>	<b>18</b>
<b>7.0 Planning Considerations</b>	<b>21</b>
<b>8.0 Council Decisions</b>	<b>25</b>
<b>9.0 Appeal Decisions</b>	<b>27</b>
<b>9.0 Conclusion</b>	<b>33</b>

## **Appendices**

1. 2015/01386 Decision Notice and Plans
2. Email following refusal (BMBC)
  - BMBC Planning Cases**
3. Monsal Crescent, Atherley North, Barnsley (Delegated)
4. Land Off Pleasant View, Cudworth (Delegated)
  - Appeals**
5. Rear of 60 Fairview Road, Stevenage, Hertfordshire
6. Land to the rear of The Roundhouse, London Road, Preston, Brighton
7. Land rear of 18, 20 and 22 Parley Road, Bournemouth

## 1.0 INTRODUCTION

1.1 This Planning Statement has been prepared by DLP Planning Ltd on behalf of Barbara Martin and Matthew Nicholson to accompany a planning application for the construction of one detached dwelling adjacent the existing dwelling known as “Courtland”. This follows the refusal of planning permission submitted under application reference 2015/1386 (Appendix 1), which was refused for the following reasons:-

- 1. In the opinion of the Local Planning Authority, the proposed development would be contrary to UDP Policy H8D and the SPD Designing New Housing Development, in that it would be an undesirable form of backland development, materially detrimental to the amenities of the adjacent properties by reason of overbearing impact, loss of outlook, privacy and disturbance from increased residential activity. In addition the close relationship to adjacent dwellings would mean that the proposed dwelling itself suffer from substandard privacy and aspect.*
- 2. In the opinion of the Local Planning Authority the design of the proposed dwelling fails to take the opportunities available for improving the character and quality of the area. The complicated design and appearance of the dwelling, overall scale, siting and materials proposed would appear out of context with the area and as a result would be detrimental to the character and appearance of the street scene, contrary to the NPPF and policy CSP29 of the Core Strategy. The application proposals are for a single plot within the curtilage of the “Courtland”, which is located within the village settlement and in a Housing Policy Area and therefore policy compliant.*

1.2 These proposals are for a single plot within the curtilage of the “Courtland”, which is located within the Thurgoland village settlement and in a Housing Policy Area in the development plan and is therefore policy compliant.

- 1.3 We have included examples of similar infill development that the Council has allowed rear of existing properties off an existing access, as well as appeal decisions by the Planning Inspectorate on backland forms of development.
- 1.4 This statement should be read in conjunction with the following documents which forms the complete submission:-
- Application Forms
  - Design and Access Statement (M Booth Design)
  - Ordinance Survey Plan
  - Existing and Proposed Plans (M Booth Design)
  - CGI montage

## 2.0 SITE CONTEXT

- 2.1 The site lies within the existing urban settlement of Thurgoland, a small village, which lies 7.5 Km to the south west of the centre of Barnsley and within the Western Rural outskirts of the Borough.
- 2.2 The existing dwelling, “Courtland”, occupies a substantial plot to the rear of properties which front the northern side of Halifax Road, within the village envelope of Thurgoland. In terms of built form the existing property is situated to the rear of two existing larger bungalows which front onto Halifax Road with a private access running in between these two properties, which accesses “Courtland”. The properties to the northern side are of substantial footprint and set within large plots, where as to the opposing side of Halifax Road lie much smaller semi-detached bungalows.
- 2.3 The existing property is of a smaller footprint relative to those directly fronting Halifax Road, and faces down the existing private access, and has some outbuildings both to the east and west sides. Land levels slope down from Halifax Road to the south which results in Courtland being set at a lower level relative to the properties fronting the main road.



**Fig 1: Aerial photo**

- 2.4 The aerial above in Figure 1 shows the Applicant's site with the "Courtland" situated facing immediately up the private road, which runs between the existing properties on Halifax Road. The site forms the garden area to the east of the property, with an existing outbuilding situated adjacent the eastern gable of the property.
- 2.5 To the rear boundary of the garden is a small pond which also lies within the Applicants land ownership. Beyond the rear of the pond lies an open field situated within the Green Belt which runs across the southern built extremity of the settlement boundary.

#### **The Wider Context**

- 2.8 Thurgoland is a small village located on the main A629 Halifax Road, which runs south easterly past Wortley to Sheffield and North West past several small settlements and into the town of Huddersfield.
- 2.9 The Photographic analysis below shows the broader character beyond the site.
- 2.10 Photograph 1 shows the access from Halifax Road between the two properties, which from the highway, Courtland is situated in between these and is set at a far more subservient lower level in relation to the two larger scale bungalows. Both the frontage bungalows are of differing styles and scales with one built in brick and the other in stone which are the prevalent materials in the vicinity. The drive, which widens at the front to improve visibility.
- 2.11 Photograph 2 shows the opposing side of the road to the south east which has a varied style with small bungalows, stone terrace houses and detached stone dwellings also present further along the road.
- 2.12 Photograph 3 shows the view from the site entrance out to the west along the main Halifax Road. This view shows the single storey form of the properties either side of the main road and the setback nature of the properties.

2.13 Photograph 4 shows the view from Roper Lane which is elevated above Halifax Road looking to the rear of the bungalows, which front Halifax Road. Further north along Roper Lane is the centre of the village where shops and other facilities are situated.

### Photographic Analysis



Photograph 1.



Photograph 2.



Photograph 3.



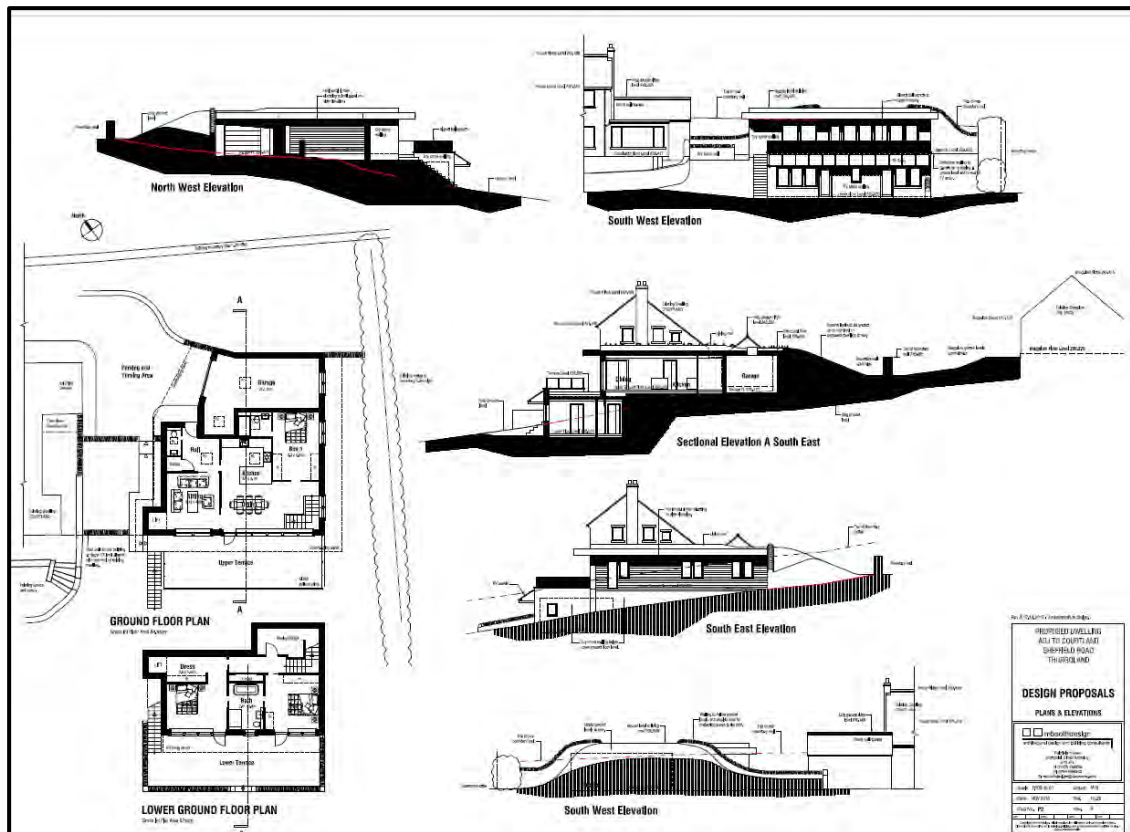
Photograph 4.

### **3.0 PLANNING HISTORY**

- 3.1 The earlier refusal for a detached dwelling reference 2015/1386 is the only previous planning application listed for the site.
- 3.2 The application sought permission for a “uniquely” designed dwelling, which was positioned at an angle to face the access and space between the dwellings fronting Halifax Road.
- 3.3 This is discussed further, along with the reasons for refusal at section 6 of this statement. There is no additional planning history relating to this site according to the Councils online search system.

## 4.0 PROPOSED DEVELOPMENT

4.1 The proposal is for one detached, 3 bedroom dwelling, on land the east of the property “Courtland” situated to the south, off a private drive, of Halifax Road. The proposal results in the large domestic plot being subdivided into two.



**Fig 2: Proposed Plans**

4.2 The proposal makes good use of the site characteristics including the onsite gradient, which allows the property to be of a single storey to the front elevation and using the sloping hillside an additional storey can be accommodated at the rear, which also provides for the main habitable windows and roof terraces, which make use of a “picturesque” southerly aspect.

4.3 The front elevation predominately comprises of the garage which also acts as a retaining wall where the earth can be contoured to shelter the buildings presence, the garage door is sited to the side which precludes any vehicular movement to the front of

the proposed property and back of the rear wall of “The Brow”. No habitable windows are positioned to the front façade.

- 4.4 Rear of the garage is a hallway with front door to side of the garage and the ground floor comprises of kitchen, dining and sitting area to the rear with a bedroom back of these with a side elevation window. An upper terrace is accommodated with steps down to the garden area with substantial patio door openings looking onto the terrace area.
- 4.5 The lower ground floor comprises a further two bedrooms with a bathroom and dressing room and lower terrace which backs onto the garden and southerly vista. The side access into the garage facing across the front of “Courtland” means that vehicles do not turn or manoeuvre to the rear of the existing property “The Brow”.
- 4.6 The roof of the proposed dwelling will only be 0.6 metres higher than the ground level of “The Brow” and the rear windows will therefore look over the proposed property. The proposal also puts forward a living roof and this combined with the earth banking to the frontage will screen the development from view and present a natural vista.
- 4.7 The cross section shows that the hedgerow to the southeast will be at eaves level to the properties frontage and provides a screen from the development to the southeast elevation.
- 4.8 The property is designed to take account of the site and create a sustainably efficient and low profile dwelling. The main windows are south facing benefitting from natural daylight and with the earth banked frontage and living roof, the energy efficiency of the building will be high. Photovoltaic panels are also included to the lower ground floor terrace, situated on a hanging canopy.

## 5.0 PLANNING POLICY CONTEXT

5.1 The following planning policies are considered relevant to the determination of this planning application. The Barnsley UDP and Core Strategy form the development plan for the Local Planning Authority and are used to inform development control decisions where appropriate. Taking account of the National Planning Policy Framework (the 'Framework'), the National Planning Policy Guidance (NPPG), the development proposals are considered to be in accordance with national and local policy frameworks.

### **National Planning Policy Framework ('The Framework')**

5.2 The National Planning Policy Framework ('the Framework') was published on 27<sup>th</sup> March 2012. The Framework is an important material consideration forming part of the development plan. At the heart of the Framework is the presumption in favour of sustainable development which is threefold (paragraph 7):

- I. Economic - Build a strong, responsive and competitive economy*
- II. Social - Support strong, vibrant and healthy communities*
- III. Environment - Protect and enhance our natural, built and historic environment*

5.3 Paragraph 14 of the Framework outlines that development proposals which accord with the development plan should be approved without delay, and *'where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole'*.

5.4 Paragraph 17 of the Framework states that there are a series of core land use principles which underpin both plan-making and decision taking principles including:

- (i) Not simply about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives*
- (ii) Proactively driven and support sustainable economic development*
- (iii) High quality design and good standard of amenity for existing occupants*
- (iv) Protecting the Green Belt and supporting rural communities within it.*

5.5 Chapter 6 of the Framework makes reference to the importance of providing a wide range of high quality, well designed homes. Paragraph 49 states that the Local Planning Authority should be able to demonstrate a five year supply of housing land, and where this is not possible, such housing policies are considered to be out of date.

### **Local Policy Context**

5.6 Barnsley Council consulted on their Local Plan Publication Consultation document, which was produced to guide the future development of the borough up to the year 2033 in the summer of 2016.

5.7 The document follows on from the Consultation Draft Local Plan 2014 and the Additional Consultation 2015, and the comments made on those consultations have informed this publication version of the Local Plan. The Council is now satisfied that it has a sound Local Plan and wishes to submit this version to the Secretary of State for Communities and Local Government for examination.

5.8 Until the new Barnsley Local Plan is adopted, Development Management decisions will be based on the following:

- Core Strategy (adopted March 2011)
- Unitary Development Plan saved policies and Proposals Map (adopted 2000)

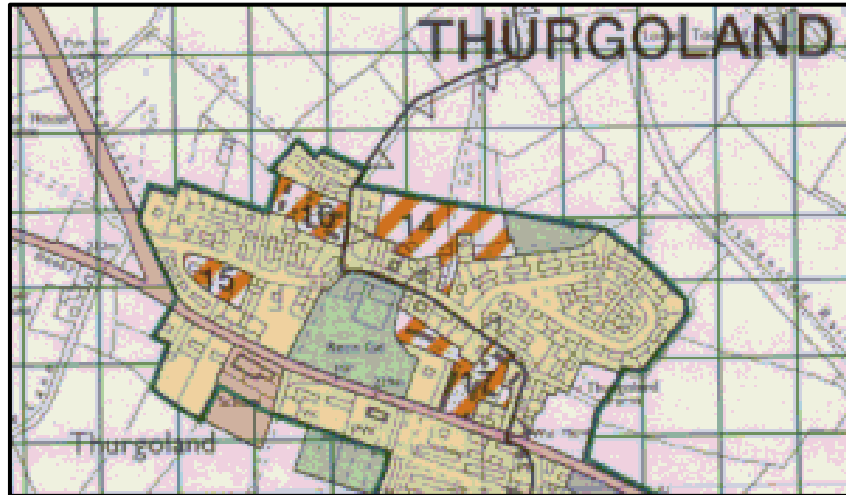
### **Barnsley Core Strategy (2011)**

5.9 The Barnsley Core Strategy was adopted in 2011, and sets out the strategic policy framework for the City. The Core Strategy now forms part of the Development Plan and is used when determining planning applications. However, the Council continues to have regard to the saved policies of the Unitary Development Plan (1998).

- CSP10 The Distribution of New Homes
- CSP14 Housing Mix and Efficient Use of Land
- CSP25 New Development & Sustainable Travel
- CSP26 Development & Highway Improvement
- CSP29 Design

*Barnsley Unitary Development Plan (UDP)*

- 5.10 The Barnsley UDP was published in March 2000, which predates the Framework and the Guidance, although it remains adopted insofar as the policies contained therein are extant and the saved policies to comply with the Framework.



**Fig 3: UDP Proposals Map (2000)**

- 5.11 In terms of the current plan allocation, the site was allocated within the Unitary Development Plan (UDP) as forming part of the Housing Policy Area (see Figure 3) within the village of Thurgoland in the Western Rural plan Map.

**Saved UDP Policies**

- 5.12 Policy H8 (Existing Residential Areas) - Areas defined on the proposals map as Housing Policy Areas will remain predominantly in residential use.
- 5.13 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.
- 5.14 H8D - Planning permission for infill, back land 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.

### **SPDs/SPGs**

#### *SPD 'Designing New Housing Development'*

- 5.15 The document sets out general spacing standards and parameters for new residential development.
- 5.16 Paragraph three point 6 – *“Distances between new buildings and existing dwellings may be relaxed depending on a number of factors including site level relationships, (i.e. if at a lower level), existing screening or landscaping between the existing and proposed buildings and location”.*
- 5.17 Paragraph 19 refers more specifically to Infill development with development required to meet the following:-
- Dwellings should be orientated to have a frontage to the existing public highway. Sides and backs and garages should be sensitively located so the frontage of the new development integrates with the existing street scene
  - The space between the proposed dwelling and adjacent dwellings should reflect the prevailing character of the street.
  - The siting of the dwelling should reflect the building line of the dwellings on the same side of the street.
  - The eaves and ridge heights of dwellings should usually be comparable with the heights of adjacent dwellings.
  - Parking provision should be accommodated in a similar manner to how it is accommodated elsewhere on the street (e.g. if existing dwellings are set forward on their plots with parking at the side, the proposed dwelling should not be set back with parking at the front).

- Architectural features, fenestration and materials should reflect the positive elements elsewhere on the street.
- Infill development should not be piecemeal so as to prejudice potential comprehensive development of a larger area of land.
- Landscaped features such as trees, particularly those prominent in the street scene, should be retained and provided with sufficient space for future growth.

5.18 Paragraph 20 – refers to two points to be complied with when proposing backland development and these are:-

- Tandem development, with one dwelling directly in front or behind another sharing the same access, will almost always be resisted.
- Piecemeal development, which could prejudice the potential comprehensive development of a larger area of land, should be avoided.

## 6.0 PREVIOUS PROPOSAL

6.10 As mentioned in Section 1, permission was refused in 2015 for a detached dwelling adjacent the “Courtland”, details of the application are shown in figure 4 below.



**Fig 4: Site and Elevation Plans**

6.11 The proposal put forward a two storey dwelling with a large mansard “style” roof, with a mass of glazing through patio doors to the southern (rear) elevation. The north elevation was “chamfered” and bland with large narrow obscure glazed “cat slide” windows running across the first floor, which presented a substantial masonry elevation.

6.12 The proposal was of a contrasting design and scale to the surrounding properties, and did not make use of the sites gradient. The property was 8.2 metres in height to the roofs ridge.

6.13 The proposal sought a complex dwelling, sited at an angle relative to the existing dwelling and those surrounding which all have a north – south orientation. The bulk and massing of the building was exaggerated by the unusual long narrow profile window openings to the north and the large mass of glazing to the southern elevation.

6.14 The proposal was refused for two reasons which are cited in Section 1 of this statement, and details included at appendix 1 Reason one states saved UDP policy

H8D and the SPD on New Housing development and refers to the scheme as an “undesirable form of backland development, materially detrimental to the amenities of adjacent properties by reason of overbearing impact, loss of outlook, privacy and disturbance from increased activity”. It was also considered that the proximity to adjacent properties would mean the development itself would suffer from substandard privacy.

6.15 The second reason was design based and related to the scale and complex design of the proposal which was considered out of context with the area and contrary to the character of the street scene.

6.7 The scale and nature of the proposal put forward in the 2015 scheme, would exacerbate the impact of the dwelling particularly in relation to the surrounding properties, and development of a more sensitive and in keeping form would as such need to be considered.

#### **Local Planning Authority Dialogue**

6.8 The applicant undertook pre application discussions to establish whether proposals of a reduced scale would be considered acceptable. The councils response to the pre application enquiry, following the refusal of the 2015 application, stated that,

*“.....any residential development of the site would represent a form of backland development which would be surrounded on two sides by other residential development.”*

6.9 The Councils position, which appears to represent a preclusion of any form of residential development which is not backed up by planning policy which under Saved policy H8D, only precludes development should it adversely impact on the amenity of existing residents or create traffic problems.

6.10 The comment, “surrounded on two sides” appears out of context given the majority of residential properties on any street would have properties to both side boundaries and would be considered surrounded on two sides.

6.11 The SPD on “New Housing development” has a section on back land development under paragraph 20 and does not preclude such development. This states that tandem

development with one dwelling directly front or back of another, sharing **the same access** will be resisted. The proposals do not share an access with a dwelling front or rear of another, merely utilise the existing access the same as in any cul de sac scenario.

## 7.0 PLANNING CONSIDERATIONS

- 7.1 This section reviews and addresses the comments raised by the Planning Officer as well as presenting the interpretation of the proposals in terms of local and national planning policy.
- 7.2 The site constitutes an infill site within the curtilage of an existing property and within the settlement boundary of Thurgoland village, and as such is an appropriate form of development within a Housing Policy Area.
- 7.3 The UDP was adopted in 2000 and therefore substantially pre-dates the publications of the Framework. Paragraph 215 of the Framework states, “*due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework*”.

### **Infill Site**

- 7.4 Saved UDP Policy H8D relates specifically to infill, tandem and back land development but does not preclude it. The policy states that “*infill, back land or tandem development for a small number of units will only be granted within existing residential areas whereby there is no harm on the existing environment, the amenity of existing residents, will not create traffic problems or prevent the development of a larger site*”.
- 7.5 The site is within the settlement envelope of Thurgoland village and is within a housing policy area. The site forms existing garden area to the existing dwelling and therefore its development is not considered of harm to the existing environment.
- 7.6 The existing property “Courtland” is of a back land form positioned behind Halifax Road, and as such access between existing properties is existing and firmly established.
- 7.7 The Supplementary Planning Document (SPD) titled “Designing New Housing Development”. This document sets out guidelines and standards for New Housing development within the Borough. The document under paragraph 6 states,

*“Distances between new buildings and existing dwellings may be relaxed depending on a number of factors including site level relationships, (i.e. if at a*

*lower level), existing screening or landscaping between the existing and proposed buildings and location”.*

7.8 This outlines that standards can be relaxed where dwellings are proposed at a lower level relative to existing dwellings which is the case with our client’s site.

7.9 Taking the points in the SPD “New Residential Development” cited under paragraph 5.17 of this statement above and analysing them against the proposal as follows,

Point 1 – the proposed dwelling is aligned with a frontage facing Halifax Road in line with all the other properties in the street scape.

Point 2 and 3 – the dwelling is cited adjacent the existing property “Courtland” and therefore is considered to reflect existing development.

Point 4 – the surrounding properties are predominately bungalows of varying scales, however given the site slopes considerably the site parameters have been used in this instance to create a split level dwelling which reflects the surrounding character, and is designed with the majority of habitable openings to the south to reduce impact on the privacy of surrounding properties.

Point 5 – parking will be to the front utilising the existing access and replicating the “Courtland” adjacent.

Point 6 – The proposed property has been designed in response to the sites characteristics, and makes particularly good use of the sloping nature of the site to retain a single storey presence within a wider setting of bungalows.

Point 7 – The area to the rear of the site is allocated as Green Belt and the present private access to the Courtland could not be upgraded to facilitate broader access to the fields to the rear of this site, as such the proposals do not prevent access to a larger piece of developable land.

Point 8 – No trees or hedgerows are proposed to be removed.

## Backland Development

7.10 The planning portal defines backland development as the following,

*“Development of 'landlocked' sites behind existing buildings, such as rear gardens and private open space, usually within predominantly residential areas. Such sites often have no street frontages”*

7.11 This site differs from that definition of backland development due to an access already being in place to an existing dwelling (Courtland). As such an access is not being created between existing dwellings.

7.12 Paragraph 20 of the SPD also states that development will be resisted where a dwelling is proposed back or front of another sharing the same access, given the proposal would share an existing access with a property to the side this is not the case in this instance and sets the proposal aside from the subdivision of rear garden/curtilage to form an additional dwelling which is inferred by the SPD.

### *The Framework*

7.13 In accordance with paragraph 49, there should be a presumption in favour of sustainable development.

7.14 Paragraph 17 of the “Framework” states that one of the Core Principles of consideration in land use planning should be too,

*“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”;*

7.15 The proposals is an effective use of the site, making use of an existing garden area, and the site is not considered of high environmental value.

## Design

7.16 The proposals are of subservient scale when compared to the earlier proposal. The proposals make use of the sites characteristics with the dwelling sited in a position which corresponds to the Courtland in building line. The gradient of the site allows a split level dwelling to be created moulded into the landscape and resembling a single storey garage from the frontage.

- 7.17 The site gradient allows for a two storey rear south facing elevation which forms the principle aspect for the main living areas and provides an attractive vista from two rear terrace areas.
- 7.18 The use of natural materials in the form of dry stone walling and horizontal timber cladding, along with the earth mound to the front and the living roof give the proposals a natural appearance and further reduce its presence in this residential setting.
- 7.19 The design is therefore unique to this site and has been designed to minimise its visual presence and habitable facades are to elevations which are considered least sensitive.

### **Highways**

- 7.20 The proposals utilise the existing access to “Courtland”, with only a subtle extension to the existing private access. The addition of one new dwelling is not considered to result in a significant increase in vehicular journeys and the side garage door means that cars would enter the garage from the side and means no car manoeuvres would occur to the frontage. A turning area is provided between the proposed dwelling and the existing.
- 7.21 A new garage could be constructed for the “Courtland” in the north eastern corner of the site immediately back of the boundary with “The Brow” and would result in far more disturbance for the existing residents due to closer manoeuvring and the increased land level closer to the boundary.

### **Summary**

- 7.22 The proposals present a well-conceived proposal, designed taking account of the Councils earlier reasons for refusal and the advice given as well as the sites characteristics. We consider the proposal meets the criteria set out within the Framework, Core Strategy and Supplementary Planning Documents.

## 8.0 COUNCIL DECISIONS

8.1 The following cases are referred to due to their back land nature where residential development has been approved rear of existing residential properties

### **Monsal Crescent, Athersley North, Barnsley (Appendix 3)**

8.2 The Council has on several occasions given planning approval for ex Council garage sites which fail to orientate to the highway or reflect the existing street profile, one such scheme was at Monsal Crescent application reference 2014/1105, whereby permission was given for 4 semi-detached dwellings as per the below site plan.

8.3 The scheme put forward 4 semi-detached properties which are turned at 90 degrees relative to the highway (Monsal Crescent), and fail to have a principle elevation facing the highway, which is specified as a requirement within the SPD. This presents a back land tandem form of development, which would result in substantially more disturbance and impact than that which is proposed adjacent "Courtland".

8.4 The development is also at right angles to the main highway which the access comes off which is contrary to one the primary criteria within the Councils SPD "New Housing Development".

8.5 The site was a previous Council owned garage site, and was sold at auction. Whilst the garage site would have had activity, the use was negligible up to the site being sold. In any case the activity and impact on privacy ensuing from people simply parking there car in a single prefabricated garage would be far less than the permanent presence of 4 two storey dwellings with habitable windows facing existing gardens.

8.6 Permission was granted under delegated powers on the 18<sup>th</sup> December 2014.

### **Land Off Pleasant View, Cudworth (Appendix 4)**

8.7 Another example was application 2014/1176 - Land off Pleasant View, Cudworth which was given permission for 2 detached dwellings. The site was a previous garage some years before the application was submitted however that use had been abandoned for several years, the aerial below shows no activity on the site. The site lies to the rear of two cul de sacs, which are characterised by 2 - storey semi-detached dwellings.

- 8.8 Not only were the properties detached in an area of purely semi-detached dwellings, but also the properties do not afford any sort of relationship to the existing dwellings and are facing a different direction to 33 and 35 Pleasant View to the south.
- 8.9 The dwellings are sited directly to the rear of 33 and 35 Pleasant View and have a standard two storey design, with pitched roofs and roof lights to the roofs to create an additional bedroom.
- 8.10 Permission was granted under delegated powers on the 15<sup>th</sup> December 2014.

*Summary*

- 8.11 The two decisions above illustrate that permission rear of existing properties from existing access points has been allowed by Barnsley Council. Both the above examples were for two storey dwellings which did not have front elevations facing the main highway and neither of the schemes were of an “individualist” design to mitigate any potential privacy or disturbance impact resulting.
- 8.12 By contrast the proposal put forward is of individual and of bespoke design to reduce any visual, privacy and disturbance impact and additionally take account of the site characteristics and southern vista.

## 9.0 APPEAL DECISIONS

- 8.13 Barnsley MBC Officer's response to a pre application enquiry following the refusal of the 2015 application, identified,

*".....any residential development of the site would represent a form of backland development which would be surrounded on two sides by other residential development."*

- 8.14 This response suggests a tougher stance on backland development, than appeal decisions made by the Planning Inspectorate in recent decisions.
- 8.15 Given the above statement, we have researched some examples of planning appeal decisions to see if this is an accurate interpretation of Planning Inspectorate decisions. The following cases are all for residential development within garden curtilage:-

### **Rear of 60 Fairview Road, Stevenage, Hertfordshire, SG1 2NR (Appendix 5)**

- 8.16 In 2013 permission ref 13/00449/FP was refused for the "erection of a detached bungalow on (former garden) land r/o 60 Fairview Road, Stevenage, utilising existing access".
- 8.17 The decision was issued on the 25<sup>th</sup> November 2013, with Stevenage Borough Council giving the following reason for refusal,

*The proposal would result in the piecemeal redevelopment of the private residential garden of 60 Fairview Road which is not classified as previously developed land. Furthermore, the location of the development would fail to respect the general character of the surrounding area which comprises linear development fronting Fairview Road and would, therefore, have a detrimental impact upon the character and appearance of the area. The proposal is, therefore, contrary to the aims of Policies H7, TW8 and TW9 of the Stevenage District Plan second review 1991-2011 and the advice contained in the National Planning Policy Framework.*

- 8.18 The applicant appealed the Councils decision and the Planning Inspector allowed the proposal on the 17<sup>th</sup> February 2014 commenting as follows in paragraph 4,

*“Whilst the proposed development would differ from the general linear pattern of development in the area, it would be seen in the context of the adjacent backland development and the residential development that surrounds the play area at the rear of the site. It would utilise the existing vehicular access and would achieve an appropriate visual relationship with the adjacent properties given their similar design. The modest scale and mass of the building, and particularly its low height, would mean that it would not appear prominent in the street scene or in views from the play area behind, despite its open nature. In my view, the property could be accommodated without detriment to the character and appearance of the area given the very specific site circumstances I have described and the nature of the proposed development.”*

8.19 In similar circumstances to this application, the Inspector ruled that given the utilisation of an existing access and existing backland development that the proposal would achieve an appropriate visual relationship with adjacent properties. Additionally, the design and modest height of the proposal meant the proposal would not be prominent, in a similar fashion we have utilised a design which maximises the slope of the site to reduce the overall height in the context of surrounding properties adjacent “Courtland”.

8.20 In paragraph 7 the Inspector considered the need to boost housing supply within the Framework and garden land is not exempt from this,

*“I have had regard to concerns raised by interested parties regarding garden grabbing but the Framework sets out a need to boost significantly the supply of housing and garden land is not exempt from development where no adverse impacts would result.”*

**Land to the rear of The Roundhouse, London Road, Preston, Brighton (Appendix 6)**

8.21 On the 14<sup>th</sup> October 2014 Brighton and Hove Council refused permission for a two storey, 3 bedroom dwelling, located on land to the rear of the Roundhouse for the following reason,

1. *The proposed dwelling incorporates a rear garden which would be significantly overlooked by the flats in the adjoining blocks at Cliveden Court and Grosvenor Court. This would result in a loss of privacy for future occupiers, resulting in inappropriate outside private amenity space which would be detrimental to living conditions for future occupiers of the proposed dwelling. The scheme is therefore contrary to policies QD27 and HO5 of the Brighton & Hove Local Plan.*
- 8.22 The proposed dwelling was situated at the back of another property and dwellings with large blocks of apartments situated to each side. To the west is a modest sized dwelling and to the north, south and east are tall flats developments. The site sits at a slightly lower level to the adjacent flat buildings
- 8.23 The appeal site was located in a “backland” position within a mixed residential area. To the west is a modest sized dwelling and to the north, south and east are tall flats developments. The site sits at a slightly lower level to the adjacent flats buildings and is separated from them by a low wall and tall fence.
- 8.24 The Inspector commented that a degree of overlooking is expected in residential urban areas, as follows at paragraph 9,
- “Whilst the remainder of the garden area would be overlooked from the upper windows serving the adjacent flats, such overlooking is not unusual within urban residential areas”.*
- 8.25 Despite the backland nature of the proposals the Inspector allowed the appeal and commented as follows at paragraph 13 of the decision (Appendix 6),
- “The Appeal site sits at a lower level to the adjacent flats and the proposed dwelling would be modest in height, with a flat “green” roof. As a result, the scheme would be visually discrete and would not result in a material increase in overshadowing or loss of daylight for the occupants of the adjacent flats. Due to its westerly aspect and the screened nature of its immediate garden areas, the proposed development would not result in a material loss of privacy for the occupants of the adjacent flats.”*

8.26 The decision by the Inspector to allow the appeal similar to the decision at Stevenage considers that where there is no significant impact on amenity and the scale of the proposal is proportionate and takes account of site constraints, which can result in an individual design such as that proposed in this application submission, there are no substantive grounds for refusal.

**Land rear of 18, 20 and 22 Parley Road, Bournemouth (Appendix 7)**

8.27 On the 24<sup>th</sup> November 2014, Bournemouth Council refused outline planning permission for the erection of three detached, two bedroom bungalows, on land to the rear of 18, 20 and 22 Parley Road, Bournemouth.

8.28 The application was in outline form with access in detail. Despite the access being right up to the flank walls of the two adjacent properties, the LPA did not consider this unacceptable and considered that given the proposal was only for 3 properties disturbance would be minimal.

8.29 The application was refused for the following reason on the 24<sup>th</sup> November 2014,

*It is considered that the proposal would result in a congested form of development that would be harmful to the character and appearance of the area. For this reason the proposal is considered contrary to Saved Policy 6.8 of the District Wide Local Plan and Policy CS5 of the Bournemouth Local Plan: Core Strategy.*

*Furthermore, it is considered that the proposed development would place additional demand on existing open space and recreation facilities in the Borough. The failure to make an appropriate contribution towards open space and recreation facilities would undermine existing provision and prejudice future provision contrary to the aims of Policy CS31 of the adopted Bournemouth Local Plan: Core Strategy, saved Policy 7.21 of the Bournemouth District Wide Local Plan and the Supplementary Planning Guidance for the provision of open space and recreation facilities.*

*In addition, it is considered that the development would be harmful to designated Dorset Heathlands SPA (Special Protection Area), Ramsar Site and*

*Dorset Heaths SAC (Special Area of Conservation). The failure to make an appropriate contribution towards mitigation measures would have an adverse effect on the integrity of the sites and so contrary to Policies CS33, CS34 and CS35 of the Bournemouth Local Plan: Core Strategy and The Dorset Heathlands Planning Framework 2012-2014 SPD.*

8.30 The first paragraph of the reason focuses on the impact on the character and appearance of the area.

8.31 The applicant subsequently appealed the decision where the Inspector considered the single storey scale of the proposals would mean the development would blend in with neighbouring outbuildings and would not affect adversely on character. Paragraph 7 states,

*“Due to the single storey size of the proposed dwellings they would not form unduly large or prominent features within their backland location and would, to a degree, blend in with some of the outbuildings which currently exist within the appeal site and within the rear gardens of Forest View Road”.*

8.32 The Inspector also referred to “backland” several times in his decision including at paragraph 10,

*“With regard to the proposed access, I acknowledge that it is relatively narrow, and I note that No 12a Parley Road has wider access, however in character terms it would not appear significantly different from other accesses serving nearby backland development and a number of garages along both Parley and Malvern Roads. As it would only serve three dwellings, it would retain a relatively domestic appearance and scale and would thereby fit in appropriately with its surroundings”.*

## **Summary**

8.33 The above appeal decisions illustrate that the Planning Inspector does not support the Councils view that all forms of “backland” development should be refused. The cases cited show that where impact on privacy and disturbance is minimal, which can be

achieved by the subservient scale of proposals or reduced land levels or a combination of both development is acceptable.

- 8.34 The proposal in this submission has presented all the characteristics which reduce its impact both from a visual, privacy and disturbance perspective to a negligible level.

## 9.0 CONCLUSION

9.1 This Planning Statement has been prepared by DLP Planning Ltd on behalf of Barbara Martin and Matthew Nicholson, in connection with the subdivision of the existing property and the construction of a detached new build dwelling on the adjacent land.

9.2 In conclusion, the following points support the development: -

- The site is located within a ribbon of development with existing dwellings either side. Accordingly, the proposal is not inappropriate development within the Green Belt as it amounts to limited infilling of a “single plot”.
- The proposal would have a limited impact on the openness of the Green Belt as the site already contains a long winding access from an otherwise built up frontage and clearly distinct from the more open countryside beyond.
- The addition of one new dwelling within a ribbon of development would not adversely affect the character of the area.
- The site is located within a substantially developed road frontage, as recognised within the UDP Policy GE5 and large detached houses a common feature along Long Line.
- The Local Authority cannot demonstrate a 5 year housing supply
- Relevant previous decisions of infill and brownfield development have been cited in section 8 of this statement, which illustrate that infill development of single plots within previously developed curtilages has been previously supported.
- The subdivision of the existing farmhouse with minor additional development makes good re use of the farmhouse footprint and creates 2 additional dwelling units within its footprint.

9.3 The proposed development is considered to accord with both national and local planning policy meaning planning permission should be granted.



## **APPENDIX 1**



# BARNSLEY

Metropolitan Borough Council

## REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO. 2015/1386

To Mr John Blackburn  
1 Saville Street  
Cudworth  
Barnsley  
S72 8LT

**Proposal:** Erection of detached dwelling  
**At:** Courtland, Halifax Road, Thurgoland, Barnsley, S35 7AL

Permission is refused for the proposals which were the subject of the Application and Plans registered by the Council on 30 November 2015 and described above.

The reason(s) for the Council's decision to refuse planning permission is/are:

*Pursuant to article 31(1)(cc) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, complied with our Planning Service Charter for Business and otherwise actively engaged with the applicant in dealing with the application.*

- 1 In the opinion of the Local Planning Authority, the proposed development would be contrary to UDP Policy H8D and the SPD Designing New Housing Development, in that it would be an undesirable form of backland development, materially detrimental to the amenities of the adjacent properties by reason of overbearing impact, loss of outlook, privacy and disturbance from increased residential activity. In addition the close relationship to adjacent dwellings would mean that the proposed dwelling itself suffer from substandard privacy and aspect.
- 2 In the opinion of the Local Planning Authority the design of the proposed dwelling fails to take the opportunities available for improving the character and quality of the area. The complicated design and appearance of the dwelling, overall scale, siting and materials proposed would appear out of context with the area and as a result would be detrimental to the character and appearance of the street scene, contrary to the NPPF and policy CSP29 of the Core Strategy.

Signed

Head of Planning and Building Control

Dated 15 January 2016

## **NOTES:-**

### **Appeals to the Secretary of State**

If you are aggrieved by the decision of the Council to refuse permission for the proposed development then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

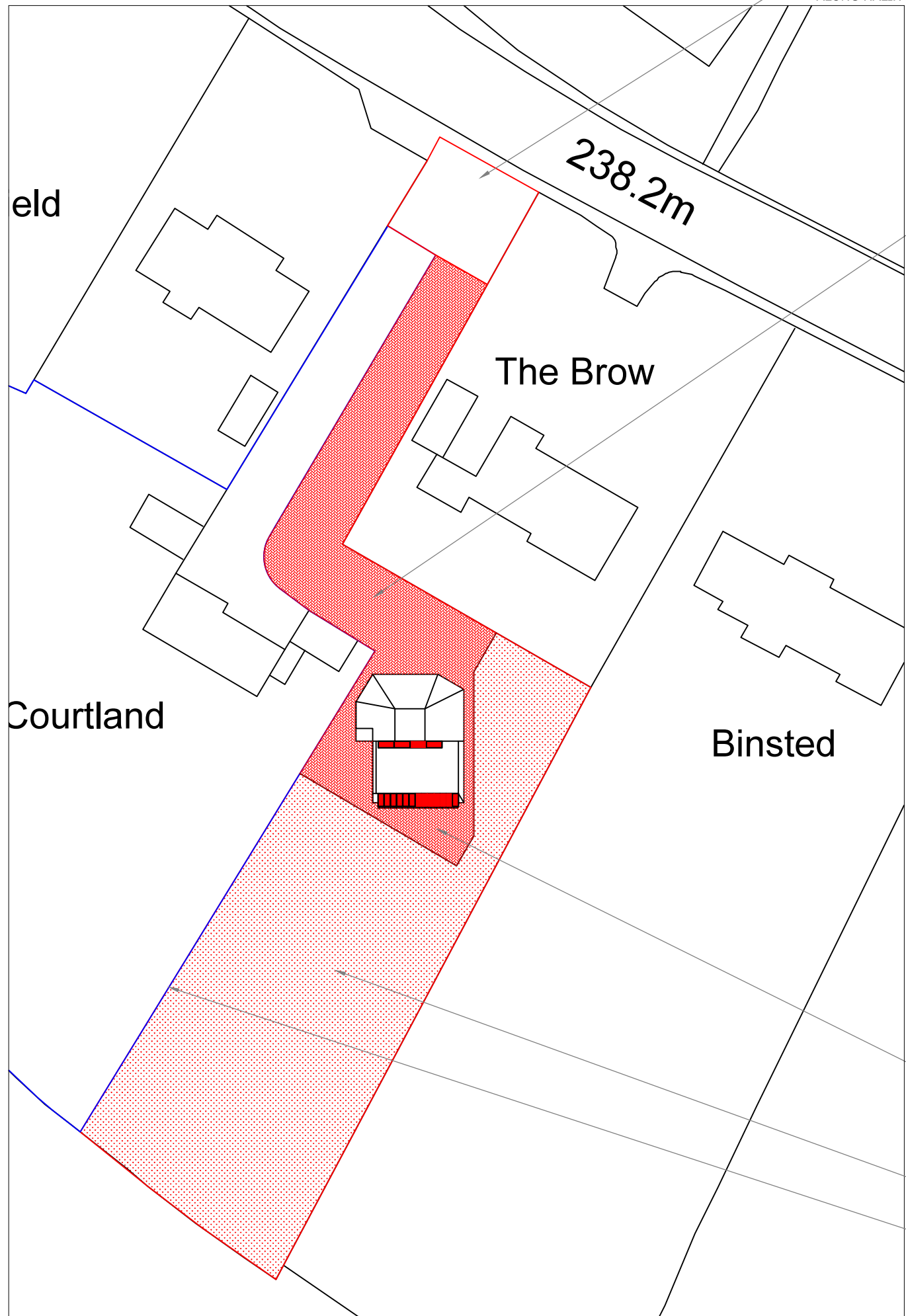
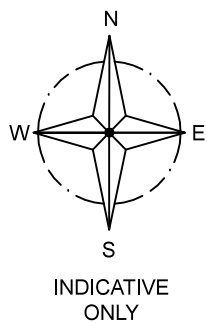
### **Purchase Notices**

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

### **Compensation**

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

Drawing No.	Rev No.
MMN001 -006	



SHARED PULL IN AREA TO ALLOW CLEAR VIEWS IN BOTH DIRECTIONS  
ALONG HALIFAX ROAD

VEHICULAR ACCESS VIA PERMEABLE PAVED  
AREA

238.2m

The Brow

eld

Courtland

Binsted

RAISED TERRACE AREA TO FRONT OF BUILDING

EXISTING LAWNED AREA TO BE RETAINED

NEW TIMBER POST AND RAIL FENCE TO SEPARATE  
THE TWO PROPERTIES

SITE PLAN  
SCALE 1:500 AT A3

DO NOT SCALE: Contractor to check all dimensions and report  
any omissions or errors

NOTES

Rev	Description	By	Chk	App	Date
-----	-------------	----	-----	-----	------

JRB DESIGNS Ltd  
1 Saville Road  
Cudworth  
Barnsley  
S72 8LT  
Tel: 01226 383542  
Fax: 01226 380078  
Mob: 07970 541192  
Email: john@jrbdesigns.co.uk

This drawing is copyright. © jrbdesigns Ltd.

Client  
**MR M NICHOLSON**

Drawing Title  
**BLOCK PLAN OF SITE**

Address  
**COURTLAND  
HALIFAX ROAD  
THURGOLAND  
S35 7AL**

Project Title:  
**PROPOSED NEW DETACHED  
DWELLING**

Purpose of Issue:  
**PLANNING**

Drawing Status  
**FIRST ISSUE**

Scale at A3 AS SHOWN	Drawn By JRB	Date 08/10/2015
Checked By	Date 08/10/2015	Approved By Date 08/10/2015

Project No. <b>MMN001</b>	Drawing No. <b>006</b>	Revision <b>-</b>
------------------------------	---------------------------	----------------------

APPROVAL  INFORMATION  TENDER  CONTRACT  CONSTRUCTION



## **APPENDIX 2**

## Graham Northern

---

**From:** Matthew Nicholson <Matthew.Nicholson@Talktalk.net>  
**Sent:** 19 April 2016 11:37  
**To:** Graham Northern; paul  
**Subject:** Pre-Application enquiry

Dear Graham

Below is the response from Laura Bibby to my pre-application enquiry.

Regards

Matthew Nicholson

---

Dear Mr Nicholson

Thank you for your recent pre-application enquiry for the above proposal at land to the side of 'Courtland' Halifax Road, Thurgoland. I have now had the opportunity to review the plans and can respond as follows.

As you are aware we recently refused an application for a dwelling on this site under application ref 2015/1386 . The application was refused for the following reasons:-

*In the opinion of the Local Planning Authority, the proposed development would be contrary to UDP Policy H8D and the SPD Designing New Housing Development, in that it would be an undesirable form of backland development, materially detrimental to the amenities of the adjacent properties by reason of overbearing impact, loss of outlook, privacy and disturbance from increased residential activity. In addition the close relationship to adjacent dwellings would mean that the proposed dwelling itself suffer from substandard privacy and aspect.*

*In the opinion of the Local Planning Authority the design of the proposed dwelling fails to take the opportunities available for improving the character and quality of the area. The complicated design and appearance of the dwelling, overall scale, siting and materials proposed would appear out of context with the area and as a result would be detrimental to the character and appearance of the street scene, contrary to the NPPF and policy CSP29 of the Core Strategy.*

The refused scheme proposed a much larger dwelling than the one now proposed, however it is still felt any residential development of the site would represent a form of backland development which would be

surrounded on two sides by other residential dwellings. Backland developments are often difficult to accommodate and in recent times the Council has sought to ensure a more consistent approach is applied to such proposals. This as a whole has been supported by the Planning Inspectorate whereby the Council's decision to refuse inappropriate developments has been upheld in recent planning appeals. Constructing new dwellings within an area of rear/side garden would lead to more noise and potential disturbance to places that existing residents could reasonably expect to be quiet. In addition to this would be a loss of outlook to 'The Brow'. To reach the new dwelling, it would be necessary to intensify the use of the access drive from the highway, close to existing properties. The coming and going of vehicles and pedestrians along the drive and directly and is close proximity to the rear of 'The Brow' would be intrusive.

The design of the proposal put forward, whilst reduced in scale from the previous application, is considered to be out of keeping with the area and the surrounding dwellings and could not be supported from visual amenity perspective. Unfortunately I would not be able to support an application for residential development on this site for the reasons outlined above.

Kind regards

Laura Bibby

Planning Officer (Outer Area)

Development Management

Barnsley Metropolitan Borough Council

Telephone: 01226 775721

Email: [laurabibby@barnsley.gov.uk](mailto:laurabibby@barnsley.gov.uk)

Mail: Westgate Plaza, PO Box 604, Barnsley, S70 9FE

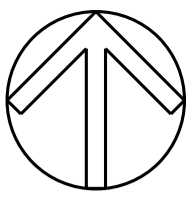
\*\*\* Barnsley MBC Disclaimer:

This e-mail and any files attached are confidential for the use of the intended recipient. If you have received this e-mail in error please notify the sender as soon as possible and delete the communication from your system without copying, disseminating or distributing the same in any way by any means. Any views or opinions expressed belong solely to the author and do not necessarily represent those of the Council. In particular, the Council will not accept liability for any defamatory statements made by email communications. Recipients are responsible for ensuring that all e-mails and files sent are checked for viruses. The Council will not accept liability for damage caused by any virus transmitted by this e-mail. No guarantees are offered on the security, content and accuracy of any e-mails and files received. Be aware that this e-mail communication may be intercepted for regulatory, quality control, or crime detection purposes unless otherwise prohibited. The content of this email and any attachment may be stored for future reference.



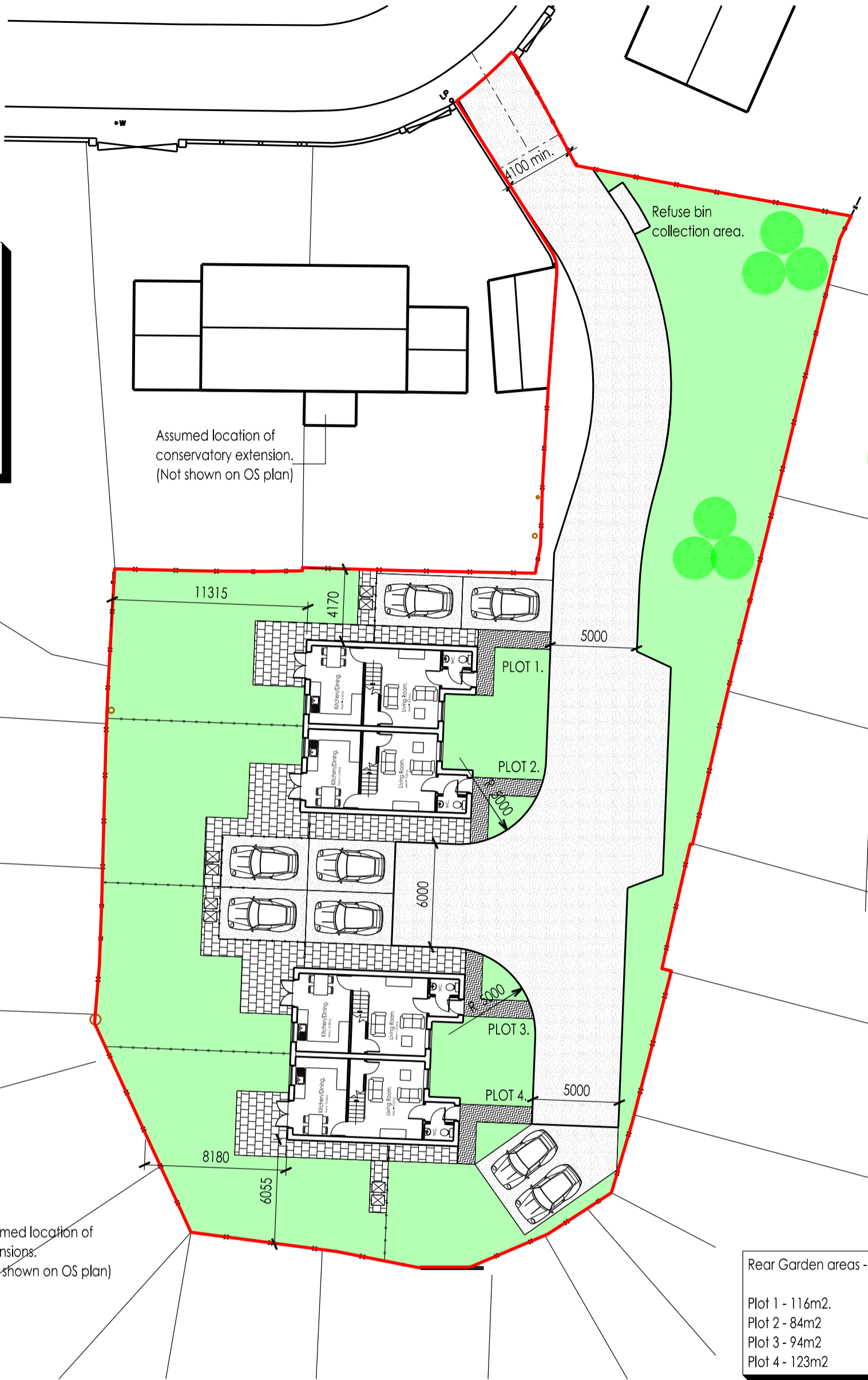
*dynamic development solutions™*

## **APPENDIX 3**



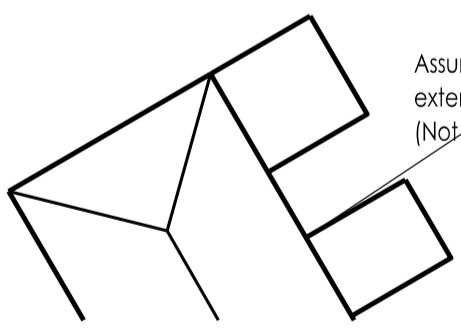
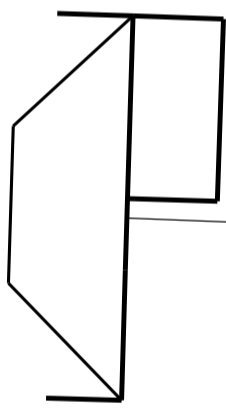
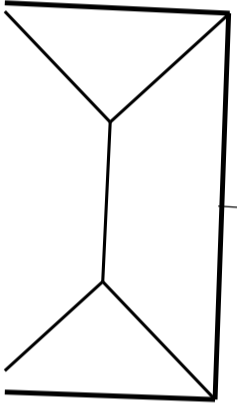
**Key:**

- Grassed areas.
- Paving slabs.
- Block paving.
- Tarmac.
- 1.8m high close boarded timber fence



Rear Garden areas -

- Plot 1 - 116m<sup>2</sup>.
- Plot 2 - 84m<sup>2</sup>.
- Plot 3 - 94m<sup>2</sup>.
- Plot 4 - 123m<sup>2</sup>.



In accordance with CDM Regulations 7, 11 and 18, any significant risks (as defined in the Approved Code of Practice paragraph 133) relating to the design features shown on this drawing have been identified and are annotated thus:

- No significant risks have been identified.
  - Significant risks have been identified - refer to notes on drawing for information on residual risks and any control measures to be employed.
- Refer to the current Designer's Risk Assessment sheets for further details.

Designer's Signature		Date	
Rev.	Description	Vf'd	Date
-	Issued for information	NAC	08/14
A	Changes to client request.	MB	09/14
B	Site plan re-designed.	SW	10/14

Project Proposed Residential Development, Monsal View, Athersley.			
Client Oliver Construction (Developments) Ltd.			
Title Proposed Site/Block Plan.			
Drawing Status <b>PLANNING.</b>			
Drawn SW	Date Oct. 2014	Scale 1:250	@ A3
Discipline Arch	Project Number 11042	Drawing Number (D)01	Revision B

# williamsaunders

architecture: engineering: building consultancy

Sheppard Lockton House      Tel: 01636 704361  
 Cafferata Way                      Fax: 01636 702809  
 Newark-on-Trent                      W: wm-saunders.co.uk  
 Nottinghamshire. NG24 2TN

Also at Leeds, Cardiff, Warkworth

William Saunders is the trading name of Wm Saunders Partnership LLP. Wm Saunders Partnership Limited Liability Partnership is registered in England and Wales with the Registration number OC 308323. The Registered Office is Sheppard Lockton House, Cafferata Way, Newark on Trent, Notts. NG24 2TN.

This drawing & any design thereon is the copyright of Wm Saunders Partnership LLP and must not be reproduced without their written consent. Contractors must verify all dimensions, levels & co-ordinates at the site before commencing any work or making any shop drawings: no dimensions to be taken from drawing.



## **APPENDIX 4**





## **APPENDIX 5**

---

# Appeal Decision

Site visit made on 10 February 2014

**by Michael Boniface MSc MRTPI**

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

**Decision date: 17 February 2014**

---

**Appeal Ref: APP/K1935/A/13/2210742**

**Rear of 60 Fairview Road, Stevenage, Hertfordshire, SG1 2NR**

- 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 Barnes Construction Limited against the decision of Stevenage Borough Council.
  - The application Ref 13/00449/FP, dated 30 September 2013, was refused by notice dated 25 November 2013.
  - The development proposed is described as "erection of a detached bungalow on (former garden) land r/o 60 Fairview Road, Stevenage, utilising existing access."
- 

## Decision

1. The appeal is allowed and planning permission is granted for a detached bungalow at land to the rear of 60 Fairview Road, Stevenage, Hertfordshire, SG1 2NR in accordance with the terms of the application, Ref 13/00449/FP, dated 30 September 2013, subject to the conditions contained in the attached Schedule.

## Main Issue

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

## Reasons

3. The area is characterised by a mix of detached and semi-detached dwellings which are predominantly two storey on the west side of Fairview Road but with examples of bungalows in the wider area. Properties present a linear pattern of development facing towards the highway and tend to have long back gardens. The small gaps between buildings allow views of the trees and landscaping to the rear. Whilst this is so, further development stands beyond the rear gardens in many cases and roof slopes can also be seen in the background. Backland development is not a common feature in Fairview Road but it is notable that two large detached dwellings have been constructed in the former rear garden on 62 Fairview Road, directly adjacent to the appeal site.
4. Whilst the proposed development would differ from the general linear pattern of development in the area, it would be seen in the context of the adjacent backland development and the residential development that surrounds the play area at the rear of the site. It would utilise the existing vehicular access and would achieve an appropriate visual relationship with the adjacent properties given their similar design. The modest scale and mass of the building, and particularly its low height, would mean that it would not appear prominent in

the street scene or in views from the play area behind, despite its open nature. In my view, the property could be accommodated without detriment to the character and appearance of the area given the very specific site circumstances I have described and the nature of the proposed development.

5. Reference is made to a previous appeal decision<sup>1</sup> on the site for a pair of two storey dwellings which was dismissed at appeal, amongst other reasons, due to the impact on the character and appearance of the area. Whilst I have had regard to this decision, the current appeal proposal involves a single bungalow of a much smaller scale and height and as such, the resulting visual impact would be much less in this case and I do not consider it to be comparable to the appeal now before me.
6. Policy H7 of the Stevenage District Plan Second Review 1991-2011 (SDP) (2004) relates to the assessment of windfall residential sites such as the appeal site and sets out criteria that must be met by proposed development. The Council accept that the development meets the majority of these criteria but is concerned that the development would not constitute the use of previously developed land. There is no dispute between the parties that garden land does not fall within the definition of previously developed land prescribed by the National Planning Policy Framework (the Framework) and as such, the site is not a priority for development. However, the policy does not restrict windfall sites to previously developed land as the Council suggest and in fact makes it clear that development of small underused urban sites may also be acceptable. I consider that the appeal site, having been subdivided and unused for some time, can be described in this manner. The policy also seeks to ensure that there would be no detrimental effect on the environment and the surrounding or adjoining properties, along with Policies TW8 and TW9 of the SDP which provide for environmental safeguards to ensure that development is of a high quality that respects the urban fabric of the area. I have found that the development accords with these policies and have found no conflict with design advice contained within the Stevenage Design Guide Supplementary Planning Document (2009). The development would not harm the character and appearance of the area.
7. I have had regard to concerns raised by interested parties regarding garden grabbing but the Framework sets out a need to boost significantly the supply of housing and garden land is not exempt from development where no adverse impacts would result. I do not consider that the development would set a precedent for further development as I have determined this appeal on its own merits and with regard to the very specific site circumstances. The development would not give rise to any overlooking, overshadowing or other adverse impacts on neighbours living conditions given its single storey nature, low height and siting which is well removed from neighbours, particularly habitable room windows. However, I acknowledge concerns about potential impacts if the roof space were to be converted to habitable space and I will therefore remove permitted development rights for the insertion of openings within the roof. I am satisfied that the proposed residential use would be compatible with the surrounding residential uses and that the development would not lead to inappropriate levels of noise or disturbance. The development would make appropriate provision for on-site parking and the Council are satisfied that the existing access is suitable to serve the

---

<sup>1</sup> APP/K1935/A/12/2169818

development. Having viewed this myself, I have no reason to disagree with its conclusions in these regards. The development is located in a sustainable urban location with good access to services, facilities and utilities and whilst I note concerns in relation to drainage, good amounts of undeveloped space would be retained around the proposed buildings and appropriate drainage will be secured through the Building Regulations. I also note concerns in regards to property values but none of these matters are sufficient to outweigh my conclusion with regards to the main issue.

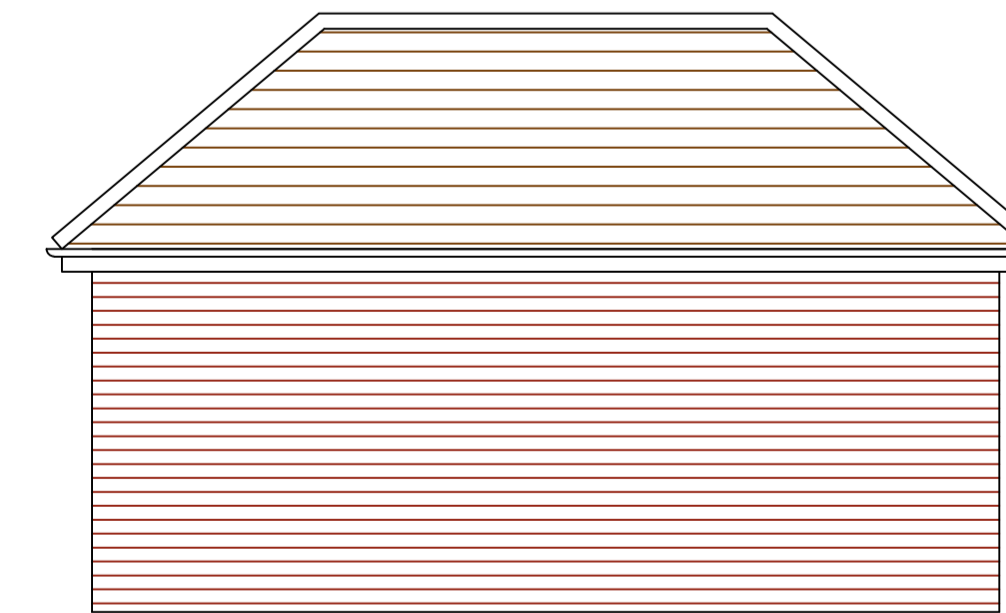
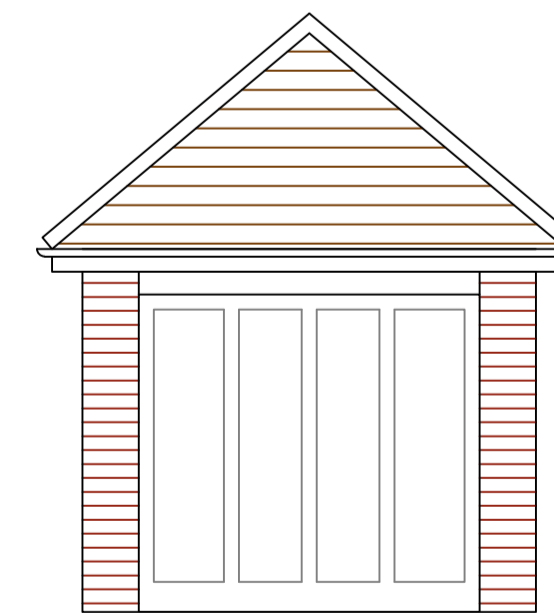
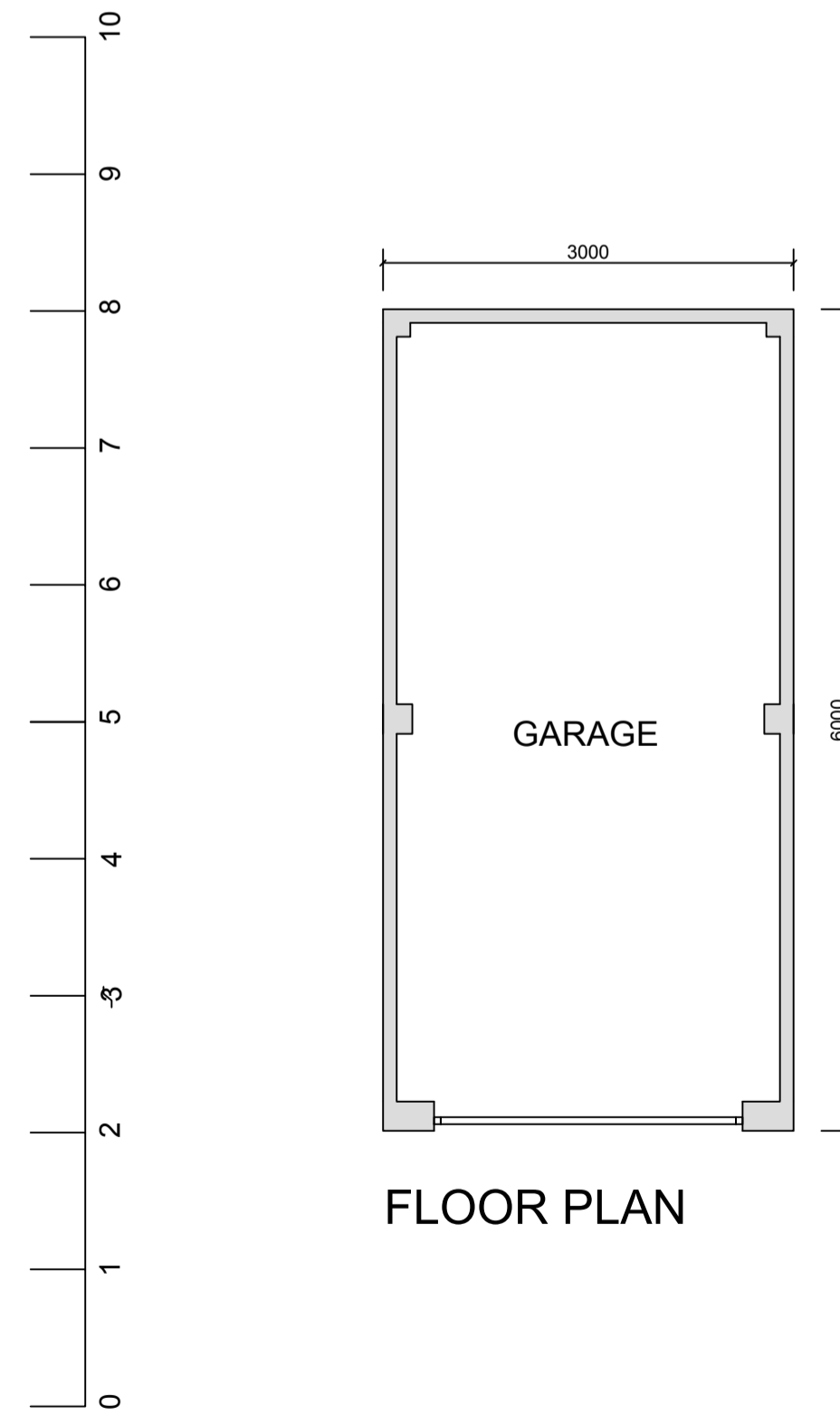
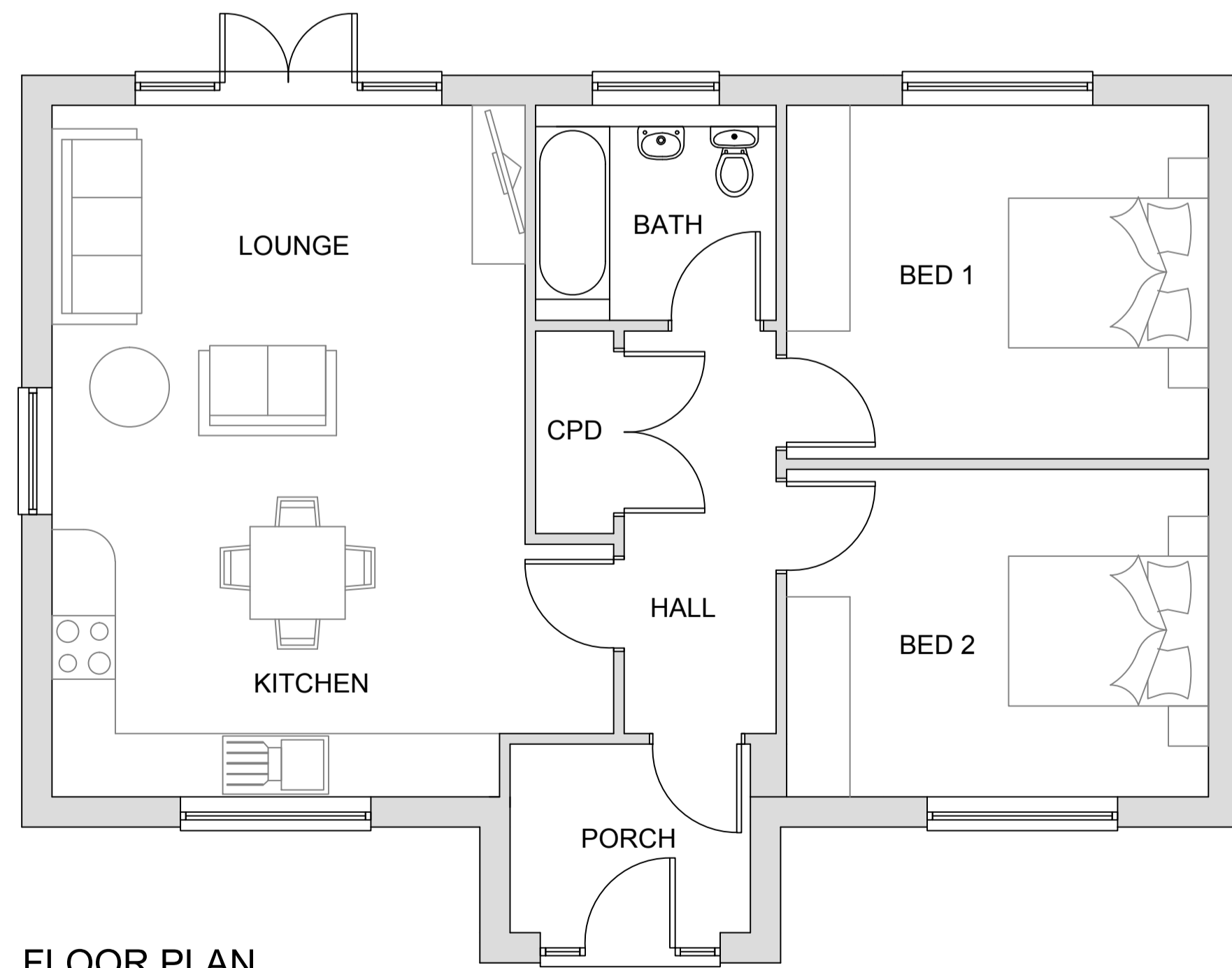
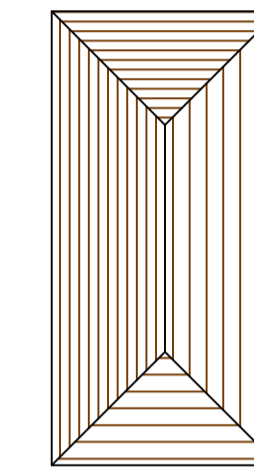
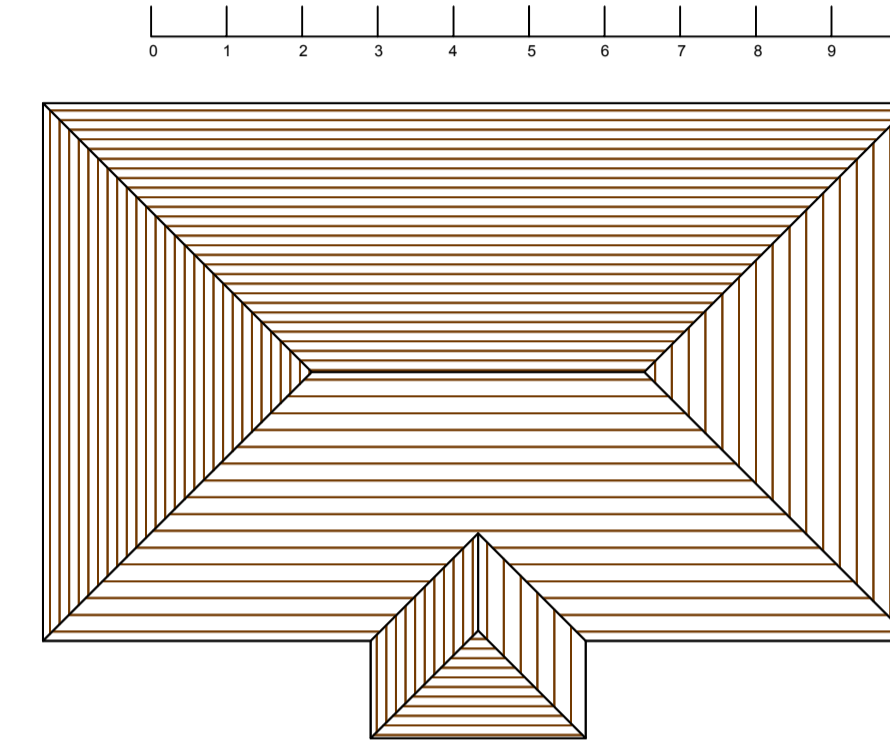
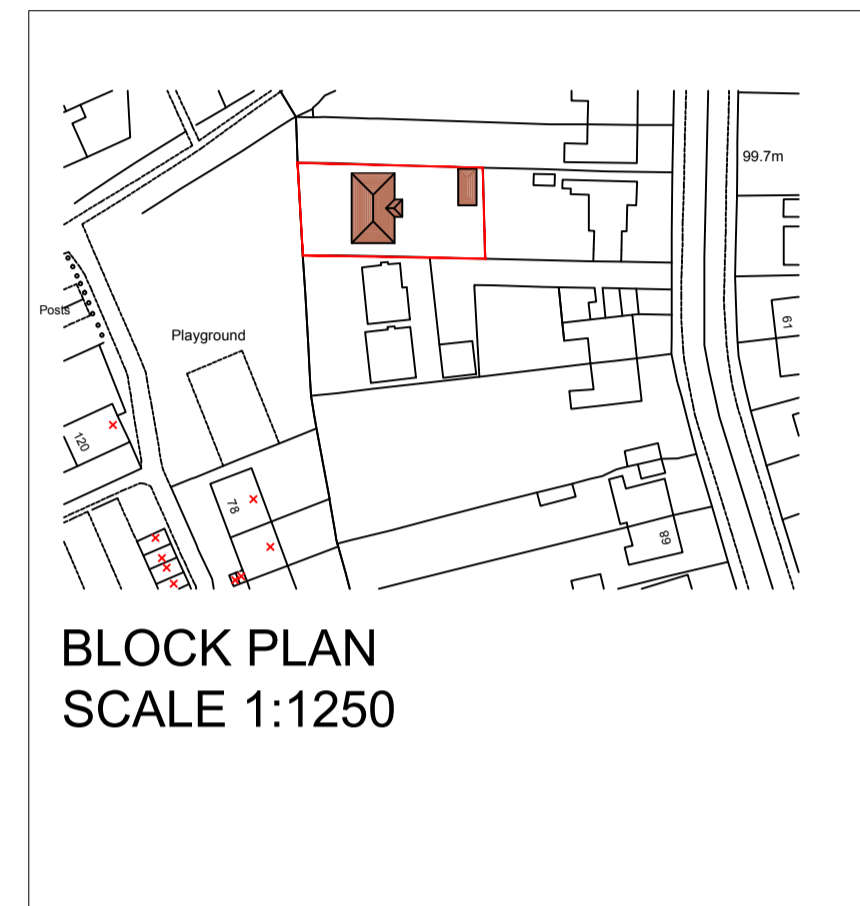
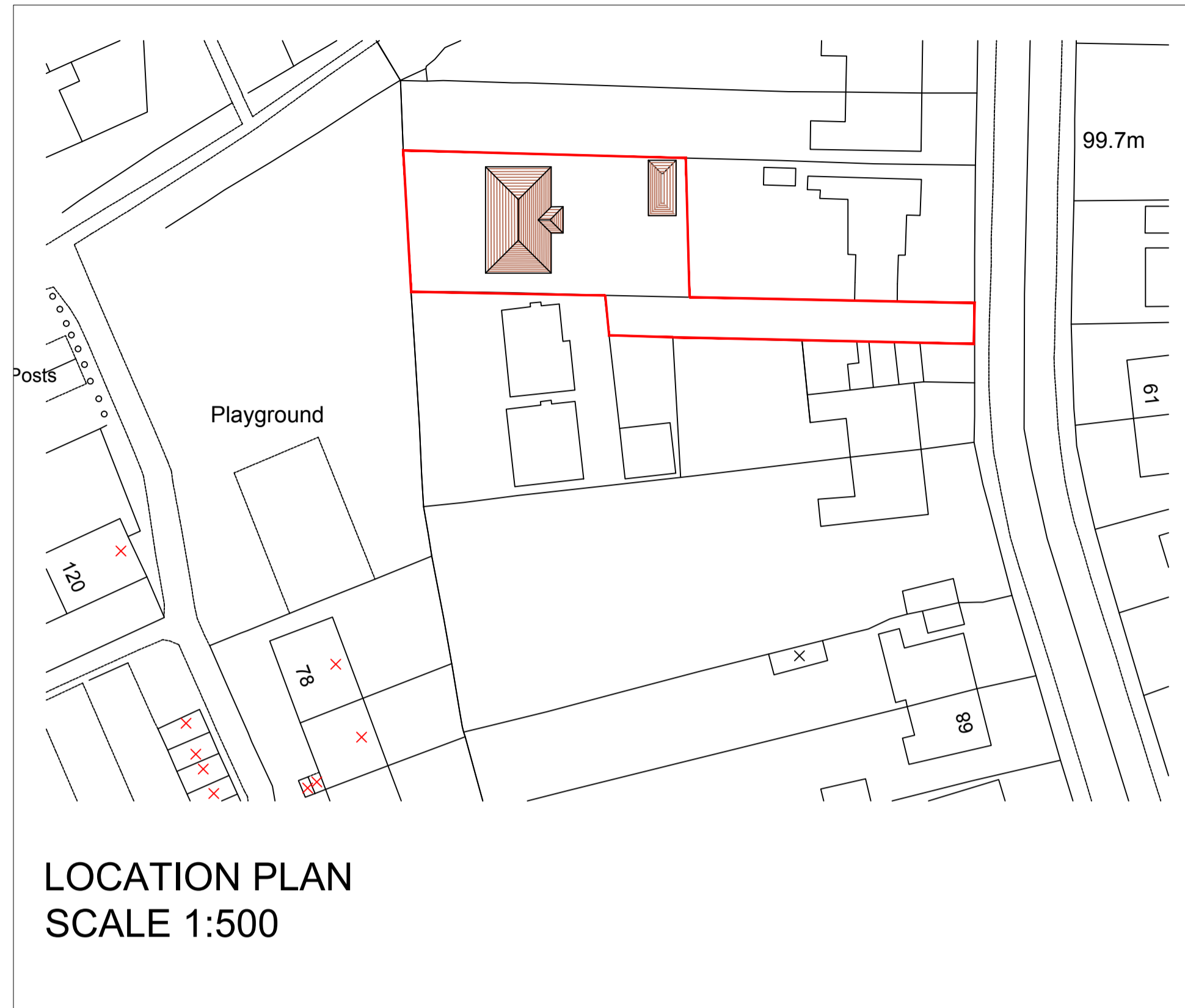
8. I conclude that the development would not harm the character and appearance of the area and I find no conflict with Policies H7, TW8 or TW9 of the SDP.
9. In light of the above, and having considered all other matters, the appeal is allowed.
10. The Council has suggested a number of conditions in the event that this appeal was allowed. I have attached the statutory three year time period for commencement and a requirement for the development to accord with the approved plans for the avoidance of doubt and in the interests of proper planning. I also consider it necessary to secure samples of the proposed materials to ensure an appropriate appearance for the development. The Council's Parking Standards suggest a need for two parking spaces and provision of those shown on the submitted drawings will be secured by condition. A range of conditions requiring details of hard and soft landscaping are suggested, however, these are adequately shown on the approved drawings and I have secured implementation appropriately. It is also unnecessary to require details of boundary treatments as the site is already enclosed by a tall boundary fence. A condition preventing the insertion of openings within the roof of the dwelling to avoid potential for overlooking in the future is attached. I have altered the wording of the suggested conditions as necessary to improve their precision and ensure compliance with Circular 11/95 *The use of conditions in planning permissions*.

*Michael Boniface*

INSPECTOR

## **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: 1000/01, 1000/02 and 1000/03.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) The car parking spaces hereby permitted shall be provided prior to first occupation of the dwelling and shall be kept available for the parking of motor vehicles at all times. The car spaces shall be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose and permanently retained as such thereafter.
- 5) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the local planning authority. Any trees or plants comprised within the scheme of landscaping, which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows shall be constructed on the front or side roof slopes.



Project		
Land RO 60 Fairview Rd, Stevenage Herts		
Drawing Title		
2 Bedroom detached bungalow and detached single garage Plans, Block & Location Plans		
Scale	Date	Drawn by
1:50	14/09/13	HJB
1:100		
Dwg. No.	Rev.	
1000/01	-	



*dynamic development solutions™*

## **APPENDIX 6**



## Appeal Decision

Site visit made on 1 April 2014

**by Elizabeth Lawrence BTP MRTPI**

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

Decision date: 22 April 2014

---

**Appeal Ref: APP/Q1445/A/14/2212356**

**Land to the rear of The Roundhouse, London Road, Preston, Brighton, BN1 6UA.**

- 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 Mrs Rose Dawes against the decision of Brighton & Hove City Council.
  - The application Ref BH2013/01675 dated 3 May 2013, was refused by notice dated 14 October 2013.
  - The development proposed is a new dwelling on land to the rear of The Roundhouse, London Road, Preston, Brighton, BN1 6UA.
- 

### Preliminary matter

1. On 6 March 2014 the Planning Practice Guidance (planning guidance) was published by the Department for Communities & Local Government. In relation to this Appeal the planning guidance refers to the design statements set out in the National Planning Policy Framework (NPPF), which are addressed in this decision.
2. The proposed front entrance door is not shown on the west elevation drawing, although it is indicated on the floor plans. Similarly the proposed pergola just to the front of the entrance is shown on the west elevation, but not on the other drawings. At the Appeal site visit the Appellant's agent confirmed that these details were omitted from various drawings in error. Due to the minor nature of these omissions they have not affected my ability to determine this Appeal.

### Decision

3. The Appeal is allowed and planning permission is granted for a new dwelling on land to the rear of The Roundhouse, London Road, Preston, Brighton, BN1 6UA in accordance with the terms of the application, Ref BH2013/01675, dated 3 May 2013, subject to the conditions set out in the schedule attached to this decision.

### Main Issue

4. The main issue is whether the proposed dwelling would provide satisfactory living conditions for its occupants, with particular regard to privacy.
-

## Reasons

5. The Appeal site is located in a "backland" position within a mixed residential area. To the west is a modest sized dwelling and to the north, south and east are tall flats developments. The site sits at a slightly lower level to the adjacent flats buildings and is separated from them by a low wall and tall fence.
6. In 2002 an outline application for a single storey dwelling on the Appeal site was dismissed at Appeal. Whilst few details regarding that scheme are provided, from the Appeal decision it is apparent that the main concerns of the appointed Inspector related to privacy and outlook within the proposed garden area and highway safety.
7. Concerning highway safety the proposed vehicle crossover and access are wider than those proposed in 2002. Together with the layout of the proposed parking areas and submitted transport evidence, this satisfactorily addresses the highway safety concerns previously raised. Indeed it is noted that no highway concerns have been raised by the Council.
8. Since 2002 the Brighton and Hove Local Plan has been adopted. Together and amongst other things policies QD27 and HO5 of the Local Plan seek to provide satisfactory living conditions for residents. This includes the provision of suitable outdoor recreation space and adequate levels of privacy.
9. The proposed dwelling would be sited at the eastern end of the plot and would be orientated around a lower ground floor terrace. All of the habitable rooms would have favourable westerly and/or southerly aspects facing the main terrace and garden areas. Due to the shape and siting of the proposed dwelling and associated pergolas the lower ground floor terrace would not be materially overlooked. In addition the ground floor patio areas would be partially screened. Whilst the remainder of the garden area would be overlooked from the upper windows serving the adjacent flats, such overlooking is not unusual within urban residential areas.
10. The "backland" position of the site and the proximity and height of the adjacent flats would result in a strong sense of enclosure for the occupants of the proposed dwelling. However this would contribute to the character of the development. The layout and orientation of the proposed dwelling has been designed to provide an attractive and secure outlook and several garden areas with varying degrees of privacy.
11. Overall the scheme would provide a satisfactory and in many respects an attractive living environment, both within the proposed dwelling and within its garden areas. At the same time the proposed scheme would make full and efficient use of the site and contribute to the supply of family housing in an accessible residential area. This would be consistent with the NPPF, which states that housing applications should be considered in the context of the presumption in favour of sustainable development. Schemes should optimise the potential of a site and establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live.
12. I conclude on the main issue that the proposed dwelling would provide satisfactory living conditions for its occupants, with particular regard to privacy.

Accordingly the scheme would comply with policies QD27 and HO5 of the Local Plan.

### **Other matters**

13. The Appeal site sits at a lower level to the adjacent flats and the proposed dwelling would be modest in height, with a flat "green" roof. As a result the scheme would be visually discrete and would not result in a material increase in overshadowing or loss of daylight for the occupants of the adjacent flats. Due to its westerly aspect and the screened nature of its immediate garden areas, the proposed development would not result in a material loss of privacy for the occupants of the adjacent flats.
14. As a single dwelling any noise or disturbance generated by the occupants of the dwelling would be unlikely to have a materially adverse impact on the living conditions of any local residents. Whilst it is noted that there would be some noise, dust and disturbance during the construction of the proposed development, this applies to many developments in urban areas. It would be for a relatively short period of time and would not amount to a reason for withholding planning permission.
15. Finally, subject to satisfactory protection measures during the construction works, I am satisfied that the proposed scheme would not threaten the short or long term health of any trees, including the trees located a short distance from the eastern boundary of the Appeal site.

### **Conditions**

16. The Council has suggested the imposition of conditions regarding external materials and finishes; hard and soft landscaping; the protection of existing trees; the construction of the dwelling to Lifetime Homes Standards; the provision of cycle, recycling and refuse storage facilities; energy efficiency/sustainability; site and finished floor levels; the provision and retention of parking areas; and restrictions on the use of the roof of the proposed dwelling. In relation to cycle and refuse/recycling storage, although their positions are shown on the submitted drawings, few details are provided concerning their security and retention.
17. I consider that all of these conditions are both reasonable and necessary to ensure the development blends in with its surroundings; provides an energy efficient home suitable for people with disabilities and the changing needs of households; to encourage sustainable means of transport; in the interests of highway safety; and to protect the living conditions of nearby residents. The Council has also suggested the imposition of a condition which requires the development to be carried out in accordance with the approved drawings. This is necessary for the avoidance of doubt and in the interests of proper planning.

### **Conclusion**

18. Having regard to the conclusions on the main issue and all other matters raised the Appeal is allowed.

*Elizabeth Lawrence*

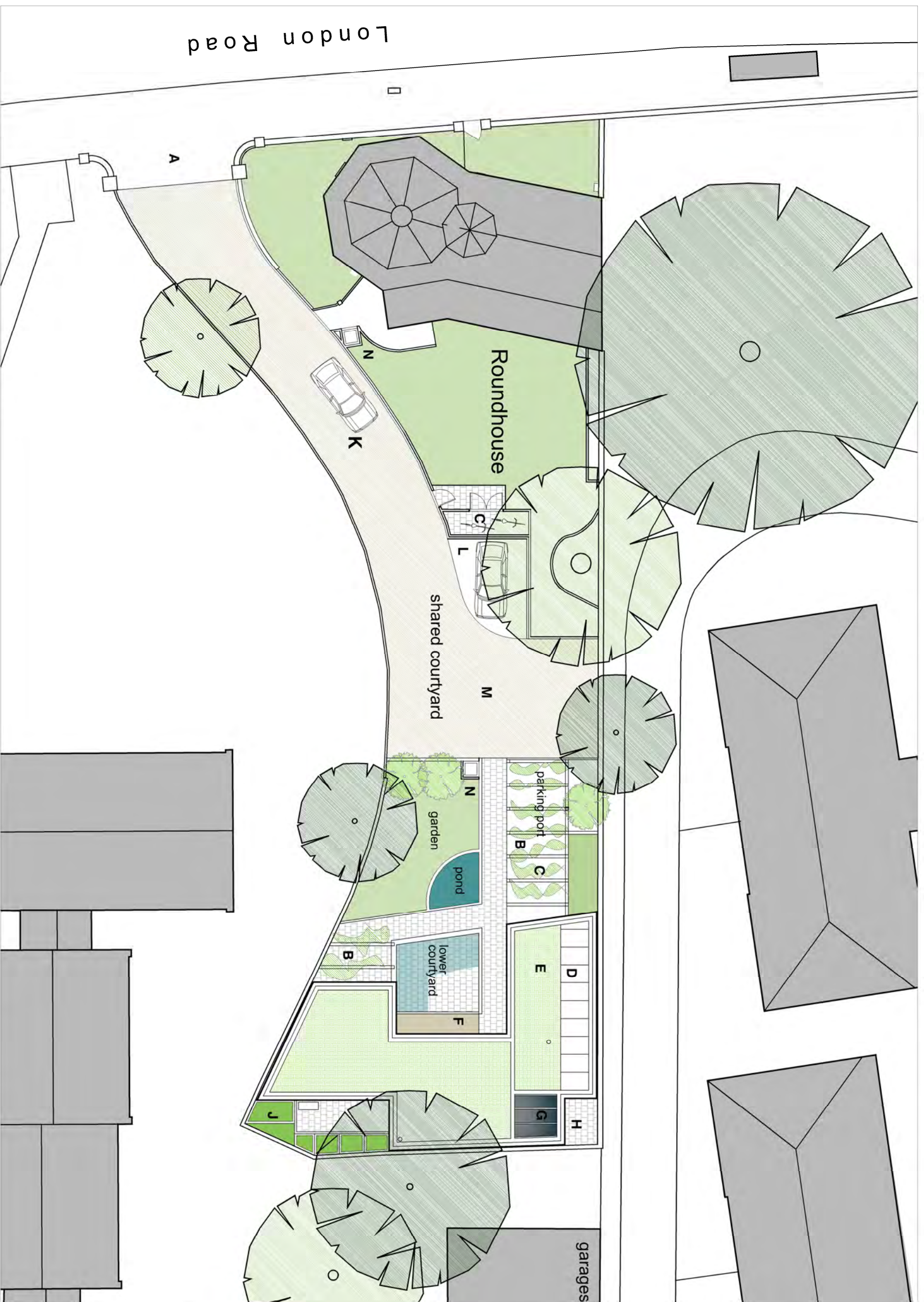
INSPECTOR

## **Schedule of Conditions**

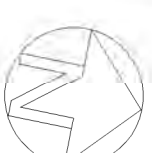
- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: TA705/01A, TA705/02, TA705/03, TA705/04, TA705/05, TA705/10A, TA705/11A, TA705/12A, TA705/13, TA705/14, TA705/15, TA705/16,
- 3) The new dwelling hereby permitted shall be constructed to Lifetime Homes Standards prior to its first occupation and shall be retained as such thereafter.
- 4) The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the local planning authority. These facilities shall be fully implemented and made available for use prior to the occupation of the dwelling hereby permitted and shall thereafter be retained for use at all times.
- 5) No development shall take place until a scheme for the storage of refuse and recycling has been submitted to and approved in writing by the local planning authority. The approved storage facilities shall be fully implemented and made available for use prior to the occupation of the dwelling hereby permitted and shall thereafter be retained for use at all times.
- 6) Unless otherwise agreed in writing by the local planning authority, the development shall not commence until a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development achieves a Code for Sustainable Homes rating of Code level 5 as a minimum for the dwelling has been submitted to and approved in writing by the local planning authority. A completed pre-assessment estimator will not be acceptable.
- 7) Unless otherwise agreed in writing by the local planning authority, the dwelling hereby permitted shall not be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that the dwelling has achieved a Code for Sustainable Homes rating Code level 5 as a minimum has been submitted to and approved in writing by the local planning authority.
- 8) Access to the flat roof over the dwelling hereby permitted shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.
- 9) No development shall take place until full details of the existing and proposed land levels of the proposed development in relation to Ordnance Datum and to surrounding properties have been submitted to and approved in writing by the local planning authority. The details shall include finished floor levels. The development shall be constructed in accordance with the approved details.
- 10) No development shall take place until samples of the materials (including colour of render, paintwork and colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 11) No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme for landscaping,

which shall include hard surfacing, boundary treatments, proposed new soft planting, details of all existing trees and shrubs on the land and details of any to be retained, together with measures for their protection during the construction of the development.

- 12) All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the first occupation or completion of the dwelling hereby permitted, whichever is sooner, and any trees or plants which within a period of 5 years from the date of completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping and means of enclosure shall be completed prior to the first occupation of the dwelling.
- 13) No development shall take place until details of the construction of the green roofs have been submitted to and approved in writing by the local planning authority. The details shall include a cross section, construction method statement, the seed mix, and a maintenance and irrigation programme. The roofs shall then be constructed in accordance with the approved details and shall be retained as such thereafter.
- 14) No development shall take place until an arboricultural method statement regarding the protection of the adjacent trees has been submitted to and approved in writing by the local planning authority. The statement shall be in accordance with BS 5837:12 Trees in relation to Construction and will include protection of roots. The works shall be implemented in accordance with the approved statement.
- 15) The dwelling hereby permitted shall not be first occupied until the parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used for any other purpose other than the parking of motor vehicles.



Proposed site plan Scale 1:200 @A3



**Key**

- A access from London Road widened with improved visibility splays
- B covered pergola and planting
- C cycle store
- D Solar thermal or PV panels
- E living green roof
- F balcony
- G rooflight over stairwell
- H lightwell to lower ground floor
- I kitchen garden raised beds
- J Existing driveway widened to 4.1m
- K Parking space for existing dwelling
- L 6m min width turning head
- M refuse / recycling bin
- N

A 030513 Minor amendments

rev. | date

No dimensions to be scaled from this drawing. All dimensions to be checked on site. This drawing is copyright and should not be reproduced without the permission of the Architects.

client

**Rose Dawes**

project  
The Roundhouse, London Road,  
Brighton, BN1 6UA

drawing

**Proposed Site Plan**

scale 1:200@A3 date April 2013

19a Wilbury Avenue  
Hove, East Sussex  
BN3 6HS  
tel: 01273 203230  
fax: 01273 321687  
email: info@jararchitects.co.uk

**Turner Associates**  
Architects and Planning Consultants

TA 705 / 11 A



## **APPENDIX 7**

---

# Appeal Decision

Site visit made on 1 June 2015

**by Michael Lowe BA(Hons) BTP MPA MRTPI**

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

**Decision date: 23 June 2015**

---

**Appeal Ref: APP/G1250/W/15/3003357**

**Land r/o 18, 20 & 22 Parley Road, Bournemouth BH9 3BB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Springvale Environment Ltd against the decision of Bournemouth Borough Council.
  - The application Ref 7-2014-4264-A, dated 15 September 2014, was refused by notice dated 24 November 2014.
  - The development proposed is outline planning application for three bungalows.
  - The application has been submitted in outline form with only access to be determined at this stage.
- 

## Decision

1. The appeal is allowed and planning permission is granted for outline planning application for three bungalows at Land r/o 18, 20 & 22 Parley Road, Bournemouth BH9 3BB in accordance with the terms of the application, Ref 7-2014-4264-A, dated 15 September 2014, and the plans submitted with it, subject to the conditions set out in Annex A at the end of this decision.

## Procedural Matters

2. During the course of the appeal the Council has confirmed that it no longer wishes to contest the parts of its refusal reason relating to open space and transport infrastructure contributions. I have therefore proceeded with the appeal on this basis.
3. The appellants have submitted a signed Unilateral Undertaking (UU) dated 5 June 2015 in respect of Heathland Mitigation which seeks to replace previously submitted UUs dated 28 May 2015 and 17 March 2015. The Council has confirmed that this undertaking is acceptable and I consider this later in this decision.

## Application for costs

4. An application for costs was made by Springvale Environment Ltd against Bournemouth City Council. This application is the subject of a separate Decision.

## Main Issue

5. The appeal scheme proposes the erection of 3 two bedroom bungalows. Although the appellant has submitted indicative layout and design drawings of the proposed bungalows, it is important to note that only access is to be considered at this stage. Consequently, were the appeal to be allowed then

the final layout arrangements and design of the proposed dwellings would be considered within an application for the approval of reserved matters. I must therefore consider, within the context of the supporting appeal information, whether the principle of providing three bungalows on this site would be acceptable. With this in mind, the main issue is the effect of the proposed development on the character and appearance of the area.

## Reasons

6. The appeal site is formed of what previously would have been the rear gardens of Nos 18, 20 and 22 Parley Road. These gardens and those adjoining them are reasonably generous in size and there is an attractive, open suburban character to the area as a result. Parley Road has a relatively narrow carriageway width and close to the appeal site is predominantly comprised of detached houses with relatively narrow spaces between one another.
7. Due to the single storey size of the proposed dwellings they would not form unduly large or prominent features within their backland location and would, to a degree, blend in with some of the outbuildings which currently exist within the appeal site and within the rear gardens of Forest View Road. Furthermore, in the wider area which the appellant has examined within Drawing No PR4, there is a variety of residential development which includes backland dwellings at Nos 62a – c and 64a – c Malvern Road, No 27a Parley Road and, closer to the site, at No 12a Parley Road which provide a local context of second tier development.
8. The proposed plot sizes, although smaller than those immediately adjoining them, would be similar to many shown within Drawing No PR4 and which exist within nearby housing development. Furthermore I saw at my site visit that due to the relatively narrow spacing between the housing along Parley Road, much of these rear gardens are hidden from public view and therefore make only a limited contribution to the character of the area. The proposed bungalows would have similar plot widths to the host properties and acceptable gaps between the proposed dwellings could be secured at the reserved matters stage. Similarly the design of the bungalows would also be assessed in greater detail at this later stage and an appropriate design and use of materials could be approved at this point.
9. The gardens that would remain for Nos 18, 20 and 22 Parley Road would be acceptable in size and form and would help provide an adequate degree of separation between the existing houses and the proposed bungalows. The relatively long rear gardens within the nearest neighbouring properties Nos 24 – 30 Forest View Road, would also help to ensure that the proposed development would not appear unduly cramped or overcrowded within its surroundings.
10. With regard to the proposed access, I acknowledge that it is relatively narrow, and I note that No 12a Parley Road has wider access, however in character terms it would not appear significantly different from other accesses serving nearby backland development and a number of garages along both Parley and Malvern Roads. As it would only serve three dwellings it would retain a relatively domestic appearance and scale and would thereby fit in appropriately with its surroundings.

11. To conclude, the proposed development would therefore have an acceptable effect on the character and appearance of the area. It would thereby comply with saved policy 6.8 of the Bournemouth District Wide Local Plan February 2002 which seeks to permit infill residential development in appropriate locations where it complements and respects the character and amenity of neighbouring development and provides a pleasant residential environment. It would also comply with policy CS5 of the Bournemouth Local Plan: Core Strategy October 2012 which seeks to promote well designed development and spaces.
12. Lastly, it would also comply with paragraphs 56 - 58 of the National Planning Policy Framework (NPPF) which seek amongst other matters, to achieve high quality inclusive design and to ensure that development responds to local character and reflects the identity of local surroundings.

### **Other Matters**

13. A signed UU dated 5th June 2015 has been submitted by the appellants in respect of the provision of a £1,065 payment towards the Management and Monitoring of the Dorset Heathland Mitigation proposals. I consider that this meets the tests of paragraph 204 of the NPPF and satisfactorily deals with the impact of the proposal in this regard. I have not taken into consideration the UUs of the 17<sup>th</sup> March 2015 and 28th May 2015 which also sought to achieve Heathland mitigation but which needed to be replaced due to a change in approach by the Council to dealing with infrastructure contributions and its revised administration costs in this regard.
14. I have carefully considered the objections to the appeal scheme which have been submitted by local Councillors and local residents. It is clear from their representations that highway issues are of particular concern. I saw at my site visit that Parley Road is narrow and I note that on-street car parking has caused problems in the past and continues to present a challenge for local residents and for refuse and emergency vehicles accessing Parley Road.
15. I noted at my site visit that yellow lines that had been recently introduced around the tight bend within Parley Road and also at its junction with Malvern Road and I have also had regard to **the Council's approved** Proposed restrictions Drawing<sup>1</sup> showing which shows where parking will be further restricted in the future. The illustrative drawings accompanying the appeal scheme suggest that 6 car parking spaces could be accommodated within the site and the Highway Authority have confirmed that this level of car parking would be acceptable. With this in mind, there would not be a significant amount of on-street parking within Parley Road that would result from the proposed development.
16. The Highway Authority has not offered any objections to the appeal scheme and I do not have any representations from the emergency services or from **the Council's refuse section objecting to the scheme. The site is large enough** to accommodate a turning area for emergency and refuse vehicles and I therefore conclude that the proposal would not represent an unacceptable threat to highway safety.

---

<sup>1</sup> Drawing No P8 2014 056A dated 2 October 2014

17. Although I note that the appeal development in combination with recent residential development approved at Winston Road and at Broadway Lane would raise pressure on local schools and other public services, the proposal is of limited scale and I do not have any objections before me from the Education Authority or from the Council on this issue. Any potential issues of overlooking and privacy would be examined at the reserved matters stage when the appearance of the proposed dwellings would be assessed and loss of house value is not in itself a matter which I can apply significant weight to within this appeal.
18. Although the proposed development would result in the loss of former garden area and I saw some evidence of tree removal during my site visit, there has not been any survey of wildlife habitat submitted in connection with this appeal. I have also not seen any Local Wildlife records or concerns from **Natural England to support the local resident's contention that** some protected species including slow worms and stag beetles live within or nearby the site and would be harmed by the appeal proposal. I therefore cannot dismiss the appeal on this ground.
19. Although I have carefully considered the above matters within this section, they do not alter the acceptability of the proposal in respect of the main issue.

### **Conditions**

20. I have added a condition requiring development to be carried out in accordance with the submitted drawings for the avoidance of doubt and in the interests of good planning. Matters relating to proposed materials, boundary treatments, the withdrawal of Permitted Development rights and the internal access, turning and parking arrangements should be considered as part of the reserved matters process. Similarly, landscaping proposals are also a reserved matter and the consideration of retained trees should be considered as part of this, together with any relevant conditions. I have therefore not included conditions relating to these matters.
21. I have added a condition regarding pedestrian visibility splays to provide an acceptable level of inter-visibility at the junction of the site with Parley Road. I have also included a condition requiring the provision and implementation of a Construction Method Statement to ensure that local residents do not experience an unreasonable degree of disturbance during the construction works and to ensure that materials are not stored on the highway. I have not been provided with the wording or justification for the conditions regarding the provision of a dropped kerb and loose material on the highway and I therefore have not included these. I have added a condition regarding the provision and implementation of a sustainable drainage scheme to reduce the risk of flooding across the site and within the surrounding area. The issue of replacement hard surfaced areas can also be considered within this condition.
22. For the above reasons, and having taken into consideration all matters before me, the appeal is allowed and permission is granted.

*Michael Lowe*

INSPECTOR

## **Annex A**

### **Conditions 1 – 7**

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
4. The development hereby permitted shall be carried out in accordance with approved plans PR1- Site Location/Curtilage and PR2 - Indicative Layout.
5. Before the development hereby permitted is brought into use a pedestrian inter-visibility splay of 2m x 2m shall be provided at each side of the access, the depth measured from the back of the footway into the development site and the width of the splay measured outwards from the edge of the access. No fence, wall or other obstruction to visibility over 0.6m in height above ground level shall be present within the area of the splays.
6. No building hereby permitted shall be occupied until a sustainable drainage scheme for the site has been completed in accordance with details which have previously been agreed in writing by the local planning authority. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the approved details.
7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - (i) the parking of vehicles of site operatives and visitors;
  - (ii) loading and unloading of plant and materials;
  - (iii) storage of plant and materials used in constructing the development;  
and
  - (iv) noise reduction measures (including times of piling operations if applicable).



PR2 Indicative layout

**BEDFORD**

4 Abbey Court  
Fraser Road  
Priory Business Park  
Bedford  
MK44 3WH

Tel: 01234 832 740  
Fax: 01234 831 266  
bedford@dlpconsultants.co.uk

**BRISTOL**

Broad Quay House (5th floor)  
Prince Street  
Bristol  
BS1 4DJ

Tel: 0117 905 8850  
bristol@dlpconsultants.co.uk

**CARDIFF**

Sophia House  
28 Cathedral Road  
Cardiff  
CF11 9LJ

Tel: 029 2064 6810  
cardiff@dlpconsultants.co.uk

**LEEDS**

Princes Exchange  
Princes Square  
Leeds  
LS1 4HY

Tel: 0113 280 5808  
leeds@dlpconsultants.co.uk

**LONDON**

The Green House  
41-42 Clerkenwell Green  
London  
EC1R 0DU

Tel: 020 3761 5390  
london@dlpconsultants.co.uk

**MILTON KEYNES**

Midsummer Court  
314 Midsummer Boulevard  
Milton Keynes  
MK9 2UB

Tel: 01908 440 015  
Fax: 01908 357 750  
miltonkeynes@dlpconsultants.co.uk

**NOTTINGHAM**

1 East Circus Street  
Nottingham  
NG1 5AF

Tel: 01158 966 620  
nottingham@dlpconsultants.co.uk

**SHEFFIELD / SPRU**

Ground Floor  
V1 Velocity Village  
Tenter Street  
Sheffield  
S1 4BY

Tel: 0114 228 9190  
Fax: 0114 272 1947  
sheffield@dlpconsultants.co.uk

**WILBRAHAM ASSOCIATES**

**RUGBY**

18a Regent Place  
Rugby  
Warwickshire  
CV21 2PN

Tel: 01788 562 233  
info@wilbrahamassociates.co.uk