

Planning Supporting Statement

Proposal: - Retention of as built dwelling, to include the construction of 2 no. new dormer windows and the erection of a garage

At :- land adjacent 31 Green Lane, off Tankersley Lane Tankersley, Barnsley, S74 0DT.

1.0 Introduction

This application relates to a proposal to retain as built a dwelling located on the west side of Green Lane behind (to the south of) 31 Tankersley Lane, Barnsley, S74 0DT.

The dwelling, a bungalow, is understood to have been built under planning permission ref no 2007/1817 which was approved by decision notice dated 19 December 2007. It is understood however that the dwelling was not built-in accordance with the approved plans with particular regard to the ridge height of the building.

It is understood that the development was the subject of an enforcement notice seeking the reduction of the roof to a height consistent with the planning permission. An appeal was submitted against the councils notice but seems to have been withdrawn prior to its determination.

A subsequent application reference number 2010/00117 was subsequently approved and which in accordance with the 'Design and Access Statement' submitted with the application advised that following negotiations with the council agreement had been reached to remove the roof and reduce it in height to a (ridge height) of 6.7m which we understand to be consistent with the original plans. This proposal was approved by decision notice dated 4 February 2010 but does not seem to have been actioned as the dwelling is still in its as built form.

It appears that a further application seeking to remediate the discord with the council was submitted later in 2010 application ref no 2010/1201 (for the erection of 1 no. detached bungalow) -resubmission. This proposed a more radical solution in which the ridge was reduced in height by some 900-1000mm to create a flat ridge consistent with the 6.7m threshold agreed as part of the 2010/00117 application with a mansard roof and 'clipped gables'.

This was refused by the council by decision notice dated 19 November 2010 there was one reason for refusal, and this stated that; -

'1. In the opinion of the local planning authority the proposed dwelling would be contrary to UDP policies H8D and GS9, as well as PPG2 and PPS3, in that the eaves height, ridge height, roof design and unbalanced fenestration would result in a conspicuous, prominent, and dominant feature that would have a significant detrimental effect on the visual amenity of the surrounding area and green belt'.

There does not appear in the intervening 11 years + to have been any further applications or action secured by the council that have moved the matter forward. The dwelling is substantially completed externally, having in accordance with the application forms having been started in August 2008.

Clearly in the absence of some collective will, there does not currently seem to be a mechanism to move the development forward, it seems that the council have not pursued a solution through enforcement action during those 10 years and the partially completed dwelling sits in an overgrown curtilage lacking the detail to finish it off and fulfil its intended function as a dwelling.

2.0 Discussion

From the planning history we consider we are able to assume that the principle of the development of the site for residential purposes in the context of the development plan had been conceded by the council within the original planning permission 2007/1817 subject to the design submitted at that time, and that its impacts on the open countryside and green belt were therefore also in principle also acceptable.

It is also we consider clear from the reason for refusal on the proposed revisions to the roof the subject of the 2010/00117 application that the existing height with a ridge of some 7.5m was regarded as unacceptably excessive given the location of the site within the green belt and the open countryside.

However, we consider that in the intervening 11 years there have been a number of changes as a result of other planning approvals adjacent the site, that are 'material

considerations' in reviewing the impacts that the 'as built' property has on both the green belt and the surrounding area.

Whilst we do acknowledge the impact the unsympathetic development can have on the values of the green belt and preserving its character and openness, we find it difficult to acknowledge the height specific sensitivities originally applied to this development.

The site is located on the edge of settlement and is surrounded by what are predominantly two storey-built developments on Tankersley Lane and beyond, with several significant sporadic developments to the south and west of the site defining what we consider the main character of the area.

The scale and massing of the proposed or as built bungalow do not we consider challenge either the character or openness of the area.

The dwelling the subject of this application formed a 'tight' group with the adjacent cottage 29 Green Lane opposite (west) and no 31 Tankersley Lane to the north with extensive open countryside areas to the west.

It is against this relationship that we assume judgements on impact were originally made and as we do note that there is no reference to residential amenity in either the conditions of the planning permission or the proposals to reduce the roof with the mansard roof proposal, we have assumed therefore that there were no issues regarding such impacts.

Regarding the more recent planning history, we have referred to above and its implications for development on the application site.

We note that the former dwelling at no. 31 immediately to the north was the subject of a planning permission for its demolition and replacement by two large, detached houses (reference number 2014/0938 approved 10 October 2014) which have now been built, both of which are two storey and are within 12-14m of the application site and provide what we

consider to be a very accurate reference to the vertical scale of the building form, significantly exceeding the as built structure.

More importantly however is, we consider, the development that the council have approved to the west of the application site, and which completely changes the character of the area.

A major application ref no. 2020/0647 which grants permission for a: -

'Hybrid application for a development up to 103,086 sq m of employment uses (Use classes B1/B2 and B8) and associated works including access roads, drainage, and landscaping'.

This was approved by decision notice dated 9 November 20 and the masterplan drawing ref no. HOY-PHP-1A-00-DR-A-4400-101-P10 submitted with that application shows a distribution centre 380m long and 75m wide to the west of and within 130m of application site, this is a building of over 28,500m².

It is in this context we consider that it is essential that the acceptability of the 'as built bungalow' must be re-evaluated, any impacts have fundamentally changed and the impacts on openness, countryside and character can no longer be justified?

3.0 Summary

As a result of the planning issues the dwelling has remained unfinished, it is built to a high standard but will without intervention fall into dereliction, this appears to be entirely contrary to the governments and council's objective for the planning system to deliver houses and homes throughout the UK.

The applicant is therefore seeking that the council review their approach to the retention of the dwelling with a view to facilitating it 'as built' and consider the amendments that the applicants have proposed as part of this application which would make use of the roof void by allowing it to be used as additional accommodation. The proposal includes the

construction of two dormer windows in the west elevation providing daylight to the proposed bedrooms, the installation of a number of 'velux' type rooflights in the west elevation to a new bathroom and 4 in the east elevation which would be located above eye line to protect the amenity of no.29 from overlooking.

A further amendment is the inclusion of a double garage within the sites curtilage as shown on the submitted plans.

We would therefore respectfully request that the objections to the retention of the as built dwelling be reviewed in accordance with the attached planning application and the use of the building as a dwelling in accordance with the original planning intention be confirmed, the failure to resolve the issue is both unsustainable and a misuse of resources.