

Planning Statement

This statement is in support of an application for a certificate of lawfulness for a store, games area and hobby workshop in the rear garden of 4 Burton Crescent, Monk Bretton, Barnsley.

The proposal is to construct a single storey building to be used for purposes incidental to the enjoyment of the dwelling house.

This will include storage of equipment and games facilities for the applicant's grandchildren. The applicant has been previously advised by the planning officer that it would be helpful if the application included a list of items to be stored and used within the building.

The items that require secure storage include, jet washer, 12 ft ladders, 2 pairs of step ladders. Wheelbarrow, petrol lawn mower, 2 suitcases, patio table, 6 patio chairs, rattan patio set to include 2 patio chairs and double seat, small workbench, cement mixer, grass trimmer, 12 storage boxes, wooden garden bench, shelving units, numerous hand tools, various tins of paint and stains etc various children's toys, and small bikes, items for the games and leisure area will include pool table, table tennis table, exercise bike and treadmill along with small exercise equipment.

This application is submitted without prejudice to any current or future applications or appeals in relation to the proposed building.

This application is based on an independent topographical survey, including ground levels around the proposed building, carried out in December 2020.

These ground levels are still in existence on the date of this application and are shown on the submitted documents.

The topographical survey shows the highest existing ground level, within the curtilage, adjacent to the proposed building, to be at 0.818 metres above the concrete slab foundation

This is the area of land that Mr Andrew Burton from the LPA has previously requested to see (ref. e/mail 5/6/2020 15.28 to Mr Robert Agus). Mr Burton also stated in the same e/mail quote *"and to repeat things I've already said our ultimate determination is that the council must take account of the ground level in existence at the time of determining the application"*

The existing ground levels were seen and measured by Mr Paul Doherty and Mr Robert Tollyfield from the LPA during their site visit of 12/3/21. This was witnessed by several people who attended at that time.

The existing ground levels, particularly the highest existing ground level adjacent to the building, has been witnessed by Leader of the Council Sir

Stephen Houghton CBE on his site visit of 8/4/21. This visit was undertaken as part of his duties as my local representative on B.M.B.C.

The submitted documents include several photos of this area of ground which show several stages during the progression of the ongoing construction of the external wall of the proposed building adjacent to the highest existing ground.

Some of the photos show that it has been necessary to support the loose ground, which overlaid self-retaining clay soil. The temporary works include a timber plank with a Visqueen membrane to enable the external wall of the building in this area to be constructed with no gap between the ground and new wall.

No ground has been excavated from this area although it has been tidied up and weeded to prepare for spring planting.

This application relates only to existing land levels and, as previously emphasised by Planning Officers, the decision of the LPA must take into account the ground level in existence at the time of determining the application.

This application does not involve any backfilling to pre-existing land levels and as such any previous assessments of pre-existing land levels, by any party, on any previous applications or appeals are not relevant.

It is the duty of the LPA to actively engage with the Applicant during the decision-making process.

Therefore, it is requested that, if this application raises any issues or queries whatsoever that may give rise to a refusal, that we are informed at the earliest opportunity. These matters can then be addressed prior to a final decision.

With reference to an e/mail from Mr Burton to Mr R. Agus 9/3/21 *"Idc's are evidence based that should include a site visit as part of the assessment"*

If this is deemed necessary it is important that an appointment is made.

This application addresses all concerns of the LPA in previous applications and provides, in the form of submitted drawings and photographs (some taken by the LPA), an independent survey, and statements, clear and precise reliable evidence. this evidence proves, beyond doubt that the proposal in question. conforms to Class e.1(e)(ii) (the height of the building enclosure or container should be measured from the highest ground level immediately adjacent to the building enclosure or container to it's highest point) and is a form of permitted development.

