

## PLANNING APPEAL STATEMENT

Relating to;

ADDITION OF EXTENSION TO REAR AND UPPER STOREY TO CREATE  
A 1 BED FLAT ABOVE EXISTING A5 PREMISES  
79 HUDDERSFIELD ROAD, BARNESLEY S75 1AA



Document ref; G1843/PAS

Prepared by

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### 1.0 Introduction

This brief statement has been prepared in support of a Planning Appeal with regard to a recently refused planning application ref; 2018/1209 relating to the addition of a modest extension at the rear and addition of a first floor storey to accommodate a 1 bed flat for the owner of the A5 takeaway premises below, currently vacant and unused.

### 2.0 Site locality and built environment

The site is located on the A635 Huddersfield Road heading North West out of Barnsley and lies within the residential suburbs on the fringe of Barnsley Town Centre amongst a row of one and two storey street front retail and business premises and larger business units. A number of the adjacent, similar premises have residential accommodation at first floor level.

There is a large open space “Wilthorpe Park” directly to the East of the site and Wilthorpe Primary School is situated at the rear boundary of the site.

The subject building, constructed of red brick walls under a flat roof is part of a three property terrace, one of which is used as a small convenience store/newsagent and has first floor residential accommodation above.

From the highway the property stands as a single storey building, however the ground to the rear falls away and there is a storey below which is used as storage for the ground floor takeaway premises, having been closed now for a number of years.

At the rear, lower area of the site stands a shed and small garden space.

### 3.0 Proposal

Refer to drawing and photo in the appendix.

The proposal relates to the addition of a modest extension at the rear and addition of a first floor storey to accommodate a 1 bed flat for the owner of the premises who is wishing to re-open the A5 takeaway premises below and live on site in the new flat above.

The building footprint is modest and the proposal comprises the addition of a modest extension at the rear of the A5 unit together with the addition of a storey above to accommodate a modest 1 bed flat, comprising separate entry point and access staircase, open plan lounge, kitchen, dining space, a double bedroom and a bathroom.

The planners comments regarding the inadequacy of the internal floor area are unreasonable, although the necessity to meet minimum standards is understood, however where a development is 'stand-alone' and provides adequate space I believe should be supported. The floor area and accommodation in this case is more than adequate as a single bedroom dwelling and is indeed greater than many new living units around the UK, particularly those marketed as 'studio-apartments' where the bedroom is part of the living space also.

The planning officer raised concern about the proposal falling below a minimum standard floor area standard for new dwellings in South Yorkshire. The shortfall is very small and some alternatives were put forward to show how the accommodation could be arranged in different ways to increase the total footprint and meet the said standards. A number of alternative layouts were drawn and sent to planning for comment. In point of fact there are many new living units around South Yorkshire which fall below the standard referred to and yet have been approved by Barnsley Council Planning as well as other councils and which provide perfectly adequate living spaces to meet modern expectations for compact, convenient and desirable living spaces.

The facades of the extended property have been designed to meet the comments of the Planning Officer in terms of window design and facing materials.

In support of this application I also make the comments below;

1. The accommodation is for the takeaway manager as a live-in facility, directly over the business.
2. The current takeaway has been closed for several years and this proposal will enable the owner to re-open the business creating additional employment.
3. The internal room spaces are in fact of good practical size (see attached plan); open plan lounge kitchen 19.96m<sup>2</sup> (83% of target) and bedroom 9.28m<sup>2</sup> (77% of target). There is only one bedroom and so the bathroom facility is en-suite and is of a perfectly reasonable size at 2.82m<sup>2</sup> (80.6% of target). There is a store also added at just over 1m<sup>2</sup>, which although compact is more than adequate and I note that one or more of the above mentioned developments do not incorporate a store! The gross floor area of the dwelling unit = 39.22m<sup>2</sup> or 420sqft. These areas can be manipulated to vary the space distribution of each room. The flat will have storage in the rear garage/shed also.

4. This is a 'one-off' individual private development for the creation of a single new living unit over existing client owned property and which meets current Government legislation for the creation of new dwellings to 'infill sites'.
5. The proposal uses available space which if not granted will remain an unused 'dead space' and the council will have missed an opportunity to support and encourage new local business and development, create employment and all the associated service provider trade benefits associated with this proposal which will be ongoing for years to come. **There is no logical reason for the refusal of this development.**

#### 4.0 Summary

The proposal would achieve the following;

1. a building in need of refurbishment and currently not in use
2. provide a new dwelling in accordance with the Government drive for new housing to be built out
3. provide a live/work facility for a new business in the locality
4. creation of new full and part-time employment in the community
5. create work for ongoing retail supply chains in the operation of a new business
6. create additional income for local government/council departments

#### 5.0 Appendix

- a. Emails between the AGENT and the PLANNING OFFICER. AP1, AP2 and AP3.
- b. Photographs

## Appendix A – emails;

### AP1; Email to Richard Gilbert - Planning Officer dated 18/11/18

Morning Richard

Ref; INV - 2018/1209, 79 HUDDERSFIELD ROAD, BARNSELY, S75 1AA

As discussed I feel your appraisal of the proposed accommodation being too small is both disappointing and unfair. I have located several recent applications in Barnsley and I will sight various recent applications and new developments approved by your department, one or more now erected (see sales particulars attached for some of these) which appear to fall short of the policies of your department. However, I would argue that these developments do in fact provide living spaces of more than adequate size as will my client's application at Huddersfield Road;

- a. New apartment block "Skyline", Heelis Street - open plan lounge/kitchen floor area 20m<sup>2</sup> and bedroom 11.9m<sup>2</sup>.
- b. New apartments at Jordan Hill, off Gamber Street - open plan lounge/kitchen floor area 20.6m<sup>2</sup> and bedroom 9.2m<sup>2</sup>.
- c. New apartments at Dovecliffe View - open plan lounge/kitchen floor area 22m<sup>2</sup> and bedroom 10.4m<sup>2</sup>.
- d. New apartments Brooke Street - bedroom 1 is 9.7m<sup>2</sup>
- c. Application ref; 2017/0003 at Farm Road for the "erection of 1 no. block of 14 no. apartments (2no. 2 bedroom and **12no. studios**)".

In support of this application I also make the comments below;

6. The accommodation is for the takeaway manager as a live in facility, directly over the business.
7. The current takeaway has been closed for several years and this proposal will enable the owner to re-open the business creating additional employment.
8. The internal room spaces are in fact of good practical size (see attached plan); open plan lounge kitchen 19.96m<sup>2</sup> (83% of target) and bedroom 9.28m<sup>2</sup> (77% of target). There is only one bedroom and so the bathroom facility is en-suite and is of a perfectly reasonable size at 2.82m<sup>2</sup> (80.6% of target). There is a store also added at just over 1m<sup>2</sup>, which although compact is more than adequate and I note that one or more of the above mentioned developments do not incorporate a store! The gross floor area of the dwelling unit = 39.22m<sup>2</sup> or 420sqft. These areas can be manipulated to vary the space distribution of each room. The flat will have storage in the rear garage/shed also.
9. This is a 'one-off' individual private development for the creation of a single new living unit over existing client owned property and which meets current Government legislation for the creation of new dwellings to 'infill sites'.

10. The proposal uses available space which if not granted will remain an unused 'dead space' and the council will have missed an opportunity to support and encourage new local business and development, create employment and all the associated service provider trade benefits associated with this proposal which will be ongoing for years to come.

There are many compact living accommodations, both new and existing, which are smaller in floor area than the flat being proposed under this application. Whilst I agree that applications for the creation of new and multiple living unit schemes should, wherever possible, meet the minimum floor area requirements set out under current policy, I believe that where a single unit is being proposed, utilising all the space available in the most effective manner and which almost meets current standards, then this should be supported.

I find it incomprehensible that the council, given the current lack of housing, economic market and wider challenges facing the country as a whole, would choose to close down a proposal of this kind which can benefit so many individuals and suppliers and which ultimately provides a more than adequate living unit.

Given the above information, I respectfully request that you look carefully at the drawings and I hope you are able to support this 'one-off', private development and avoid the need for my client to pursue a time consuming appeal should a refusal of the application be received.

If you have any queries please let me know and I will be pleased to discuss them with you. I am available to attend your office if that is preferred.

Yours sincerely

Nick White  
LION DESIGN  
07928 781515

**AP2; Email response from Richard Gilbert - Planning Officer dated 20/11/18**

GR

Gilbert, Richard <RichardGilbert@barnsley.gov.uk>

Tue 11/20/2018, 4:08 PM

Hi Nick,

I accept your comments with regard to the park.

The overall space internally measures 34 sqm with the plans submitted under plan no. G1843-01C. As such the internal length of the premises was proposed at 8.5m. The subsequent floorplans submitted, without a contextual block plan, present an increase to the internal length to 9.4m – 0.9m more than initially provided. The remaining gap between the rear elevation of the extension and the detached garage is indicated to be 0.4m, I consequently believe this submission is somewhat contrived and barely meets the nationally prescribed minimum standard of 38sqm for a single storey dwelling. However as the bathroom has been moved to another floor, the dwelling would have to meet the two storey requirement of 58sqm.

I will not be accepting any other plans or correspondence in relation to this application as I am not convinced the site can meet minimum internal space standards for residential purposes without the conversion of the business premises to a C3 use.

Kind regards,

Richard Gilbert

**AP3; Final email to Richard Gilbert - Planning Officer dated 20/11/18 – no further reply received and the formal REFUSAL NOTICE received soon after.**

Afternoon Richard

**Re; INV - 2018/1209, 79 HUDDERSFIELD ROAD, BARNSELY, S75 1AA**

The internal width of 4150mm is unchanged, however the length I have extended, as you suggest, to meet the face of the garage below, albeit the space below the extension would be open and supported on two corner columns as shown on the plans. The additional internal length is approx. 500mm not 900mm! Not sure how you have calculated that and I am concerned you may be misunderstanding the drawing resulting in an unfair appraisal of the proposals? I did note that the areas you originally stated in your email were marginally below the true measured areas. The internal floor area of the first floor is in fact over 39m<sup>2</sup>! This is not a traditional 'two storey dwelling', but live/work accommodation and should be considered by planning as such.

I look forward to your comments.

Regards

Nick  
LION DESIGN  
07928 781515

**Appendix B – PHOTOGRAPHS**



Lower floor storage space as viewed to side elevation from driveway.



Rear elevation showing the adjoining property having been previously extended at both ground and first floor level at the rear.



Looking down the driveway to the storage shed at the rear.