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**PLANNING STATEMENT IN SUPPORT
OF PLANNING APPLICATION FOR THE
CONSTRUCTION OF FOUR APARTMENTS
AT 335 PONTEFRACT ROAD
LUNDWOOD, BARNSELEY**

**SUBMITTED ON BEHALF OF
MR STUART NUTTALL**

DECEMBER 2009

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CONSTRUCTION OF FOUR APARTMENTS AT 335 PONTEFRACT ROAD, LUNDWOOD,
BARNSELY**

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1. INTRODUCTION

1.1 We are instructed by Mr Stuart Nuttall ("the applicant") to prepare and submit a planning application for an extension to the existing building to form four apartments ("the application") at 335 Pontefract Road, Lundwood, Barnsley ("the site").

1.2. In support of the Application the following information is included:

- Completed planning application forms and appropriate certificates
- Site location and site layout plan (Scale 1/1250 & 1/200)
- Proposed Elevations (Scale 1/100)
- Proposed Floor Plans (Scale 1/100)
- Planning Statement
- Design and Access Statement.

1.3 The purpose of this statement is to provide an evaluation of the site and planning history, together with a review of local, regional and national planning policies before compiling a case in support of the application, giving due consideration to all material planning considerations.

2. THE SITE

2.1 The site is located on the A628 Pontefract Road to the north east of Barnsley town centre, in the Lundwood area of the borough.

2.2 It is within a built up area that is predominantly characterised by housing, but includes a parade of commercial units set back from Pontefract Road, which are served by an independent access and on street parking area.

2.3 The site is at the southern end of the parade and unlike the other buildings is a single storey flat roof unit. It was vacant for a lengthy period of time but is now occupied as a restaurant and takeaway business. The site boundaries extend to meet up with Lund Lane to the south and to No 2 Lund Lane to the east. The western boundary

adjoins the A628 and an adjacent unit is attached to the north which is occupied as a fish and chip shop.

3. PLANNING HISTORY

3.1 A planning application for the extension of the building to form 6 apartments was refused permission by the Local Planning Authority ("LPA") on 4 December 2008.

3.2 The application was refused for the following reasons:

- "1. The site lies within an area designated as Urban Greenspace on the approved Barnsley Unitary Development Plan. UDP Policy GS34 states that such areas will normally remain open and undeveloped and that any proposals for development will be assessed for their effect on the present and potential function of the areas in terms of its recreation, amenity or conservation value. In the opinion of the Local Planning Authority, the site makes a useful contribution to the casual recreation and the appearance of the local environment, and in the absence of any alternative provision being made, the proposed development would be contrary to UDP Policy GS34.*
- 2. In the opinion of the Local Planning Authority the proposed extension would be contrary to Policy H8A of the Unitary Development Plan and the Council's Supplementary Planning Guidance Notes 2 & 3 in that its scale would be architecturally inconsistent with the character of the immediate area and would as a consequence appear as an unduly intrusive feature in the street scene to the detriment of visual amenity.*
- 3. In the opinion of the Local Planning Authority, the proposed extension would be materially detrimental to the amenities of the occupants of number 2 Lund Lane by reason of its overbearing impact, reduction of privacy levels and increase in residential activity contrary to Unitary Development Plan Policy H8A and the Council's Supplementary Guidance Notes 2 & 3."*

4. THE APPLICATION

- 4.1 *The application proposals now submitted take on board the concerns expressed by the LPA and provide a positive response to the refusal of the previous application. The main supporting case for the development is set out in Section 6 below.*
- 4.2 *In recognition of concerns about the scale of the development as originally proposed and the impact on the Urban Greenspace, the scheme has been reduced in size so that now the proposal is for four apartments. The scheme includes adding a first floor to the existing building and constructing a two storey extension on the southern side. A hipped roof design is proposed with the ridgeline set approximately 0.6m higher than the adjacent fish and chip shop unit.*
- 4.3 *Access will be continue to be from Lund Lane and provision is to be made for five car parking spaces which will be laid out immediately adjacent to the side and rear elevations. This leaves a large area of land to remain undeveloped which can continue to contribute to the urban greenspace designation.*

5. PLANNING POLICY FRAMEWORK

- 5.1 *The statutory development plan consists of the Regional Spatial Strategy Yorkshire and Humber Plan 2008 and the Barnsley Unitary Development Plan ("UDP") which was adopted in 2000. The plan is supported by a number of Supplementary Guidance Notes ("SPG"). The site has a mixed allocation in the UDP with the existing building and the land directly to the rear of it designated as a Principal Shopping/Commercial Centre and the remainder of the site designated as Urban Greenspace.*
- 5.2 *The LPA identified the development as being in conflict with policies GS34 and H8A, as well as SPG's 2 and 3. Policy GS34 is concerned with urban greenspace and policy H8A is concerned in particular with matters of design and residential amenity. SPG2 and SPG3 provide further guidance on the issues raised in policy H8A.*

- 5.3 Policy GS34 advises that urban greenspace designated areas will normally remain open and undeveloped, with proposals for development assessed for their effect on the present and potential formal and informal functions of the areas as facilities for recreation, amenity value, nature conservation value or linking adjacent areas. The policy goes on to advise that where a proposal will have a significant adverse effect on the function of the area, permission will usually be refused. However, where material considerations indicate that development is acceptable, the adverse effects on urban greenspace must be offset by compensatory improvements within or outside the site.
- 5.3 Policy H8A requires the scheme, layout, height and design of new dwellings to ensure that the living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new and existing residents.
- 5.4 The policy concerned with principal shopping and commercial centres is S2. It promotes improvements to the general environment, the management of traffic, highway and pedestrian facilities, together with promoting the use of public transport.
- 5.5 Policy BE6 refers to design standards and seeks to achieve good design for all development. The criteria listed includes quality of layout, suitability of scale, landscape treatment of open land, detailed design and facing materials, and suitability in terms of context and relationship with adjoining land uses.
- 5.6 At the national level, Planning Policy Statement 3 (Housing) ("PPS3") requires the planning system to deliver housing in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure.
- 5.7 A key objective of PPS3 is the effective use of land, with a national target of 60% of new housing (subsequently raised to 65% via the Regional Spatial Strategy) to be sited on previously developed land, including land currently in use but which has the potential for re-development. On the same theme the PPS advises that a density level of at least 30 units per hectare should be achieved in developments.

6. CASE IN SUPPORT OF APPLICATION

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the statutory development plan consists of the UDP.
- 6.2 Taking account of the reasons for refusal identified in the previous application, the key issues with this current proposal are as follows:
- UDP allocation
 - Design
 - Residential amenity
- 6.3 Looking firstly at the UDP allocation, the first floor extension does not raise any issues of concern in principle as Policy S2 is neutral on the matter of residential development in shopping and commercial centres. Notwithstanding the urban greenspace designation of the remainder of the site, it does fall within the definition of previously developed land as the whole of the site is part of the curtilage of the existing building, so in that respect the proposal is consistent with one of the key objectives of PPS3 in terms of the effective use of land. It also in a sustainable location close to local services and is on a main public transport route in close proximity to Barnsley town centre, again meeting a key objective of PPS3.
- 6.4 However, it is recognised that because of the UDP allocation the proposal needs to be assessed for its effect on the present and potential formal and informal function of the area. When the previous application was refused it was stated that the site made a useful contribution to the casual recreation and appearance of the local environment and the development as proposed was therefore contrary to Policy GS34. The LPA has not made any comments about nature conservation or amenity value, or any link between adjacent areas, in its assessment against policy GS34. Therefore, the only issue is one of casual recreation value in terms of impact on the urban greenspace.

- 6.5 It does though need to be considered that this site is privately owned and any use of the site for casual recreation has been allowed to occur and continue only because of the co-operation of the applicant. He would though be perfectly entitled to cease to allow access at any time by fencing the land off and any casual recreation value would then also cease.
- 6.6 It is though not the applicant's intention to prevent continued use of the site for recreational purposes. The proposals have been revised to reduce the extent of new development with the additional footprint to the existing building now at 94m² as opposed to the 236m² that was previously proposed. The level of car parking required is also reduced as a result of the smaller development proposed from 11 spaces to 5, and this leaves a generous area of greenspace for continued use and offers a helpful compromise on the part of the applicant. There is in our view now no conflict with Policy GS34 and the applicant is willing to accept reasonable conditions with regard to how the remaining greenspace will operate in the future, including any landscaping or other improvements that the LPA may consider appropriate.
- 6.7 Moving onto the second issue of design, previous concerns were that the scale would be architecturally inconsistent with the character of the immediate area and there would be an intrusive impact on the street scene. The amended proposals now propose an overall width of built development of 17.7m compared to 30.5m as originally intended. The ridge of the building would be marginally higher than that of the adjacent property, but would be below the height of a number of the other buildings on the parade. The result of the proposal would be to bring a better balance to the overall streetscene in the context of the parade and there is a considerable benefit in that the current unsightly flat roof appearance of the building will be replaced with a design much more in keeping with the immediate area.
- 6.8 The design and access statement explains in more detail the concepts of the design and the how the final scheme that has evolved.
- 6.9 On the third issue – residential amenity – previous concerns related to the overbearing impact, increased residential activity and reduction in privacy levels in

respect of 2 Lund Lane. This dwelling is immediately to the east of the site and has its gable elevation facing towards the site, as opposed to any of the main elevations of the property.

- 6.10 As previously the scheme remains 8m from the boundary of the site, whereas SPG3 recommends 10m. However, the scale of the development has been substantially reduced to overcome any issues of overbearing impact and the number of parking spaces has been reduced. The cumulative effect of this is that the concerns about increased residential activity are also now not as significant as previously.

7. CONCLUSION

- 7.1 The proposals have been amended to address the concerns previously raised by the LPA. The applicant is prepared to continue to allow the casual recreational use of private land and will facilitate improvements to the remaining greenspace. The scale of the proposal has been reduced substantially to the benefit of residential amenity and the design represents a significant improvement on the existing appearance of the building and a significant improvement to the streetscene.
- 7.2 The proposals are in accordance with relevant UDP policies and SPG's and is entirely consistent with the objectives of PPS3. We would therefore request, on behalf of the applicant, that the application is approved.