

March 2025

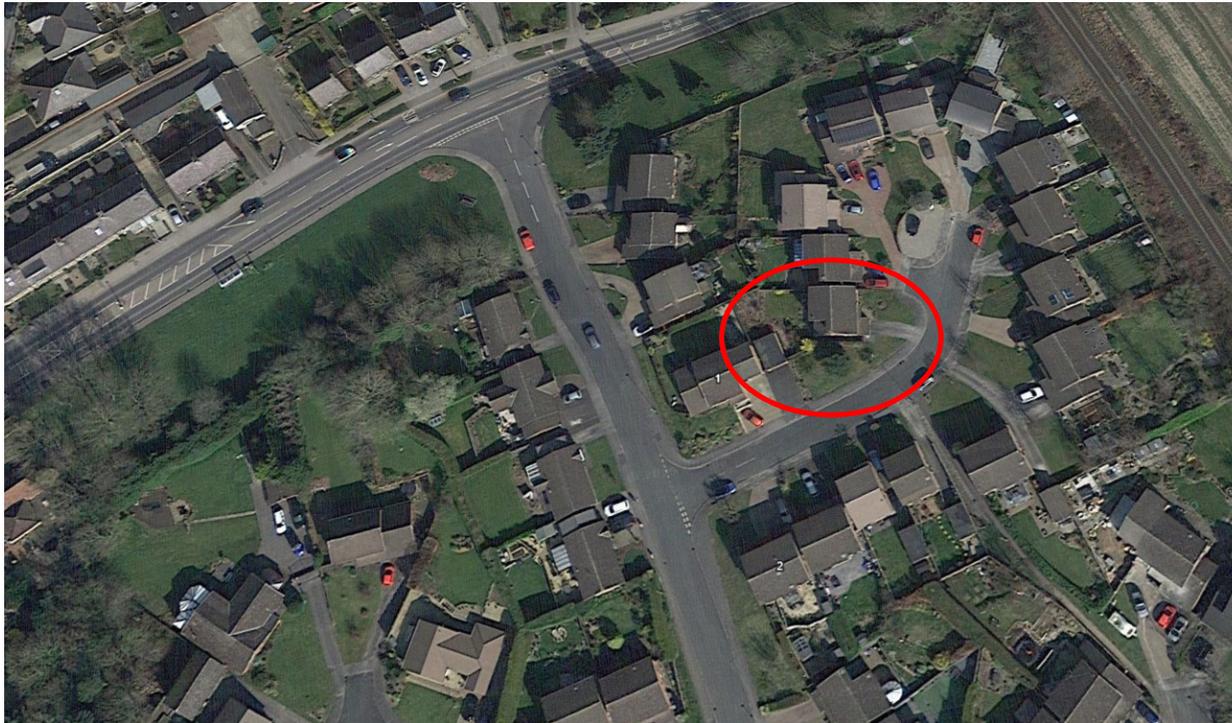
Design & Access Statement

3 Rydal Close, Penistone. S36 8HN – rev A 25.05.25



1.1. The Site & Surrounding

The property is located on the outskirts of the market town of Penistone in South Yorkshire, around 7 miles from Barnsley and the M1 motorway network. Penistone has good facilities including a number of schools, shops and restaurants.



Aerial View

The property is part of a 1970s constructed housing estate, generally two storey brick-built properties with good sized front and rear gardens, the properties are very similar in materials and style using either a brown or yellow brick with concrete tiled roofs. The properties generally have open front gardens with drive and rear gardens enclosed with a 6ft fence, some properties have a detached garage.

The existing dwelling is a single occupancy two storey property with part single storey to the rear; it is a brick built 4 bedroom house with internal single garage, it has a large open front garden with single drive, a large sloping side garden open to the pavement with a detached single brick built flat roofed garage with associated drive, this sits alongside the neighbouring property No1 Rydal Close. The property has a good sized rear garden into which the garage protrudes, the rear garden steps down to the garage level approximately 1m below the house level, a 6ft timber fence creates privacy to the rear garden.



The properties side garden



The properties detached garage



The rear elevation



Rydal Close

2.1 The Proposed

It is proposed to convert the existing internal garage, construct an extension above the single storey utility room and construct a two-storey side extension 3.6m wide in matching brickwork to create a larger 4 double bedroom property eliminating the small 4th bedroom, providing an en-suite as well as more spacious open plan ground floor living. It is also proposed to demolish the single flat roof detached garage and construct a double pitched roof garage in matching brickwork and the side drive will be widened to accommodate the garage, although the dropped kerb will not need extending; the front drive will also be widened to accommodate 2 cars, again the dropped kerb does not require alteration. A 6ft timber fence will be constructed to enclose the side garden and prevent use by dog walkers, this will be constructed 1m back from the back edge of pavement in order to maintain visibility splays and openness. A dwarf brick wall with metal railing overall height 1.2m will be constructed to separate the side drive from the neighbouring property. A conifer tree will be removed from the side garden, this is a non-indigenous species of little value, it will be replaced by a number of smaller trees and shrubs. Existing fenestration and entrance doors will be altered as shown on the drawings.

2.2 Planning Policy & Consultation

The site is within a housing policy area and not within a conservation area, it is not listed.

The estate was developed in the late 1970 /1980s planning application B/76/1991/PU

There was a planning application on the property in 1982 B/82/0584/PU, which is assumed was for the detached side garage and drive

The site measures 545sqm and the existing property footprint including garage is 103sqm.

National and local planning policies apply; sustainable development is a requirement of both national and local policy.

The 'Barnsley supplementary planning document 'Designing New Housing Development' has been consulted during the design process.

All of the above documents have been consulted during the design process and have influenced the design of the dwelling, to the best of the authors knowledge the design complies with all relevant policies.

A pre application enquiry was submitted, Robert Payne responded on the 25th February as below

Having discussed the pre-application with my group leader, unfortunately regarding the main proposal of a side extension on the corner beyond the fence, this would be unlikely to get approved and would likely be a complex process if an application was submitted.

Whilst the ownership of the land is not strictly a planning concern, its potential use is. Usually, such parcels of land are designated as landscaping for the broader estate, with some form of arrangement for its maintenance. either with the council or more frequently nowadays through a management company. Assuming the land is owned by the homeowner, this land would not be guaranteed to be considered as within the curtilage of the dwelling as residential garden space, but land owned by the landowner outside of the red line boundary of there dwelling. If this was the case, a change of use application may be requested but would be equally unlikely but not impossible to receive consent.

In regard to a boundary treatment, such as a small wall and/or railings, you are as you state allowed to erect a structural boundary, but only up to 1m near the highway, and assuming there are no planning conditions (which I initially could not see) or covenants governing the plot or estate. If a fence was erected around the corner space, that alone would not permit the use of the land as residential curtilidge.

The only positive news is as mentioned previously is that a first storey extension and potentially an extended or replacement garage too, may be accepted dependent on design and impact on residential amenity. It was advised that the garage would be required to be in a design to complement the neighbouring dwelling adjacent to the garage rather than the application dwelling.

For an extension to the driveway, its approval would depend upon the status of the adjacent land, if the land was deemed to be or changed through a change of use residential curtilidge, a driveway extension would be allowed through PD unless any restrictions prevented this.

If you did wish to proceed with an application, your client would not have to prove ownership of the land but that the owner of the land has been notified. If ownership could be shown through a copy of a deed or transfer sale etc, this would be useful. I am unsure if you are aware but planning fees are very likely to increase at the beginning of April, I am unsure about all application types, but householder fees are probably going to double. For this application, a full planning application would be recommended, to include change of use of the land and associated works. Alternatively, if a Householder application was submitted but it was deemed that a change of use was required, this would require a separate change of use application, which I believe has the same fee as a full planning application.

DSA responded as below.

Thank you for your email, although I disagree with your analysis of the land to the side of the property; the positioning of the 6ft fence I believe was due to privacy as to place it closer to the road would place it at a lower level allowing views over from neighbouring properties. The side garden was kept open to follow the strategy of the front gardens but to follow your logic you would be saying the front gardens of all the houses on the street are not within the planning defined curtilage of the properties. Also to note, it is not defined as green space on the Local plan maps unlike the space bordering the estate and Barnsley Road which is and it is not maintained by BMBC.

The deeds have been checked by the applicants solicitors and the side garden is clearly and has always been in the same ownership as the house and there are no restrictive covenants or management requirements placed on it as would be usual if it was designed as a quasi-public space, I will get these to you in due course but the applicant is on holiday at the moment.

I will attempt to locate the original development plans from the planning archive, although I doubt plans from that time will be conclusive they may give some indication of intent for the space.

I will be in touch once I have located the original plans if you could keep this planning enquiry open for the time being please.

DSA are still waiting for the historical planning applications to be provided but the following historical plan was found which is believed to be the original development along with a planning application No1 Rydal Close which shares a similar corner plot, DSA responded to Robert Payne as below.



historical plan



current plan

My request for the archive planning files has not been answered but further to my previous email (below), please find attached plan from the title deeds, what I wanted to highlight was next door (1 Rydal Cl) as can be seen this originally had open side and front gardens (as the applicant's) and was extended to the side and the side garden enclosed with a 6ft fence (planning app B/83/1695/PU) in 1984. In light of this and the lack of restrictions on the deeds I think you are incorrect about the red line curtilage of these properties and so would ask you to reconsider your comments.

To date there has been no further response from Robert and given the substantial increases in planning fees occurring on the 1st April 2025, the applicant has been forced to submit applications; to protect their investment they have done this as two householder applications (given the above we do not consider the side garden requires a change of use application). The first application being a reduced design which doesn't meet the applicants space requirements but responds to all the planning officers' comments and a second application which is the design presented at pre-application stage with a modification to the boundary wall. They hope to persuade the planning officer who is assigned the application that the proposal is both within the limits of the planning curtilage and in keeping with the street and precedents that have been set on the estate. I have been notified that the applicants, if necessary, will take the application to appeal.

2.1. Access & Sustainability

The property has both a front and side drive with a single garage giving parking for at least 3 vehicle's, the proposal is to demolish the single garage and build a double garage in its place along with widening of both drives. Although the double garage may not quite meet Highways recommended size there will be space on the driveways for parking of at least 4 vehicles, so improving the parking situation and reducing on-road parking.

A Refuse & recycling area is provided to the front of the property in a timber enclosure

The existing mains foul drainage system will be utilised no alterations to the street connection will be required.

Surface water for new roofs will be dealt with on site with soakaways.

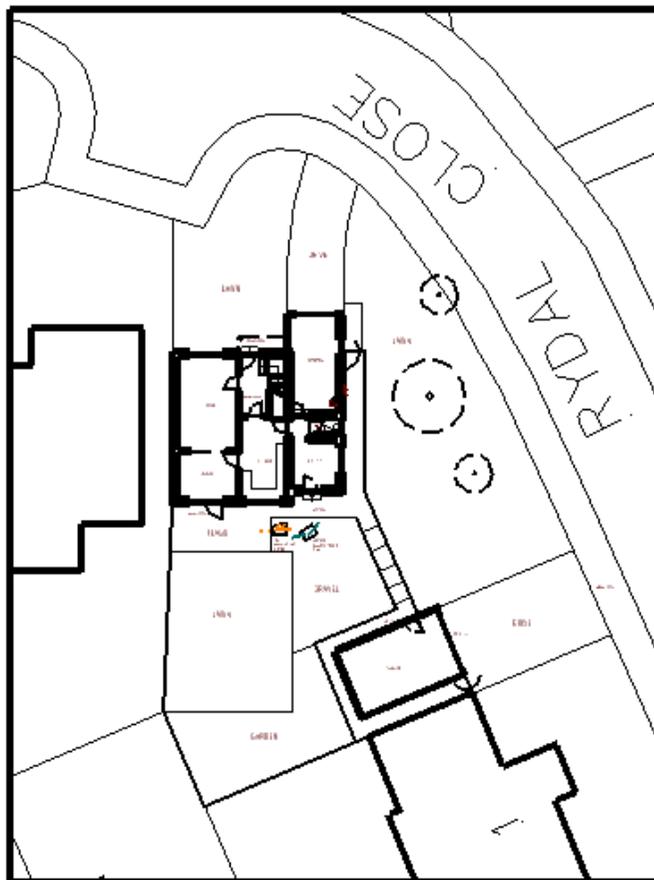
Any shrubs or trees removed will be replaced elsewhere on site, there will be no detriment to biodiversity

One semi-mature fern tree will be removed from the side garden, one tree and further shrubs will be planted.

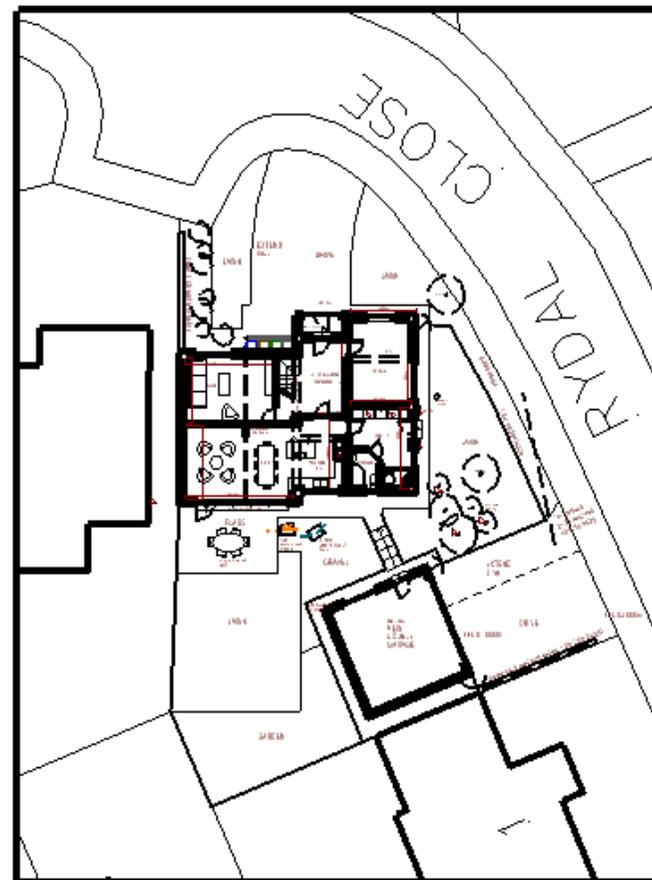
2.2. Use, Amount & Layout

The site area is 545sqm, and the existing property covers just 103sqm this is only a half of governments guidance on residential development densities, the extensions would take the footprint to 153sqm so improving the residential density, the property even with the extensions offers amenity space way in excess of guidelines.

The internal floor area will increase from 125sqm (incl internal garage) to 187sqm, a reasonable increase and overall size for a detached property of this type on a large plot.



Site Plans - EXISTING



Site Plans - PROPOSED

Existing & Proposed Site Plans

2.3. Scale & Appearance

The two-storey side extension is of a scale and design in keeping with the properties to either side, ridge and eaves levels are at a similar height and the front elevation of the extension is set back in line with design guidance.

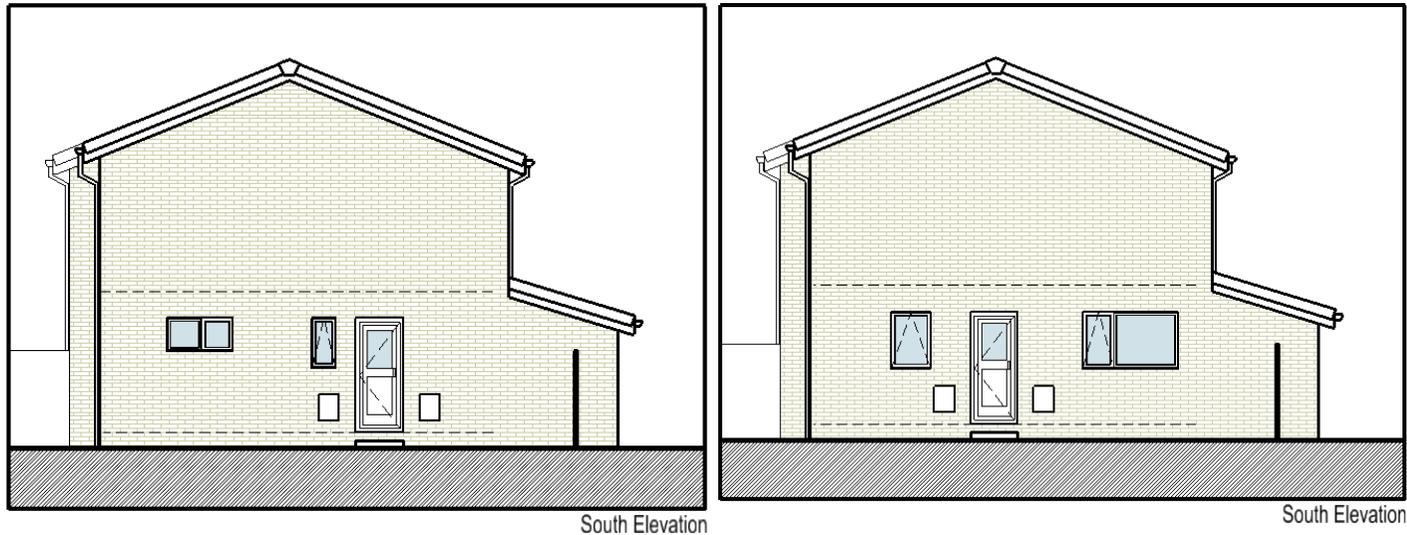
The two-storey extension at 3.6m wide is modest and in line with guidance in terms of being less than half of the original frontage

The windows of the extension maintain the proportions of the existing building.

The extension including the garage will be constructed in a matching brick and roofing will be a in a grey concrete tile all matching the existing.



Existing & Proposed Front Elevations



Existing & Proposed Side Elevations

3.0 Conclusion

The existing property is dated and in need of refurbishment and upgrading of fabric and services to help achieve the governments zero carbon targets, these works form an intrinsic part of the proposal, all external walls will be insulated, loft insulation will be increased and modern heating & ventilation systems installed.

The site area is 545sqm, and the existing property covers just 103sqm this is only half of governments guidance on residential development densities, the extensions would take the footprint to 153sqm so improving the residential density, the property even with the extensions offers amenity space way in excess of guidelines.

Regarding the planning officers concerns over the planning curtilage of the property, we believe this was adequately responded to during the pre application stage; we have shown that the side garden forms part of the ownership and always has, we have shown precedent just next door (No1) for building on a previously open side garden and enclosing with a fence. The planning application for the application site from 1982 for a side garage and drive on the very same side garden, just shortly after the estate was built and so presumably still in the planning departments mind, was approved, we believe proving that the side garden is not and never was outside of the planning approved curtilage. We have shown that there are no restrictions on building on the side plot or maintenance requirements written into the deeds by the developer as would be usual if, as the officer describes, it was outside of the planning curtilage of the property.

The proposed extensions are within design guidelines, the width being less than half of the frontage and the design follows the form, scale and proportions of the existing and surrounding properties and will be constructed of matching materials.

The double garage with pitched roof will be more in keeping than the existing flat roofed garage, sitting alongside No1 Rydal close the scale is proportionate and in keeping.

The proposed retains a side garden to the boundary of between 2.6m at its narrowest to 7.5m at its widest point, so retaining openness to the corner plot.

The proposal is a reasonable addition, in scale to the existing and surrounding properties.

The proposal does not affect any neighbours light or views or create any overlooking issues.

The proposed 6ft fence allows the applicants to enjoy their property protected from trespass and dog fouling, the 1m setback from pavement will retain some of the physical openness the planning department seems keen on.

The new dwelling provides accommodation, amenity and parking space in line or better than government guidelines.

Following discussion during application 2025/0254 (reduced application, now approved) a number of changes were made; concerns were raised by the planning officer regarding the impact of the two storey side extension on visual amenity, although we argue that the estate in comparison to more recent housing estates in the area has an abundance of space and visual amenity and the introduction of a side extension on the applicants own land (which still retains a good proportion of side garden) has negligible impact. In order to show a willingness to compromise, the applicant has agreed to remove the front single storey projection to the proposal which achieves an even greater degree of openness to the corner.

The ridge and eaves heights of the two storey extension have been dropped below the existing in order to comply with BMBC guidance for side extensions – front wall steps in, lower eaves and ridge height and width of extension is less than half the original property width.

The applicant has rotated the garage 90° so the gable wall now faces the dwelling, this was something the planning officer thought would be more in keeping (although 2025/0254 retained the gable facing the road) in order to achieve the height required for their large 4x4, the eaves has been lifted slightly, hopefully offset by the reduced impact of the roof.

4.1. Contact

Architect:

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*All illustrations in this document are indicative only and should not be used for detailed consideration of massing or heights in relation to other buildings, please consult the technical drawings in this regard.

5.1. Design Space Architects - Projects

DSA are award winning architects who specialise in one off, sustainable, contemporary & traditional homes.



New Dwelling, Thurlstone

The first sedum roof and environmentally aware building in the area, with a striking form on a hilltop location overlooking the market town and conservation area.



New Dwelling, Penistone

A ground-breaking building of local stone and cedar, totally unique while blending into its landscape



New Dwelling, South Ferriby

A contemporary house overlooking the Humber in South Ferriby which is inspired by the nearby brick and corrugated metal farm buildings. It addresses the client's current and anticipated restricted mobility. Winner of the LABC best new dwelling award (S Yorkshire & Humber)



New Earth Sheltered Dwellings in the Green Belt, Penistone

Two contemporary new homes now constructed in South Yorkshire, gained planning permission under PPS7 green belt policy for their exceptional design.