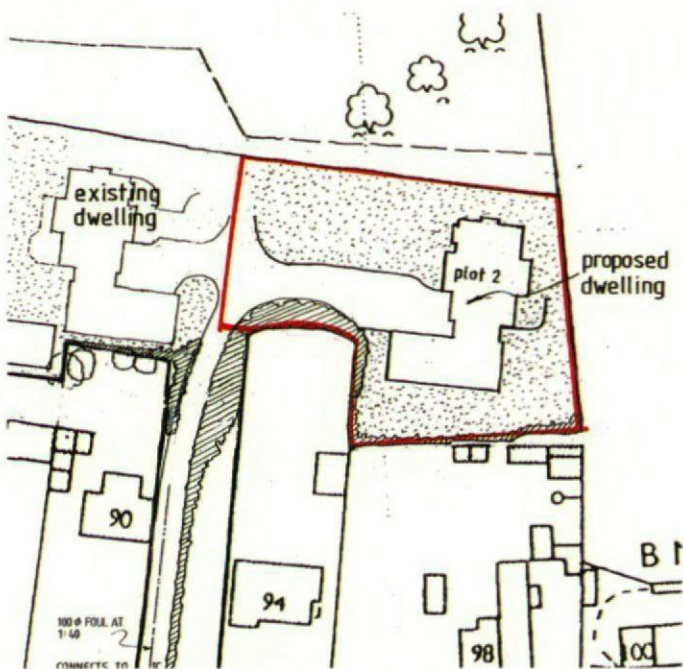


K S Dawson

**Land off Ben Bank Road,
Silkstone Common**

**The Erection of 1 Detached
Dwelling**



Planning Statement

August 2013

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1. Introduction

- 1.1 This Statement is submitted on behalf of K S Dawson ("the Applicant") in support of an application to erect one single dwelling on land off Ben Bank Road in Silkstone Common ("the site").
- 1.2 The site formerly comprised land to the rear of "Stonecroft", a substantial dwelling located on Hall Royd Lane in Silkstone Common.
- 1.3 The proposed dwelling has been designed to provide high quality, luxury accommodation which comprises a substantial internal floor space, 5 large bedrooms and a considerable domestic curtilage.
- 1.4 Access to the site is already in place from Ben Bank Road, and currently serves plot 1, which was granted planning permission in April 2006 and has since been erected.
- 1.5 Both the foul and surface water drainage are already in place, such works were completed during the construction of plot one.
- 1.6 This statement considers the background to the proposal and provides an assessment of the overriding benefits of the development in line with national planning policy, local policy and other material considerations to assist Barnsley Metropolitan Borough Council (Barnsley MBC) ("the Council" in its consideration of the planning application.

2. The site and surroundings

- 2.1 The site is positioned within the development limits of the residential village of Silkstone Common and is surrounded by a number of large dwellings to the Southern, Western and North West boundary. To the North of the site there is a small area of protected woodland, which adjoins the curtilage of other dwellings on Hall Royd Lane.

3. Planning History

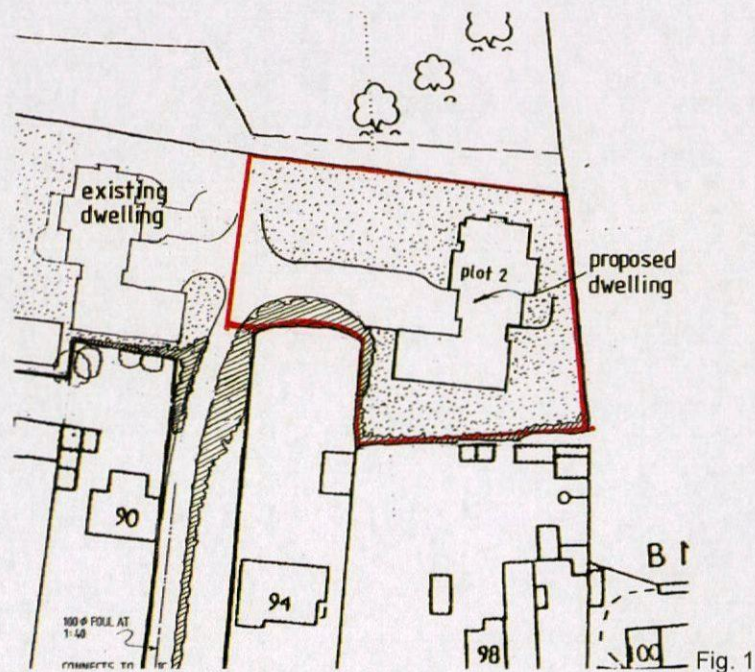
- 3.1 Two planning applications were simultaneously submitted to the Council in 2005, in relation to land adjacent to Stonecroft. The first application was to erect 1 single dwelling on plot 1, under planning reference B/05/1332/PR ("plot 1"). The second application sought to erect 1 single dwelling on plot 2 under planning reference B/05/1333/PR ("plot 2").
- 3.2 Planning permission was granted by the Council on 10th April 2006, for the erection of 1 dwelling on plot 1.
- 3.3 The application for plot 2, the subject of this application was subsequently refused by the Council on 7th March 2006. The reasons for the Council's decision to refuse planning permission are detailed below;

1. *The site lies within an area allocated as **Urban Greenspace** in the Urban Development Plan. In accordance with policy GS34 **such areas will normally remain open and undeveloped unless the adverse effects of their loss is to be offset by compensatory improvements** or additions. In the absence of such compensatory improvements or additions the present proposal is therefore contrary to policy GS34.*
2. *In the opinion of the local planning authority the development proposed would be **materially detrimental to the visual amenities of the area** by reason of the impact of the proposed building on the existing trees, contrary to policy GS22 of the Unitary Development plan.*
3. *In the opinion of the local planning authority the development of this back land site in the manner proposed would be **materially detrimental to the amenities of the occupants of the adjoining dwellings** by reason of the dwellings overbearing and overshadowing impact SPG3. In addition the proposal will result in the **loss of vegetation and an open space** that contributes positively to the character of the area. The proposal is therefore contrary to Policy HD8 f the UDP a supplementary Guidance Note 3 "infill Residential Development". (Our emphasis)*

- 3.3 Following the above refusal the decision was challenged at appeal under reference App/R4408/A/06/2017876/WF.
- 3.4 The appeal was dismissed by the Planning Inspector on 2nd October 2006, due to the perceived harm that the proposal would have on the character and appearance of the area; specifically the urban greenspace.
- 3.5 Whilst the appeal was dismissed, the Inspector did not accept that the proposal would significantly harm the living conditions of the occupiers on Ben Bank Road, as noted in the officer report of the refused B/05/1333/PR application.
- 3.6 Since the appeal decision was issued, there have been significant changes in local and national planning policy. Most importantly the NPPF, which now places significant weight upon the promotion of land for housing. This will be discussed further in section 5 below.

4. **Proposed Development**

- 4.1 This proposal is to erect a single detached dwelling, as can be seen on the proposed block plan at fig. 1 below. The intention is to provide luxury, family accommodation which is set within a substantial plot in Silkstone Common.



- 4.2 Access and drainage to the site is already in place from Ben Bank Road, and currently serves plot 1.
- 4.3 In order to address the amenity concerns raised in the former plot 2 application, the dwelling has been re-sited to lie further North in the plot. This provides a distance of 9 metres (28ft) between the dwelling and rear boundaries of dwellings along Ben Bank Road.

5. The Development Plan

- 5.1 The adopted development plan currently comprises of the Barnsley Local Development Framework Core Strategy and the remaining saved policies of the Barnsley Unitary Development Plan (UDP).

Barnsley UDP

- 5.2 The Barnsley UDP was adopted in 2000 and was only intended to cover the period 1986-2001. Notwithstanding this, a number of policies were saved in 2007 and until further progress is made with the LDF, remain part of the development plan.
- 5.3 The application site is identified in the saved policies Barnsley UDP (RUDP) as an area of Green Space under Policy WR17 9 (please see the UDP map extract below at fig 2). The supporting text to Policy WR17 advises that the priority is to keep these areas of green space open and undeveloped.

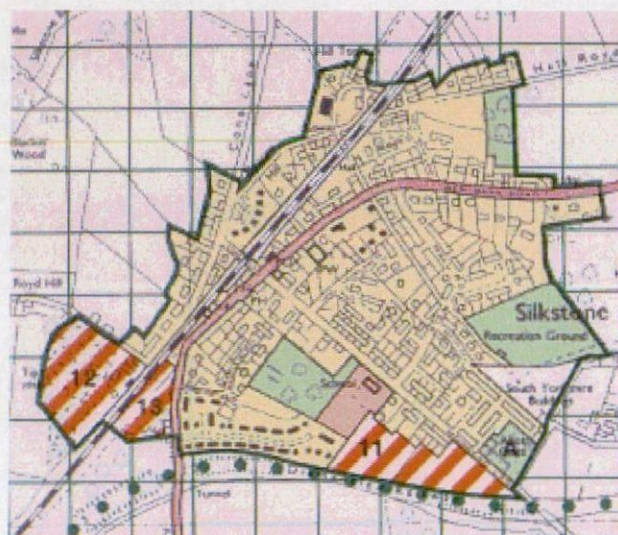


Fig.2

- 5.4 As referred to above, the Barnsley UDP was adopted 12 years ago in 2000, with the policies formulated during the 1990s. The plan-period of the UDP ended in 2001 and whilst some have been saved, its policies were only ever intended to control development within that timeframe, not now. Indeed, within the North Gawber Colliery appeal decision both the Inspector and the SoS concluded that the plan was prepared under different circumstances to the present day. It is therefore concluded that the policies of the UDP are indeed out-of-date for the purposes of considering this application.
- 5.5 Consequently, little or no weight should be attached, having regard to the overriding objectives of the NPPF, which requires the proactive delivery of sustainable development.

Barnsley LDF Core Strategy

- 5.6 The Core Strategy was adopted in September 2011 and has replaced a number of policies from the Barnsley UDP. Core Strategy policies relevant to the determination of this application are listed below,
- ☐CSP 9 The Number of New Homes to be Built;
 - ☐CSP 10 The Distribution of New Homes;
 - ☐CSP 14 Housing Mix and Efficient Use of Land
 - ☐CSP 25 New Development and Sustainable Travel;
 - ☐CSP 29 Design;
- 5.7 The proposal is in accordance with Core Strategy and the above Policies

Emerging Policy - LDF Development Sites and Places DPD

- 5.8 The site is indicated within the Development Sites and Places Consultation Draft (September 2012) as Urban Fabric, and falls outside of the allocated urban greenspace to the north of the site. Therefore the site would no longer be allocated be allocated as urban greenspace. Please see fig.3 for the Development Sites and Places Consultation Draft map extract. It is important to note that the proposed urban

fabric allocation has remained throughout the various consultation periods of the last few years.

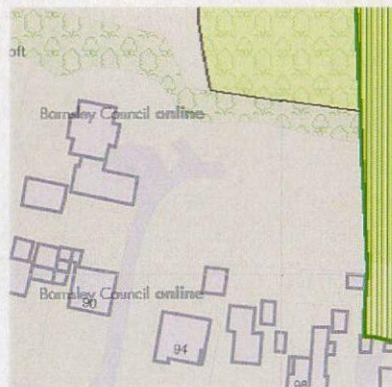


Fig. 3

- 5.9 This document will underpin the development of the borough for the next 15 - 20 years and will play a major role in creating the conditions for economic growth. However limited weight can equally be afforded to this policy or other policies within the document, in the determination of this application because the plan is in the early stage of preparation.

6 **The National Planning Policy Framework**

- 6.1 The National Planning Policy Framework (NPPF) was published on 27th March 2012 and is a material consideration of considerable weight for planning applications now. Great weight should be attached to the NPPF in relation to this proposal.

6.2 **Presumption in Favour of Sustainable Development**

The cornerstone of the NPPF is to proactively deliver sustainable development to support the Government's economic growth objectives and deliver the development which the country needs. This is particularly pertinent now as we strive to recover from a deep economic recession.

- 6.3 Paragraph 15 of the NPPF is unequivocal:

"...development which is sustainable should be approved without delay." (NLP emphasis)

- 6.4 Paragraph 14 of the NPPF states:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Increasing the Supply of Housing

- 6.5 A key and overriding objective of the NPPF, as stated at paragraph 47 is:

"To boost significantly the supply of housing."

- 6.6 In particular paragraph 49 of the NPPF states:

"Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites."

- 6.7. Barnsley does not have a five year housing supply and therefore the plan policies in the UDP must be regarded as out of date.

Both cabinet reports featured below in section 7, acknowledge that there is a shortage of high quality homes in the borough. Therefore the council needs to make every effort to diminish the acute shortage of "top notch" housing and attract inward investment to prevent high earners leaving the borough.

- 6.8 The site also lies within the village of Silkstone Common and within the defined development limits

- 6.9 Accordingly there is a presumption in favor of the development as stated in paragraph 14 of the NPPF as seen below;

"Approving development proposals that accord with the development plan without delay; and

Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless;

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole"

7. **Cabinet Report**

7.1 There are additional material considerations, which must be taken into account.

7.2 The Council has placed significant emphasis on providing 5 bedroom houses or more with a high quality design.

7.3 The Cabinet report 4.7.2012/8 produced by Barnsley Metropolitan Borough Council sets out the need for low density dwellings in the top bracket of the housing market and a policy shift towards considering Green Belt for some low density housing. The above report proceeds to say at paragraph 3.7.

*"Barnsley has experienced the trend of **more people on higher and medium incomes moving out of the borough then are moving in.** this is largely due to the fact that they are **unable to find suitable housing options** to meet their needs"*

*"We want to make the **borough a place where high and middle income people chose to live** and can afford"*

7.2 The Cabinet report 6.6.2012/7 produced by Barnsley Metropolitan Borough Council also reinforces such points;

7.3 Paragraph 5.14

*"The Council will need to make a significant quantum leap in **shifting the emphasis towards working with landowners and developers** and focusing its efforts on greater collaboration with the private sector in securing the right housing"*

*"May also include possible **review of the policy on Green Belt in respect of executive Housing**"*

The Council clearly intend to remove sites from the Green Belt, with a full review in order to meet the housing need; therefore this site should be identified as a priority

site for housing, given the plan is clearly out of date and the site lies within the development limits of Silkstone Common.

8. **Conclusion**

- 8.1 The proposed dwelling has been designed to provide high quality, luxury accommodation. There is an identified need of such accommodation within the district.
- 8.2 Barnsley Cabinet reports acknowledge that there is a shortage of high quality homes in the borough. The council needs to make every effort to attract inward investment provide high quality housing and prevent high earners leaving the borough.
- 8.3 Barnsley does not have a five year housing supply and therefore the plan policies in the UDP must be regarded as out of date in accordance with paragraph 14 of the NPPF.
- 8.4 The proposal accords with paragraph 14 of the NPPF and should be approved without delay.

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