

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended)**

**DESIGN & ACCESS
And
HERITAGE STATEMENT**

**New inground swimming pool and
modest pool house**

SUMMARY SHEET

Applicant

Mr & Mrs N Jago

Agent

Agrarian Ltd
Walgaston Farm
Mobley
Berkeley
Gloucestershire
GL13 9EN

Proposed Development

New in ground swimming pool and modest pool house

Site

Shops Farm, Mountnessing Lane,
Doddinghurst, Brentwood, CM15 0SP.

Case Reference

AG19305 - SP - 01

Contact Details

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DESIGN AND ACCESS AND HERITAGE STATEMENT

New inground swimming pool and modest pool house

1. INTRODUCTION

This planning statement has been prepared and submitted on behalf of Mr & Mrs N Jago to accompany a planning application for the construction of an inground swimming pool and modest pool house.

This statement provides supplementary and additional information to the application. A brief description of the application site, the proposed development and a review of relevant policy provisions is included. Finally, the statement considers the planning merits of the proposal.

The statement demonstrates that there are no inhibiting material considerations or any issues of demonstrable harm which would compromise the proposal. The proposal accords with the relevant policies of the Unitary Development Plan, National Planning Guidance and Supplementary Planning Guidance which was adopted by the Council.

As part of assessing the design and access requirements this statement has incorporated the principles of 'Good design' which is also inclusive design. 'the principles of inclusive design are that it places people at the heart of the design process, acknowledges diversity and difference, offers choice where a single design solution cannot accommodate all users, provides for flexibility in use and provides buildings and environments that are convenient and enjoyable to use for everyone'

2. SITE AND SURROUNDINGS

The area of land that is the subject of the planning application lies to the rear of the applicant's residence Shops Farm. The site upon which the pool and pool house is to be constructed is upon a small patch of land directly behind the applicants dwelling. The wider site is surrounded and screened by trees and mature hedging, walling/fence and the dwelling.

The site is accessed via an existing access which runs from the main highway and from the applicant's residence via the drive/path. There are numerous properties within the area of the site which already have in ground swimming pools. The site is screened from wider views by existing trees and hedges which we propose to retain and manage.

- a) The application site consists of a small parcel of land currently forming part of the applicant's garden. The site in ground level terms is level and therefore no major landscaping is required.
- b) The application seeks planning permission for the construction of an in-ground swimming pool and modest pool house.
- c) The site is served off the public highway by an existing access point from the main highway which will not be altered.

3. LEGISLATIVE BACKGROUND

- a) Section 42 of the Planning and Compulsory Purchase Act 2004 came into force on 30th June 2001 as an amendment to the town and Country Planning Act 1990 and the Planning (listed Building and Conservation Areas) Act 1990.

The 2004 Act inserted a new section (327a) into the 1990 Act which requires a Local Planning Authority to require and consider an access statement as part of the determination of a planning application.

- b) Planning Policy identifies within its Key Policy Objectives the need to foster social inclusion by ensuring that full advantage is taken of the opportunities to secure more accessible environment for everyone which the development of land and buildings provide.

Local planning authorities and developers should consider the issue of accessibility for all, including the needs of those with visual and hearing impairments and those with limited mobility such as wheelchair users, elderly people and people with young children at an early stage in the design process. A further reference is provided to Access for Disabled People: British Standards Institute BS8300.

- c) The concept of inclusive design, a series of key objectives of good design is identified which includes the principle of ensuring ease of access for all by adopting inclusive design principles ensuring adequate provision for people with disabilities and others.

Proposals for new development and alterations to and changes of use of existing buildings will be required to:

- ◆ Provide access and facilities for all
- ◆ Contribute to a high-quality public realm by improving pedestrian linkages with adjoining spaces and attractions

- ◆ Be accessible to pedestrians, cyclists, users of public transport.

This application seeks to place people at the heart of the design process, acknowledges diversity and difference, to wherever possible offer a choice of design solutions whilst providing flexibility in use and an end development which is convenient for use by all.

All inclusive design issues identified have been addressed wholly in compliance with the requirements of the Disability Rights Commission Code of Practice 'Rights of Access: Services and Premises' and part M of the Building Regulations 1991 as amended. Thereafter full compliance will be maintained in perpetuity.

4. PLANNING POLICY

During the feasibility and design process the guidelines of the planning policy documents have been taken into account.

It is believed that the proposal meets the following criteria:

- ◆ There is no unacceptable loss of open or green space that is important for its recreational amenity or conservation value
- ◆ The proposals in combination with existing commitments would not create unacceptable impacts on existing or programmed infrastructure or Community facilities
- ◆ There will not be a significant detrimental effect on the amenity of the area
- ◆ There would be no unacceptable highway implications

5. APPLICABLE POLICY CONTEXT

Government Guidance

The government supports the development of a wide range of sports and recreation which contribute to quality of life.

Proposals for development of land and facilities for recreational activities will be permitted provided there is no significant adverse effect to the natural heritage and historic environment or likelihood of loss of the best and most versatile agricultural land. This is positive and the key material issues to be considered in relation to proposals are provided in the following amplification. The amplification of this indicates that recreational activity has increased considerably in recent years and this trend is likely to

continue. In applying the principal concerns are impact on the landscape (visual and erosive), building design and materials, scale and avoidance of clutter, impact of access works and quality of enclosures.

The NPPF (paragraph 81) states that once the Green Belt has been defined, its land use has a positive role to play in providing access to the open countryside for the urban population; and in providing opportunities for outdoor sport and recreation near urban areas. It allows for the construction of new buildings which provide essential facilities for outdoor sport and recreation which preserve the openness of the Green Belt and do not conflict with its purposes.

The NPPF (paragraph 109) sets out the Government's objectives for rural areas, which include the need to protect the most valued landscapes and environmental resources, as well as providing appropriate leisure opportunities that benefit rural businesses, communities and visitors, and which respect the character of the countryside. The NPPF (paragraph 28) states that local authorities should support activities which contribute to the rural economy and/or promote recreation in, and the enjoyment of, the countryside. At the same time account needs to be taken of the need to protect natural resources and features of landscape value.

The National Planning Policy Framework (NPPF) has also slightly shifted the emphasis on Green Belts since its publication. Paragraph 81 states that local authorities should “positively enhance the beneficial use of Green Belts, and look for opportunities to ... provide opportunities for outdoor sport and recreation: ... to improve damaged and derelict land.” The provision of outdoor sport is not inappropriate development where it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

6. THE PROPOSAL

The application proposes the construction of an in-ground swimming pool and modest pool house which will be used for the private enjoyment of the applicant and his family. The applicant has reviewed the principle house to see if it is possible to create both a swimming pool and pool house within; however, since the house is Grade II listed there really is not a viable solution to include such structures within the existing as a result it was considered that the best solution so as to limit impact upon the Grade II residence was to locate the swimming pool and pool house to the rear of the applicants dwelling.

With regards to the location off the development it was considered that locating the pool to the rear of the dwelling the most suitable position for many reasons, such as:

- ◆ The pool will be screened by the existing mature hedging/trees to the rear of the wider site and the dwelling in front to ensure that the impact of the building is kept to a minimum
- ◆ The pool can be easily accessed from the existing dwelling and will again minimise the wider impact
- ◆ The choice of materials has been selected so that the building will 'blend' within its environment by using timber cladding that will mature naturally over time to allow the building to sit within its environment

The proposal to use part of the site in the appellants' ownership for the pool would not result in the need for any works on the Grade II dwelling. The site is served by an existing access from the main house and no change to this existing access is proposed. The use of the existing access will not be exacerbated by the proposed development and as such will not cause any traffic, highway or amenity issues to adjacent occupiers.

The proposed development will result in the continued use of the land for domestic purposes. No hedges are proposed to be removed and this will assist to screen any visual impact.

The proposed will enable the applicant and his family can enjoy the amenity space of the dwelling and that the proposals are for private use only; it is considered that given the area of land proposed to be used by the applicant the size of the pool is considered appropriate.

7. CONSULTATION

In this case the applicant has not received any pre-application advice, and we consider the proposal does not directly affect any adjoining properties.

8. VISION / AIM

The proposal is for the construction of an in-ground swimming pool and pool house, so as to provide suitable enjoyment space for the applicant's family to enable their quiet enjoyment. As such the visual impact has been greatly reduced and we consider the pool will be subservient to the principle dwelling.

9. APPRAISAL OF CONTEXT

Previously the Planning Policy provides national policy on good design, and development plans and supplementary planning guidance (SPG) which have provided a clear context for design requirements in this area Although

superseded by The National Planning Policy Framework (NPPF), that framework does give reference back to the older policies where the new policy does not give clarity.

In appraising context for the project and understanding the site and its immediate and wider context has enabled the design team to produce a meaningful and sustainable design response, in line with current planning and environmental policy.

The chosen location is considered not to be visually intrusive to the surrounding land.

Local Characteristics

The proposed will have a 'rural feel' to its appearance and as such will be in keeping with the natural environment within which it's set. There are other developments which have been approved within the local area and as such this application is not unique.

Economic means

The area is a reasonably affluent area.

10. DESIGN RESPONSE FOLLOWING APPRAISAL OF CONTEXT

10.1 Accessibility - ease of access for all into the development and to all elements within the site. By adopting inclusive design principles that deliver adequate provision for all people including those with mobility impairments, sensory impairments and learning difficulties.

10.2 Design solutions

The development will incorporate an easily accessed entrance that will be clearly visible to aid entry for the visually impaired, parking allowance will be with an in-curtilage parking area with adequate turning space in line with mandatory published guidance accessed from the main road.

The property affords easy access for emergency services with direct access from the main road with no major obstructions.

10.3 Features of Inclusive Design

Outside the Building

The development proposal will ensure that the maximum gradient of the access will be no more than 1:12.

Soft landscaping areas will enable easy access for the user.

Building Structure

The external doorway will be in compliance with part M of the Buildings Regulations.

The door threshold will be flush, door handles will be easy to grip in accordance with Part M of the Building Regulations.

The placement of window cills and electrical sockets within buildings will be accessible although there will be no visiting members of the public.

10.4 Character

The character of a proposal can be subdivided in to four main categories landscape, scale and amount, layout and appearance.

Landscape design - the landscaping will be minimal and in line with the rural nature site with an existing hard surface/gravel.

Scale and amount - the pool will form a relatively small part of the overall site and we believe will be in line with other such developments within the area.

Layout - the layout has been designed to integrate within the natural shape of the site and its surroundings being set back.

Appearance - refers to the aspects of a building or place within the development which determine the visual impression that the building makes.

Roof fascia and rain water goods

The proposed building will have a natural timber shingle with black guttering, to discharge into a water butt to enable the water to be used.

Façade treatment

The proposal will incorporate timber cladding which will blend and age naturally over time in with rural style of the area.

Doors

The doors are to be timber which will match the cladding and be in keeping with the rural appearance

10.5 Environmental sustainability

Design response following appraisal of context it is recommended that the following elements are incorporated. Sustainability to reduce the environmental impact associated with buildings and minimising the demand for energy, water, materials and creation of waste and to design an adaptable and flexible development that can respond to social, technological, economic and environmental conditions/changes over time to minimise the need to demolish and rebuild.

Sustainability

Energy demand - the new development seeks to minimise energy demand and carbon emissions by incorporating where feasible energy efficient equipment in accordance with Building Regulations Part L.

Lighting - energy saving light bulbs and fittings use between a fifth and a quarter of the electricity of ordinary bulbs to generate the same amount of light. A normal 60w bulb can be replaced with 11-14W energy saving recommended equivalent in this development all compatible fittings will be installed with energy efficient bulbs.

Water demand- the development will look to reduce the demand traditionally associated, with such a development by looking to use water collected from the water butts.

Materials - the use of material with a low environmental impact (embodied energy). The proposal where feasible will incorporate materials recommended on the BRE green guide to specification and those that complement the surrounding character.

Creation of waste - waste produced during construction where feasible will be graded and recycled in line with current legislation. The development has been designed to allow easy access to the site so that an area can be designated for waste recycling positioned conveniently next to the main buildings waste has an impact on climate change by offering an opportunity to recycle will help reduce the overall effect of the development.

10.6 Movement

Promoting sustainable means of travel

The potential to cycle, walk and use public transport safely, reducing the reliance on the use of cars and alleviating the strain on the road network is an essential part of new developments.

The principle of a Design and Access Statement is to be a living document following the development from inception to completion. The document should be given to the end user to allow them to fully understand the ethos behind the development.

Public transport links

Bus transport links - the site is within distance of a bus stop, the service provided by buses in the area is comprehensive.

Train transport links

Bus services stop at the main line station providing further access to the London lines, which provides access to the national rail network.

11. CONSIDERATION OF BUILDING REGULATIONS

As a rule, planning relates to the external appearance of a building, and its relationship with its context. Building regulations deal with the technical performance of a building's structure and services. However, the initial design of a building in the planning process needs to consider the ability of the building to meet Building Regulation requirements. Design should therefore be a fundamental consideration from the outset and should not be treated or developed in isolation.

Although Building regulations have been considered during this application a greater level of detail will be supplied as necessary within the building control documents.

12. NOISE IMPACT

Considering that the application is for the construction of an in ground structure and in such a position that the activities associated with the pool will not have an impact upon any third party. The closest building to the site is the applicant's dwelling house.

13. CONCLUSION

The proposed development will be located to the rear of the applicant's dwelling and will enable the applicant having a space for quiet enjoyment without causing demonstrable harm to any interests of acknowledged importance.

The application proposal conforms to the provisions of government guidance, technical advice, council policy and supplementary planning guidance. In conclusion given the modest scale, form, design and location proposed by the application we would welcome the Local Authority to support the application for approval.