
2021/1610

Applicant: Mrs Deanne Moore

Proposal: Formation of dropped kerb with new vehicular access into the property

Address: 29 High Street, Monk Bretton, Barnsley, S71 2EQ

Site Location & Description

The applicant's property is located on the southern aspect of the highway that forms High Street, within a row of bungalow style retirement dwellings directly adjacent to Monk Bretton Methodist Church. The front of the property already has a hard surfaced area which is presumably used for parking. This area is fenced off by a mid-height timber fence panels with concrete columns in between. A pedestrian walkway is to the side of this area which provides access to the front door of the house. To the front of the applicant's property and the neighbouring properties is a narrow grass verge.



Proposed Development

The applicant seeks permission to drop a kerb of a classified highway in order to cross a public right of way onto their property. This will provide vehicular access onto a pre-existing hard surfaced parking area to the front of the property which measures 5.5m in length by 3m in width.

Policy Context

Planning decision should be made in accordance with the local plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

NPPF

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of

doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

In respect of this application, relevant policies include:

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 130 is the most relevant which indicates that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Local Plan

The new Local Plan was adopted at the full Council meeting held 3th January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011). In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – sets out principles when considering development proposals.

Policy GD1: General Development – sets out appropriate proposals for development.

Policy D1: High quality design and place making – sets overarching design principles for the borough to ensure that development is appropriate to its context, and improves what needs improving, whilst protecting what is good about what we have.

Policy T4: New Development and Highway Improvement - New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

SPD: House extensions and Other Domestic Alterations

Supplementary Planning Document - House Extensions sets out the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations. The general principles are that proposals for should:

1. be of a scale and design which harmonises with the existing building
2. not adversely affect the amenity of neighbouring properties
3. maintain the character of the street scene and
4. not interfere with highway safety.

These policies are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings.

South Yorkshire Residential Design Guide

This document informs the minimum technical requirements for off-street parking spaces and other aspects of highway safety for permissible development.

Consultations

Highways DC – Initially questioned the dimensions of the driveway/parking area on site to check that the parking area meets the minimum dimensions expected for such developments. Upon receipt of this information, no objection was raised but several conditions were recommended.

Ward Councillor – No response.

Representations

Neighbour notification letters were sent to surrounding properties, no comments were received.

Assessment

Principle of Development

The applicant is seeking full planning permission as this is what is required for a dropped kerb application; however, the drop kerb will form a domestic access into a domestic driveway/parking area and the key considerations are more in line with that of a householder application/domestic alteration. Domestic alterations are considered acceptable when they do not have a harmful impact on residential amenity, incorporate good levels of design and do not detrimentally impact on highways safety.

Highway Safety

Highways Development Control have assessed the proposal and confirmed that the level of space required for an off-street parking space has been satisfied in line with the South Yorkshire Residential Design Guide.

The footway crossing is unlikely to be detrimentally affected by the development and may in fact be improved by the removal of a car from on-street parking to off-street parking. The parking area is on site now measuring 5.5m (length) x 3m (width) and there is a grassed verge to the front and grassed garden in the front curtilage area where the water will naturally be able to drain to. In any case, the amount of surface water runoff from the hard surfacing will be minimal and is very unlikely to present any type of flooding or insufficient drainage risk in the area. Colleagues in Highways DC who responded to the application recommended several conditions including ensuring that adequate visibility for vehicles entering and leaving the access and suitable drainage. These will be added to any forthcoming decision notice and no changes are being made on site to the height of the fence (around 1m in height) which would compromise adequate levels of visibility being retained.

The proposed development is in compliance with Local Plan Policy T4: New Development and Highway Safety and is considered to be acceptable in terms of highways safety.

Visual Amenity

In terms of impact on visual amenity, the proposed development will make little change to the area. The dropped kerb will lead to a pre-existing hard surfaced area and there is no change proposed to this or anything else on site.

The proposed development is in compliance with Local Plan Policy D1: High Quality Design and Place Making and is acceptable in terms of visual amenity.

Residential amenity

The proposed development is in relation to vehicular access onto the site and will have a very nominal impact on residential amenity. In reality, it will likely aid residential amenity as it will allow for a vehicle to park on the driveway with ease, rather than on the curb or the street. The proposal is in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity.

Recommendation

Approve subject to conditions