

2025/0757

Mr Jason Hawley

160 Brierley Road, Grimethorpe, S72 7AW

### Formation of a dropped kerb to create a vehicular access

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#### Site Description

The host dwelling is a semi detached red brick dwelling located on a main road on the south western edge of Grimethorpe. The surrounding properties vary, there is a mixture of detached and semi detached two storey dwellings and bungalows. To the front of the property is a small garden area which has been levelled and grassed, with a paved pedestrian access. The property is bounded by a hedgerow to the front/side boundaries with a wooden fence/gate.

#### Planning History

There is no associated planning history at this site.

#### Proposed Development

The applicant is seeking permission for the installation of a dropped kerb at the front of the property to create a vehicular access off Brierley Road.

#### Relevant Policies

##### The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan review was approved at the full Council meeting on 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

#### **Local Plan Allocation – Urban Fabric - Land within the Settlement with no specific allocation.**

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

**Policy SD1: Presumption in favour of Sustainable Development** – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

**Policy GD1: General Development** – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future

residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

**Policy T4: New Development and Transport Safety** - 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.

#### Supplementary Planning Documents:

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019.

The most pertinent SPD's in this case are:

- Parking

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

#### National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

- Section 9: Promoting Sustainable Transport
- Section 12: Achieving well designed places

#### **Consultations**

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Highways DC – No objection subject to condition.

#### **Representations**

Neighbour notification letters were sent to surrounding properties. No representations have been received.

#### **Assessment**

The main issues for consideration are as follows:

- The impact on highways safety
- Visual Impact

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale unless the NPPF states otherwise:

- Substantial
- Considerable

- Significant
- Moderate
- Modest
- Limited
- Little or no

### Principle of Development

The application seeks permission for the installation of a dropped kerb at 160 Brierley Road, Grimethorpe. The site lies within the urban fabric and is within a predominantly residential area. The proposal therefore represents an appropriate form of development and would be acceptable in principle provided that there would be no harm to highways safety. This is discussed in more detail below.

### Highway Safety

Highways DC have been consulted on the application, they originally requested an additional plan to demonstrate that the required visibility splay could be achieved. A new site plan has been submitted which demonstrates the appropriate visibility.

Typically, turning space would be required where an access is proposed onto a classified road however given the local context, with other properties in the area benefiting from driveway access without turning, a precedent has been established. In addition, there are no objections from Highways DC and therefore the proposal would be acceptable in this instance.

### Visual Impact

The change would be minor in terms of visual impact and there would be limited impact on the streetscene from the proposed works.

### Conclusion

Having balanced all material planning considerations, the proposal will not be significantly harmful to highway safety or visual amenity. As a consequence, the positive aspects of the proposal outlined above are not outweighed by any other material planning considerations. The proposal is therefore, on balance, recommended for approval.

### **Recommendation**

**Approve with conditions**