

Application Reference: 2026/0101

Site Address: 6 Highfield Cottages, Silkstone Lane, Silkstone, Barnsley, S75 4JY

Introduction: This application seeks full planning permission for the Formation of dropped kerb for vehicle access for parking.

Relevant Site Characteristics:

The dwelling is a stone built terraced dwelling, set within a group of terrace blocks known as Highfield Cottages, located on Silkstone Lane, a classified road. The dwelling itself is set lower than the level of the road, with a heightened garden and stone built boundary wall.



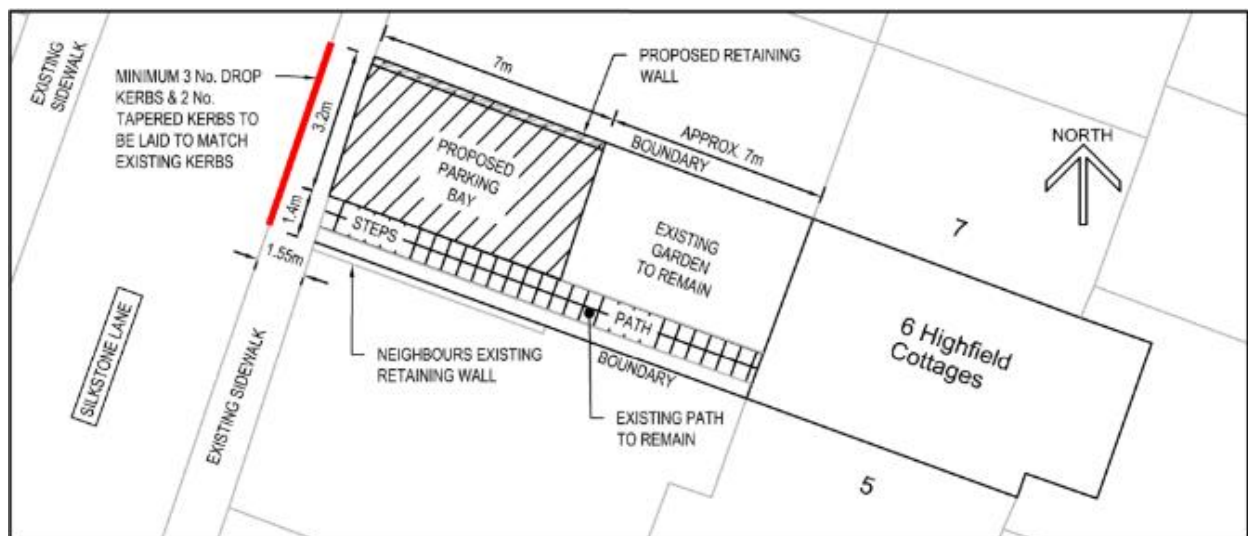
Site History

There is no site history for the address.

Detailed description of Proposed Works

The application is specifically for the dropped kerb aspect of a broader proposal for the removal of the stone boundary wall and creation of a driveway, which would be completed through permitted development.

Proposed Plan



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 held 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.

The following Local Plan policies are relevant in this case:

- Policy SD1: Presumption in favour of Sustainable Development.
- Policy D1: High Quality Design and Place Making.
- Policy GD1: General Development.
- Policy T4: New Development and Transport Safety

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

Section 2 - Achieving sustainable development

Section 4 - Decision making

Section 12 - Achieving well-designed places

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

Supplementary Planning Guidance

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:

- House extensions and other domestic alterations
- Parking

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

Consultations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015. Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website.

Highways:

Highways reviewed the proposal in the pre-application stage, and were overall supportive of the application despite the proposal not meeting the typical requirements of such parking provision on a classified road. Their formal response for this application clarifies this position with particular note that no turning space would be provided within the parking provision but other dwellings, including the next door neighbour have received similar approval without the required turning space, and given the nature of the road, the proposal would be beneficial.

In providing no objection to the proposal, Highways have requested relevant planning conditions in relation to aspects of the proposal which may otherwise have been completed through permitted development. However, without a licence to enable works to drop the kerb, and allow access over the pavement, which is reliant upon planning permission being issued, motor vehicle access across the pavement and into the proposed driveway would be unlawful.

Planning Assessment

For the purposes of considering the balance in this application, the following planning weight is referred to in this report using the following scale:

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

Principle

The site falls within Urban Fabric. Extensions and alterations to a domestic property are acceptable in principle provided that they remain subsidiary to the host dwelling, are of a scale and design which is appropriate to the host property and are not detrimental to the amenity afforded to adjacent properties.

Scale, Design and Impact on the Character

With just the dropped kerb and access across the pavement aspects the proposal requiring formal planning consent, in order to obtain a licence for the works from the Street Works department; the proposed driveway and removal of the boundary wall would be consequential to any planning consent provided.

The installation of a dropped kerb and access across the pavement would on its own have no notable impact on the scale, design or character of the dwelling. The consequential removal of the wall and installation of the driveway would undeniably have a moderate impact on the design and character of the dwelling, but these works would or could otherwise be completed through permitted development but access to it by a motor vehicle would be subject to planning permission and a subsequent licence from street works being issued.

In additional mitigation for the proposal, several other dwellings within the street scene, including the next door neighbour have similarly installed dropped kerbs and driveways, so whilst there may be impact on the individual dwelling, within the broader street scene there would be less of an impact.

With little or no impact from the installation of a dropped kerb, the proposal would therefore be compliant with local policy GD1 and D1, which carry moderate weight in favour of the proposal.

Impact on Neighbouring Amenity

Because of the nature of the street, a single carriageway road forming part of a link road between Silkstone and Cawthorne but more significantly the A628 and A635 roads, the street itself is not ideal for on street parking. Whilst some dwellings have been able to achieve large of street parking provision within their garden, others such as the application dwelling would only be able to create a smaller space for one vehicle. However every parked vehicle removed from the highway is of benefit to all neighbours within the street.

With little or no negative impact but quite possibly modest positive impact on residential amenity, the proposal would be considered in accordance with Local Policy GD1 which carries moderate weight in favour of the proposal.

Highways

Although the driveway does not require planning consent, Highways have based their consent for approval of the dropped kerb on the whole proposal of a dropped kerb, access across the pavement and parking provision. Whilst noting the lack of turning space usually required when allowing dropped kerbs and access on a classified road, this has been balanced by the precedent set by other applications, and the overall benefit of any off street parking provision. It would therefore be considered that there would be little or no impact upon Highway Safety.

Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

RECOMMENDATION: Approve subject to conditions

Justification

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.

Conditions and Informative

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
2. The development hereby approved shall be carried out strictly in accordance with plan '001 B Site Plan' (Received 05.03.2026) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
3. The access and parking facility, indicated on the submitted plans, shall be surfaced in a solid bound material (i.e. not loose chippings) and made available for the access and parking of motor vehicles, and shall be retained for said purposes at all times. Adequate measures shall be so designed into the proposed vehicular areas to avoid the discharge of surface water from the site on to the highway.
Reason: To ensure that there are adequate parking facilities to serve the development which are constructed to an acceptable standard; to ensure adequate provision for the disposal of surface water and to prevent mud/debris from being deposited on the public highway and to prevent the migration of loose material on to the public highway to the detriment of road safety and in accordance with Local Plan Policy T4 New Development and Transport Safety.
4. The gradient of the vehicular access/driveway shall not exceed 1 in 12 as measured from the edge of the adjacent carriageway.
Reason: In the interests of the safety of persons using the access and users of the highway in accordance with Local Plan Policy T4 New Development and Transport Safety.

5. The parking facility hereby permitted shall not be brought into use until pedestrian visibility splays of 2m x 2m to the back edge of the footway have been provided at the proposed access. Nothing shall be erected, retained, planted and/or allowed to grow at or above a height of 0.6m to the rear of the footway which would obstruct the visibility splays. The visibility splays shall be maintained free of obstruction at all times thereafter for the lifetime of the development.

Reason: To ensure drivers have clear and unrestricted views of approaching pedestrians when pulling out onto the public highway, in the interest of highway safety and in accordance with Local Plan Policy T4 New Development and Transport Safety.

1. The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner. If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.