2021/0900

Mrs Patricia Cawthorne

Erection of traffic barrier (Retrospective)

Bank House, Station Road, Darton, Barnsley, S75 5HT

Planning History

2009/1023 - Change of use from haulage yard to storage for caravans. (Retrospective) – Approved subject to conditions

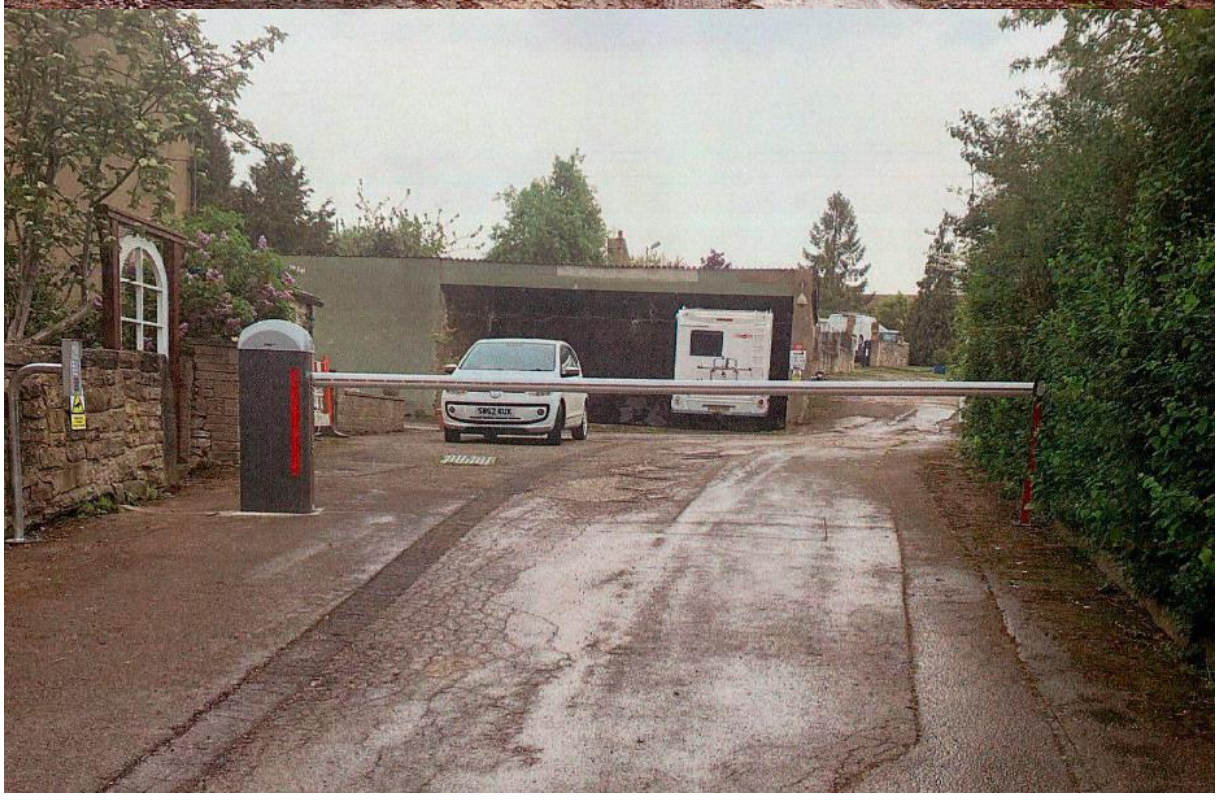
Site Description and Development

This application is retrospective for the erection of a traffic barrier on a private driveway at Bank House, Station Road, Darton. The barrier is used to access properties known as Bank House, Thorne Cottage, Orchard Rise, Orchard View and the caravan storage area approved under planning application 2009/1023. The applicant states that the barrier has been erected on the shared private driveway for security purposes and is accessed via a code pad. The traffic barrier is located some 25m from the public highway on Station Road.

The barrier requires planning permission as it would be considered a 'gate' and subject to Class A of Part 2 of the GPDO - having been designed and installed to open and close and thus facilitate access and egress. In order for the barrier to constitute permitted development, it must be able to comply with all the limitations of Class A of Part 2. Clearly, the barrier in its vertical position does not meet the limitations as it is far higher above ground level than the 1 metre threshold specified.




PRIVATE PROPERTY
STRICTLY PRIVATE
NO PARKING





Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making.

The Local Plan was adopted at the full Council meeting held 3rd 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).

Local Plan

The site is allocated as Urban Fabric within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy GD1 General Development
Policy T4 New Development and Transport Safety
Policy D1 High Quality Design and Place Making
Policy Poll1 Pollution Control and Protection

Consultations

Highways DC – No objections
Ward Members – No comments received

Representations

1 letter of objection has been received which raises the following concerns:-

- Vehicles blocking driveway waiting to access the site via the barrier, this includes visitors to the caravan storage area and visitors to the dwelling at Bank House
- The lane is so narrow that vehicles cannot turn around in it. There are multiple instances of vehicles reversing into driveway and a vehicle has caused damage to driveway wall when reversing
- Parked and unattended vehicles are a persistent daily nuisance preventing access to driveway
- Allowing it to remain effectively extends the area of the permitted caravan storage area from its existing boundary to the location of the barrier without a separate planning application to expand the area of the caravan storage area
- No objections to a barrier being located at the existing boundary of the storage area.

Assessment

Principle of development

The barrier is located within an area of Urban Fabric where Local Plan Policies GD1 'General Development' applies. Policy GD1 requires that development should be compatible with its surroundings and should not have an adverse impact upon residential amenity or highway safety. These issues are considered below.

Visual Amenity

The Traffic barrier is of a simple design and does not appear out of character with the area. The main body of the barrier is a grey colour which sits well with the adjacent tarmac private drive. The barrier itself, whilst is of a lighter colour than the main body of the barrier mechanics, it must be this colour in order to be seen. The barrier is a thin pole and does not harm visual amenity when it is lowered and would only be upright for a short period of time. The barrier when viewed against the backdrop of the caravan storage facility, appears in keeping with this use. The proposal is considered to be acceptable in terms of visual amenity in accordance with policy D1 of the Local Plan.

Residential Amenity

The barrier is located approx. 14m from the closest residential dwellings and does not harm residential amenity by way of overshadowing or overbearing impact. In terms of activity, the barrier access serves private dwellings and a private caravan storage facility, therefore vehicles should only be sat at the barrier for a short amount of time before accessing the site. The caravan storage facility is limited to the opening hours of 8am-6pm therefore there should not be any caravans being dropped off at unsociable hours. It is not felt that the barrier causes any significant impact upon residential amenity by way of noise, disturbance or loss of privacy and is therefore in compliance with Local Plan Policy GD1.



Location of barrier in relation to surrounding dwellings

Highways safety

Concerns have been raised by a neighbouring resident with regard vehicles blocking their driveway waiting to access the site via the barrier, which includes visitors to the caravan storage area and visitors to the dwelling at Bank House.

The Highways Officer has been consulted as part of this application and states that:- 'The traffic barrier is located some 25m (approx.) from the public highway. I would comment that the barrier should ideally have been positioned further along into the Bank House/caravan storage site access because a car and caravan waiting at the barrier in its current location would likely impede access, albeit temporarily, to other properties that have use of the shared private drive. Notwithstanding the above, the proposals do not adversely impact upon the public highway and are therefore considered acceptable from a highways point of view.'

Whilst there may be parking issues associated with the dwelling at Bank House and vehicles waiting to access the site via the barrier, the barrier is set on a private driveway and allows for approx. 6m of driveway between the barrier and the access to the dwellings to the east of the barrier. There are no parking restrictions on this private driveway and the barrier does not adversely impact upon the public highway, therefore the application could not be refused on this basis. The Highways Officer considers that the barrier is acceptable from a highway safety point of view in accordance with policy T4 of the Local Plan.

Concerns have also been raised with regard to vehicles turning and damaging private property, unfortunately as this is a private driveway this would be a private legal issue and is not a material planning consideration.

Recommendation

Approve with Conditions