

**Application Reference:** 2024/1038

**Proposal:** Formation of vehicular access and drop kerb to classified road

**Location:** 45 Barnsley Road, Dodworth, Barnsley, S75 3JW

## **Introduction**

This application is being brought before members as the applicant is a Council employee.

This application seeks planning permission for the formation of a vehicular access and dropped kerb off a classified road. The proposal also includes the erection of a retaining wall and the installation of new pedestrian steps with balustrade to provide access to the property entrance.

## **Relevant Site Characteristics**

This application relates to a modest plot located on the west side of Barnsley Road and near to the junction with Hawthorne Crescent. The surrounding area is principally residential and characterised by a mix of dwelling types of similar scale and varying appearance. Located to the south are some commercial uses with Dodworth Primary School located to the north. Barnsley Road is a classified road with a 30mph speed limit and straight alignment, and topography falls gradually south-to-north.

The application property is a two-storey semi-detached dwelling constructed of brick with first floor rendering and a gable pitched roof with red coloured roof tiles. The application property is set higher than street level and significantly higher than the adjacent property to the north. A garden fronts the property and falls towards the road and is bounded by a small retaining brick wall. There are existing pedestrian access steps and an existing small, dropped kerb. Many surrounding properties benefit from dropped kerbs and driveways.

## **Site History**

There is no planning history associated with the development site.

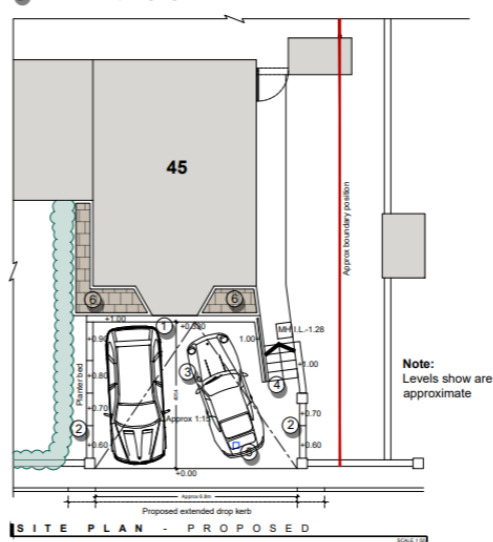
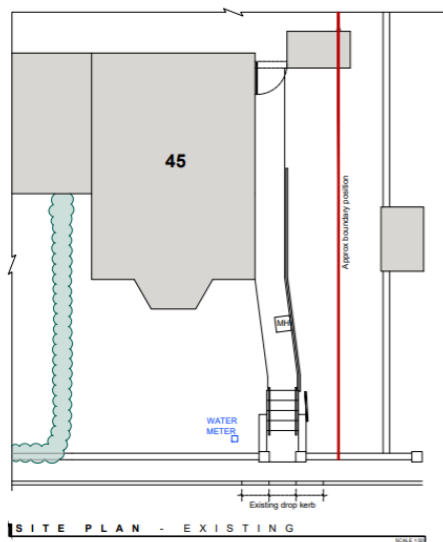
## **Detailed Description of Proposed Works**

This application seeks planning permission for the formation of a vehicular access and dropped kerb. The proposal includes the erection of a retaining wall and the installation of new pedestrian access steps with balustrade. The retaining wall would be constructed of masonry in facing brick to match the existing in colour and texture and would have a height of approximately 0.7 metres. The driveway would use permeable tarmac.



## KEY

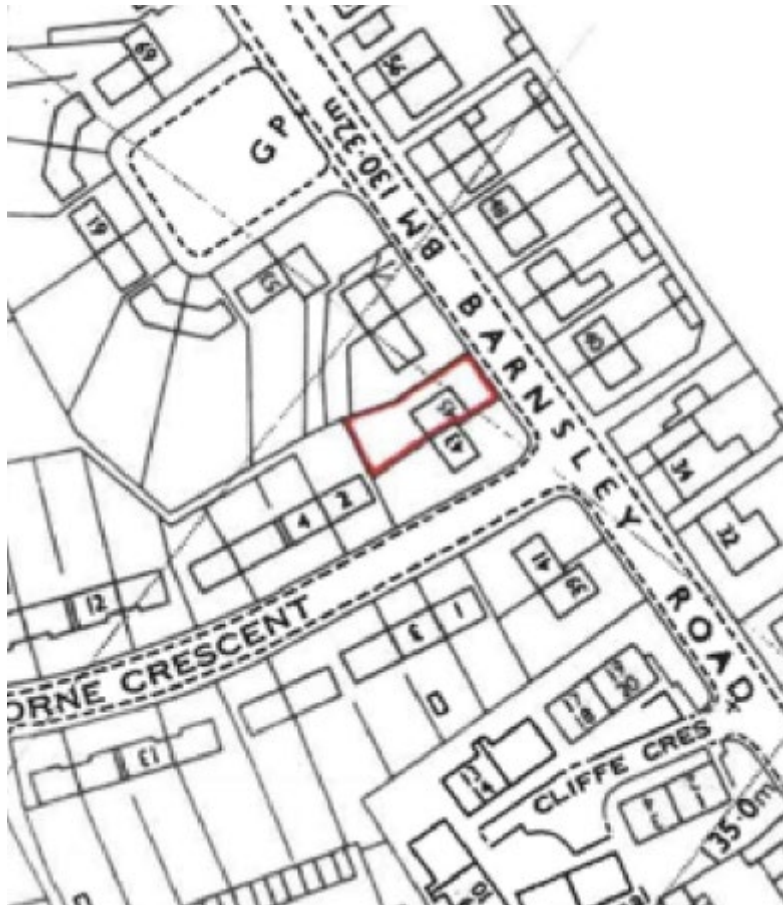
- ① New rear masonry retaining wall in facing brick to match existing in colour and texture, height approx 670mm
- ② New side masonry retaining walls in facing brick to match existing in colour and texture reducing in level as indicated
- ③ Permeable tarmac Ultiporous by Tarmac or similar approved
- ④ New steps to house entrance with balustrade
- ⑤ Existing water meter to be relocated at lower level
- ⑥ New concrete paving flags to inaccessible area



Revised	Date
1. Drawing released in public	22.03.22
2. This amended	22.04.22

<b>JUST   ARCHITECTURE</b>	
Design & Construction Services Ltd. 020 2000 0000	
PROJECT: 45, Richmond Road, Richmond, Surrey, TW9 1AB	
DRAWING No: EXISTING/PROPOSED SITE PLAN	
DATE: 6/6/2021	SCALE: B
BY: J. B. 1.100	DATE: 28 MARCH 2022
PLANNING	



## Relevant Policies

### The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development 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 a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on 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, which is due to take place in 2027, or earlier, if circumstances require it.

The development site is allocated as urban fabric within the adopted Local Plan which has no specific allocation. The following Local Plan policies are relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy T4: New Development and Transport Safety.*
- *Policy D1: High quality design and place making.*
- *Policy GD1: General Development.*

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

In December 2024, the Government published a revised NPPF which is the most recent revision of the original Framework, first published in 2012 and updated several times, providing the overarching planning framework for England. The NPPF 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. The 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 (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). There are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The following NPPF sections are relevant in this case:

- *Section 2: Achieving sustainable development.*
- *Section 4: Decision-making.*
- *Section 9: Promoting sustainable transport.*

*Paragraph 116. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.*

- *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 this guidance 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 following SPDs are relevant in this case:

- *House extensions and other domestic alterations (Adopted March 2024).*
- *Walls and Fences (Adopted May 2019).*
- *Parking (Adopted November 2019).*

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

#### **Consultations**

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

Any neighbour sharing a boundary with the site has been sent written notification and the application has been advertised on the Council website. No representations have been received.

Highways Development Control	<i>No objection subject to conditions.</i>
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#### **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 of Development

Extensions and alterations to a dwelling are acceptable in principle if the development would remain subservient and would be of a scale and design which would be appropriate to the host property and would not be detrimental to the amenity afforded to adjacent properties, including visual amenity and highway safety. Planning permission is required for access onto and development upon a classified highway and permission will be granted where such development would not impinge upon highway safety.

### Impact on Highways

The proposal is not considered to be prejudicial to highway safety; at least one sufficiently sized off-street parking space could be accommodated within the development site frontage and a permeable tarmac surface is proposed to prevent surface water run-off onto the public highway. The proposed gradient is 1:15 which is less steep than the maximum 1:12 allowed. Internal turning provision cannot be provided within the development site. However, due to the residential nature of the local highway network and the presence of several similar arrangements in proximity of the development site, on balance, the proposal is considered acceptable in this instance taking account of the local context. Highways Development Control were consulted, and no objections were received.

Considering the above, this is considered to weigh significantly in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety.*

### Scale, Design and Impact on Character

The proposal is not considered to adversely affect or significantly alter or detract from the character of the application property or street scene. The height and materials proposed for the retaining walls would generally be sympathetic and would reflect the scale, design and materials of similar walls in the locality, and given many surrounding properties benefit from driveways, the proposal would not appear out of character.

Considering the above, this is considered to weigh moderately in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy D1: High Quality Design and Placemaking and is considered acceptable regarding visual amenity.*

### Impact on Neighbouring Amenity

The proposal would not be significantly detrimental to the amenity of the occupants of the application property or nearby neighbouring properties and would not contribute to significantly increased levels of overshadowing, overlooking and loss of privacy or reduced levels of outlook.

Considering the above, this is considered to weigh moderately in favour of the proposal.

*The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and is considered acceptable regarding residential amenity.*

### Planning Balance and Conclusion

In accordance with the provisions of paragraph 11 of the NPPF(2024), the proposal is considered in the context of the presumption in favour of sustainable development and therefore, for the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant

local and national planning policies and guidance and planning permission should be granted subject to necessary conditions.

**RECOMMENDATION: Approve subject to conditions.**

#### **Justification**

#### **Statement of compliance with Article 35 of the Town and Country Development Management Procedure Order 2015.**

In dealing with this application, the Local Planning Authority (LPA) has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- *Limited detail regarding the size of the proposed parking area, gradient of the driveway and means of preventing surface water run-off.*

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 representations, 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.