

2021/0306

Mrs Beverley Oakley

Erection of drop kerb

27A Pontefract Road, Shafton, Barnsley, S72 8QP

Description

The site is located on Pontefract Road in Shafton. The current property was approved in 2013. The site previously formed part of the garden area to No. 27 Pontefract Road. The site is bound by close boarded fencing above existing walls, and mounted on a concrete kick board on the frontage. Access to the property is taken from Pontefract Road and has been used without the provision of a dropped kerb. There are 3 large high amenity Sycamore trees within the site and one just outside the site within the garden of No. 27. The trees are protected by a TPO.

Planning History

2012/1347 Erection of a detached dormer bungalow and installation of access and drop kerb. – Approved with conditions

B/04/0961/HR Erection of detached dwelling with attached garage (Outline). – Refused

B/99/0474/HR Outline application for erection of detached dwelling. – Refused



Proposed Development

The applicant is seeking permission for the installation of a dropped kerb to the front of the dwelling. The dropped kerb will have a width of 4.8m. Although not submitted on the description on the application form the proposed plans also show that the existing 2m high fencing is proposed to be replaced by a 1800mm Brick & pier walling with composite panels infill's.

Policy Context

Planning decision should be made in accordance with the development 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 new 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,

Local Plan

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

Policy SD1 Presumption in favour of Sustainable Development

When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy GD1 General Development

Proposals for development will be approved if:

- There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;
- They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;
- They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land;
- They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape;
- Any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated;
- Adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas;
- Any drains, culverts and other surface water bodies that may cross the site are considered;
- Appropriate landscaped boundaries are provided where sites are adjacent to open countryside;
- Any pylons are considered in the layout; and
- Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.

Policy D1 High Quality Design and Place Making

Design Principles:

Development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, including:

- Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features;
- Views and vistas to key buildings, landmarks, skylines and gateways; and
- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.

Through its layout and design development should:

- Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment;
- Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;

- Help to transform the character of physical environments that have become run down and are lacking in distinctiveness;
- Provide an accessible and inclusive environment for the users of individual buildings and surrounding spaces;
- Provide clear and obvious connections to the surrounding street and pedestrian network;
- Ensure ease of movement and legibility for all users, ensure overlooking of streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances;
- Promote safe, secure environments and access routes with priority for pedestrians and cyclists;
- Create clear distinctions between public and private spaces;
- Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details;
- Make the best use of high quality materials;
- Include a comprehensive and high quality scheme for hard and soft landscaping; and
- Provide high quality public realm.

In terms of place making development should make a positive contribution to achieving qualities of a successful place such as character, legibility, permeability and vitality.

Policy T4 – New development and Transport Safety states that 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 Document (SPD) – 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 extensions should:

- I. Be of a scale and design which harmonises with the existing building
- II. Not adversely affect the amenity of neighbouring properties
- III. Maintain the character of the street scene and
- IV. Not interfere with highway safety.

Supplementary Planning Document: Walls and Fences

The Supplementary Planning Document (SPD) sets out the design principles that specifically apply to the consideration of planning applications for the erection of a wall of fence:

- Design, appearance and materials.
- Highway safety.
- The impact on your neighbours.

Consultations

Highways DC – I note that the applicant has created and been using this access without the provision of a dropped crossing. That being said, the applicant has provided sufficient turning room within the site curtilage and the proposed amendments under this application will result in a wider access and improved pedestrian intervisibility. Taking this into account, and being mindful of the existing neighbouring accesses, I have no objections to the proposal subject to a suitable condition and informative.

Ward Members – no comments received

Representations

Neighbour notification letters were sent to surrounding properties; no comments have been received

Assessment

Principle of development

The site falls within urban fabric which has no specific land allocation, however the site and surrounding area is made up principally of housing. Accesses to properties will be allowed where adequate visibility is provided for drivers entering the highway for both pedestrians and vehicles.

Highway safety

The applicant seeks permission to create an access onto Pontefract Road, Shafton. There is already a parking area created within the property which is being used currently. The 2012 application granted permission for the erection of a dropped kerb but this was seemingly not implemented. The proposal meets the required visibility splays required by Highways DC and would not impede on highway safety.

Residential Amenity

No comments have been received from neighbouring properties which have their own accesses onto this road. The new drop kerb would not impact on their amenity.

Although not stated in the description the proposed plans show the replacement of the existing 2m high fence with a 1.8m high composite panel and brick fence. There are already a variety of boundary treatments within the immediate locality, therefore the proposal to replace the existing boundary treatment would not be out of keeping with the streetscene. Given it is a reduction in height compared to the existing it should not be of any detriment to neighbouring properties.

Visual Amenity and impact on trees

The drop kerb would have little impact on visual amenity given other similar accesses existing on the street scene. It would also not impact on the TPO trees.

In terms of the wall and fence that has been shown on the plans, combined would be erected to a height of 1.8m which would provide additional screening to the property. As there are already several different boundary treatments within the immediate neighbouring properties, the proposal would not result in an unacceptable visual impact.

The proposal also takes into account potential impacts upon the roots protection area of the protected tree within the boundary of no. 27 Pontefract Road as can be seen by the annotations on the plan which include "shallow foundations to root protection zone, no dig lower than 356mm below existing ground level". As such it is considered that adequate consideration of the impact on the trees has been given.

Given the above, the drop kerb is considered acceptable. With regards to the boundary fence/wall, even though it was not put in the description, it was on the plans that residents and members of the public were able to view and no comments have been received. Given it is a reduction in height on the existing fence and there are a variety of boundary materials in the area, it is not considered to be detrimental to highway safety, visual amenity or residential amenity to warrant a refusal of the scheme or enforcement action being taken if they did proceed with this part of the proposal.

Recommendation

Approve with conditions