

2022/0100

Mr Peter Moran

42 Barnsley Road, Dodworth, Barnsley, S75 3JW

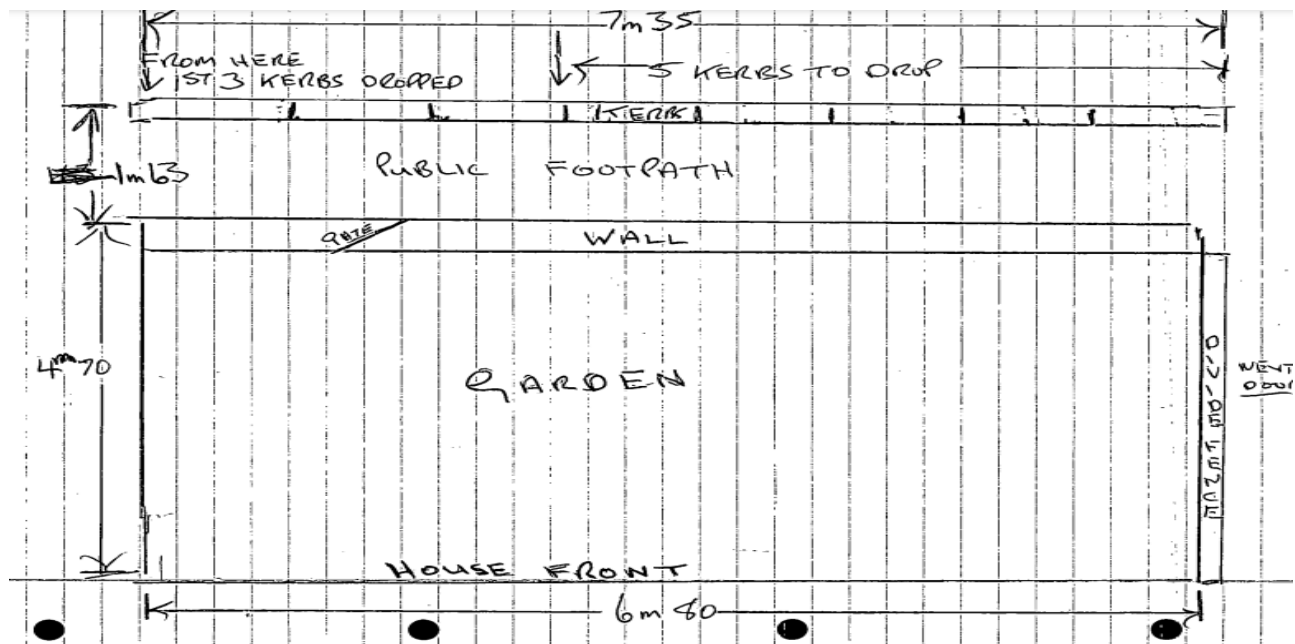
Installation of dropped kerb for vehicular access purposes

Site Description

The dwelling is a two-storey semi-detached dwelling located in Dodworth. Barnsley Road is a classified road (B6449) and has a fairly consistent street scene consisting predominantly of two-storey semi-detached dwelling, constructed of a mix of different materials and Dodworth St John The Baptist Primary Academy is to the north of the site. The dwelling has an existing small front garden and footpath leading to the front door of the dwelling.

Proposed Development

The applicant is seeking approval for the installation of a drop kerb onto a classified road (B6449).



Policy Context

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

Local Plan Allocation – Urban Fabric

The Barnsley Local Plan (BLP) was adopted at the full Council meeting held 3rd January 2019. In addition, the Local Authority (LPA) has adopted a series of Supplementary Planning Documents (SPD), and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

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 – 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 D1: High quality design and place making – Supersedes Core Strategy Policy CSP 29 and sets out the overarching design principles for the borough. Policy D1 States that 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.

Policy T4: New Development and Highway Improvement – 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: House extensions and Other Domestic Alterations

This document establishes 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 should;

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

The above principles are to reflect the revised principles in the NPPF, which promote high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

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.

Where a Local Plan is absent or relevant policies are out-of-date, permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. This is assessed against the policies in the NPPF as a whole; or where specific policies in the NPPF indicate development should be restricted or material considerations indicate otherwise.

In respect of this application, relevant policies include;

Section 12: Achieving well designed places - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes.

Within section 12, paragraph 134 states that *“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”*.

Consultations

Highways Department Control - Barnsley Road is classified (B6449) and is a busy route in terms of both vehicular traffic and pedestrian movements as it provides access to a Primary School to the north of the site and, amongst others, a Co-op store to the south as well as being a key route into the centre of Dodworth.

The submitted information indicates that the proposed parking area will have a length of 4.7m, this is insufficient, a minimum length of 5m should be achieved. A parking area with a length less than the required 5m could result in vehicles overhanging the footway which would impede pedestrian movement.

Also, there is insufficient room for a vehicle to turn within the site curtilage. Given that Barnsley Road is classified there is a requirement for vehicles to enter and exit in a forward gear in the interests of highway safety. Classified roads by their very nature are busier roads and it is considered that vehicles reversing into or from the driveway would have a detrimental impact on highway safety for oncoming vehicles on Barnsley Road. In view of the above, the proposals cannot be supported from a highways development control point of view.

Dodworth Ward Councillors were consulted and raised no objections.

Representations

Neighbour notification letters were sent to surrounding properties, no comments were received.

Assessment

Principle of Development

Planning permission is required for access onto and development upon classified highways. Permission will be granted where such development does not impinge upon highway safety.

Highways Considerations

The application proposes to create a parking area to the front of 42 Barnsley Road which is to be accessed via a proposed dropped kerb facility. Barnsley Road is classified (B6449) and is a busy route in terms of both vehicular traffic and pedestrian movements as it provides access to a Primary School to the north of the site and, amongst others, a Co-op store to the south as well as being a key route into the centre of Dodworth.

The submitted information indicates that the proposed parking area will have a length of 4.7 meters, this length is short of the recommended minimum length of 5 meters which should be achieved. It is noted that a parking area with a length less than the required 5 meters could result in vehicles overhanging the footway which would impede pedestrian movement. However as the average car length in this country is around 4.4m this would be due to a larger than average vehicle length or via inconsiderate parking.

Also, there is insufficient room for a vehicle to turn within the site curtilage. Direct vehicular access from a classified road requires sufficient space within the curtilage of the dwelling to ensure access and egress can be undertaken in a forward travelling direction. The access and parking space do not provide the ability for a vehicle to egress from the site in a forward gear which elicits the vehicle to either reverse out onto Barnsley Road (B6449) when leaving the property or come to a stop on Barnsley Road (B6449) and reverse into the parking space. Both of which can be considered dangerous manoeuvres to perform upon a classified highway. Classified roads by their very nature are busier roads and it is considered that vehicles reversing into or from the driveway would have a detrimental impact on highway safety for oncoming vehicles on Barnsley Road.

Regarding the above issues in relation to highway safety it must be noted there are numerous site factors that must also be taken into account for complete picture to be formed. It is noted other driveways on Sheffield Road, including at the immediate neighbouring property (40 Barnsley Road) also do not have the required turning provision or length of driveway.

The existence of a dropped kerb and frontage parking without turning provision elsewhere on Barnsley Road has to be acknowledged and the development at 40 Barnsley Road was approved under application 2016/0418. This application was approved by the Council in relatively recent history and has established a precedent.

Furthermore, a more recent application (2021/1335) was recently refused in another part of the Borough for a dropped kerb and parking area because there was insufficient room for a vehicle to turn within the site curtilage. Also, the length of the parking space was less than the required 5 meters. This decision has since been overturned at appeal by the Planning Inspectorate which raises questions as to how potential highway safety issues should be dealt with and how important site factors are in comparison. The site factors in play with this decision are similar to that with the current proposal. That being the road being straight and the provision of frontage parking spaces and dropped kerbs along the road regardless of planning permissions.

The appeal decision states, *"I also observed that this section of Sheffield Road is relatively straight over a significant distance and the visibility for drivers in both directions is therefore good"*. This implies that good visibility can outweigh the other issues raised. Visibility as an issue has not been raised and Barnsley Road is also a straight road over a significant distance.

Also, the appeal decision states, *"There are a number of other examples of frontage parking with driveways directly onto this part of Sheffield Road, some without sufficient space for a vehicle to turn, including No.1 Sycamore View at the other end of the terrace of cottages. Whilst each proposal for parking falls to be considered on its own merits, the existence of this type of parking arrangement means that vehicle movements already occur on Sheffield Road"*. Likewise with Barnsley Road the

aforementioned vehicle movements already occur and the addition of an extra vehicle doing this would not be significantly detrimental to highway safety.

Finally, it must be noted that the creation of an off-street parking space does have a positive impact upon highway safety as it reduces the amount of on-street parking on Barnsley Road. It can be argued that on-street parking is more harmful to highway safety than the vehicle movements required by the lack of turning provision.

Visual Amenity

The natural stone wall forming the front boundary between the curtilage of the dwelling and the highway is proposed to be removed. The loss of the stone wall whilst reducing the level of continuity provided by a high-quality boundary treatment, is not as impactful as it would be given that the neighbouring property (40 Barnsley Road) has also removed the front wall to create a parking space by way of application 2016/0418. Therefore, the removal is not out of character with the street scene.

Conclusion

On balance it is deemed that the lack of provision for a vehicle to turn within the site curtilage and the length of the driveway being 0.3 meters less than the required 5 meters would not be significantly detrimental to highway safety. It is acknowledged that there will be a degree of impact upon highway safety due to the site being located on a busy classified road. However, the proposed provision would be very similar in nature to a large number of existing front and side of dwelling parking arrangements on Barnsley Road in Dodworth and the extent of which the length of the parking space would fall short of the required length is fairly small and should still enable the average length cars to park within the site without overhanging the highway. In addition, the road alignment is very straight on Barnsley Road and therefore the visibility for drivers in both directions is good. Furthermore, the property does not benefit from any off street parking at the present time leading to on street parking and so lessening the number of vehicles parking on street would contribute a small benefit to improving the flow of traffic. The officer recommendation is therefore one of approval.

Recommendation

Approve with Conditions