

Application Reference Number:		2025/0826	
Application Type:		Full	
Proposal Description:		Formation of dropped kerb to enable access to driveway.	
Location:		429 Pontefract Road, Lundwood, Barnsley, S71 5JN	
Applicant:		Mr Terry Pyne	
Third-party representations:	None.	Parish:	
		Ward:	Lundwood

Site Description

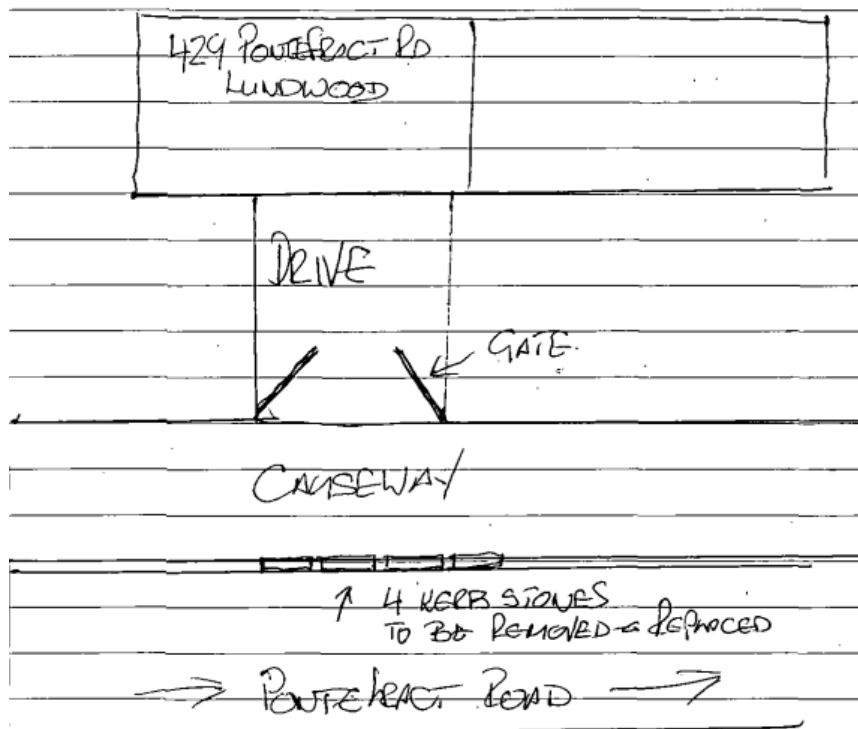
The application relates to a site on Pontefract Road, a classified road. The site consists of a semi-detached bungalow. A small garden is located to the rear and modest driveway is located to the front of the dwelling including a pebbled amenity area.

Planning History

No planning history is evident for the site.

Proposed Development

The applicant is seeking permission to install 4 dropped kerbs in order to provide access to the driveway.



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 in the Dodworth area of Barnsley, and therefore, the following Local Plan policies are relevant in this case:

- *Policy SD1: Presumption in favour of Sustainable Development.*
- *Policy GD1: General Development.*
- *Policy POLL1: Pollution Control and Protection.*
- *Policy D1: High quality design and place making.*
- *Policy T3: New Development and Sustainable Travel.*
- *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 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 travel.*
- *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.

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). The application has been advertised on the Council website. No representations have been received to date.

This application shall not be determined until such a time that the consultation period has ended.
Highways – No Objection subject to conditions

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

Para 116 of the NPPF states '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'.

Local Plan Policy T4 also states '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'.

Impact on Design and Visual Amenity

The site is located in a predominantly residential area. The site is accessed from Pontefract Road which is classified as an A Road. The proposed dropped kerbs would not have any impact on the design and visual amenity of the site.

The visual amenity of the streetscene would therefore be retained and the development would accord with Local Plan Policy D1: High Quality Design and Place Making. This carries substantial weight in favour of the application.

Residential Amenity

The proposed dropped kerb would allow for improved access to the site. This will in turn allow for a reduction of street parking. The proposal would not have any impact on residential amenity in terms of overbearing and overshadowing and would not substantially increase noise or disturbance

It is therefore considered that the proposed development is acceptable in terms of Residential amenity and in compliance with Local Plan policy GD1: General Development and as such carries substantial weight in opposition of the application.

Impact on Highway Safety

The proposal aims to facilitate easier access to the existing driveway to the front of the dwelling. Although allowing for parking provisions which are accessed from a classified roads without onsite turning facility is not usually considered acceptable, given numerous other properties on the street provide similar arrangements, the proposal is considered acceptable on this occasion. In order to ensure safety is maintained, conditions will be added to the approval. Highways DM have been consulted on the application and have raised no objections subject to the conditions.

As such the proposal is not considered acceptable in terms of its impact on highway safety and in compliance with Local Plan Policy T4 New Development and Transport Safety. This carries significant weight in opposition of the application.

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.

It has not been necessary to make contact with the applicant with regards to any amendments to the proposal.

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.