WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Adur & Worthing Councils FAO: Marie O'Keeffe
FROM:	WSCC - Highways Authority
DATE:	5 August 2019
LOCATION:	38 Brighton Road, Shoreham-By-Sea, BN43 6RG
SUBJECT:	AWDM/0242/19 Extend vehicle access
DATE OF SITE VISIT:	n/a
RECOMMENDATION:	Advice
S106 CONTRIBUTION TOTAL:	n/a

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided by Planning Services should be considered to be advice only, with respect to this planning application.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

The LHA has been re-consulted on this application following communication with the Case Officer. The Case Officer has conducted a site visit and noted that the depth of site frontage is below the required 4.8m as set out in Manual for Streets (MfS) - measuring 4.3m between the back edge of the footway and the eastern bay window. The Case Officer also noted that a vehicle was parked on the site frontage within the proposed parking area, parallel to the footway.

As previously stated, the LHA does not raise any highway safety concerns to the proposal and as such cannot substantiate an objection on the grounds of insufficient site frontage depth.

However, in order for the applicant to access the proposed parking space, the existing VCO requires widening and the applicant has previously demonstrated that the VCO is proposed to be extended to a maximum width of 6.4m in accordance with the Area Office policy. Following consultation with the Area Office Manager, it has been confirmed that the Area Office will not grant a licence for a VCO in this location for two reasons. Firstly, Area Office policy does not allow parking spaces parallel to the footway, and secondly the site frontage depth does not accord with minimum standards of 4.8m. The WSCC guidance and policy on dropped kerbs can be found here: https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/#overview

The applicant is advised that it is an offence to drive on the footway, including crossing the footway without a licence, and this is enforceable by Sussex Police. Additionally, the applicant should be aware that any illegal parking, including vehicles overhanging the footway, could be dealt with as an offence under Section 22 Road Traffic Act 1988 –(leaving vehicles in a dangerous position on the road including verge) and Section 137 Highways Act 1980 (wilful obstruction of the free passage along a highway). Both of these acts are enforceable by Sussex Police.

Conclusion

As previously, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal. However, the Area Office Manager has confirmed that they will not grant a licence for widening the VCO in this location as set out above.

Nicola Fry
West Sussex County Council – Planning Services