WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Adur & Worthing Councils FAO: Eve Hearsey
FROM:	WSCC - Highways Authority
DATE:	8 December 2021
LOCATION:	21 Southview Road Brighton BN42 4TW
SUBJECT:	AWDM/0651/20 Proposed vehicular 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.

This application is for a vehicular access. The site is located on Southview Road, which is a B-classified road subject to a speed limit of 30mph.

Access and visibility

The existing dwelling does not currently benefit from a vehicular crossover (VCO). The proposed plans demonstrate that a new VCO of 4.6m in width will be provided. However the plan does not appear to have been drawn to scale so it is unclear whether the site frontage is 4.6m in width. Details of this can be secured via condition. All access works are subject to a licence from the WSCC Area Engineer and must be constructed to a specification agreed with them.
The proposed plans do not demonstrate vehicular visibility at the proposed access. MfS requires a visibility splay of 2.4 x 43m for a 30mph road. However, in lightly trafficked and slow speed situations MfS does permit the use of a 2m X distance. Given the presence of on street parking it is anticipated that vehicle speeds will not exceed the posted speed limit in this location and parked vehicles will enable a vehicle to edge out cautiously into the carriageway to achieve required visibility.
An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there has been no recorded injury accidents within the vicinity of the site. Therefore, there is no evidence to suggest that the existing road network is operating unsafely or that the addition of a single VCO would exacerbate an existing safety concern.

Parking and turning

The proposed plans demonstrate that the site frontage will provide a hard-standing parking area. Whilst parking has been demonstrated, the plans do not reveal the exact measurements of the proposed parking area. WSCC Parking Guidance sets out minimum dimensions of 2.4 x 4.8m for a parking space. The proposed plan does not appear to be drawn to scale and from an inspection of WSCC mapping it appears that there is approximately 5.2m depth on the frontage, although this may not take into account the bay window. As such it is unclear whether there is sufficient depth on the site frontage for a vehicle to park without hanging over the footway. However, a Highways objection on this basis could only be formulated if the residual impacts were considered severe as per Paragraph 111 of the NPPF. Any vehicle parked 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. There are also some links to the Highways Act 1835 (section 32), Town Police Clauses Act 1837 (section 28) and the Road Vehicle (Construction and Use) Regulations 1986 (SI 1986/1038), which have been used successfully in proceedings brought about against drivers parking on footways. As mentioned above, A license to construct the vehicular crossover would need to be obtained from the Local Area Engineer. It should be noted that as part of the licence application process the depth of

hardstanding would be assessed and if found to be contrary to the Area Engineer working practices is unlikely to be granted.
The proposed plans do not demonstrate a turn on site and it is not considered that this would be achievable given the site constraints. From an inspection of local mapping, neighbouring dwellings operate similar arrangements without evidence of highway safety concern.

Conclusion
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 111), and that there are no transport grounds to resist the proposal.
If the LPA are minded to approve the application, the following conditions and informative should be applied:

Conditions
Access
The use of the car parking space shall not commence until such time as the vehicular access has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of road safety.
Car Parking Space
The use of the access shall not commence until such time as the parking area has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These spaces shall thereafter be retained at all times for their designated purpose.
Reason: To provide car-parking space for the use

Informative
Vehicle Crossover – Minor Highway Works
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/
Online applications can be made at the link below, alternatively please call 01243 642105.
https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/

Jack Elliott
West Sussex County Council – Planning Services