AWDM/1036/21 | Vehicular access | 166 Old Shoreham Road Southwick Brighton West Sussex BN42 4HU

1 message

Ian Hayward <ian.hayward@westsussex.gov.uk> 8 July 2021 at 08:29
To: Eve Hearsey <eve.hearsey@adur-worthing.gov.uk>, "planning@adur-worthing.gov.uk" <planning@adur-worthing.gov.uk>

Morning Eve,

Following on from my consultation response dated 07/07/2021. A site visit has been undertaken by one of our area Highway Stewards. They were able to measure the site frontage taking into consideration the front bay window.

They have detailed that the frontage has a depth of circa 4.2 / 4.3 metres. Thus would not meet the depth requirement of 4.8 metres as previously described to fully remove a vehicle from the public highway (footway and carriageway).

At the planning stage we are only able to recommend resisting planning applications on highways grounds if we can substantiate that the proposed will result an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. In this case it could be contended that a large vehicle parked on the frontage would overhang the footway which in turn could result in a reduced footway width and force a pedestrian or vulnerable footway user to use the Old Shoreham Road carriageway in order to pass. Notwithstanding this view parking on the footway can be considered to be a wilful obstruction of the free passage of a highway, contrary to section 137 of the Highways Act 1980. 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.

At this stage I can advise that regardless of any planning decision the Local Planning Authority may make the licence application to implement a vehicle crossover in this location will be refused by the WSCC Area Highways.

Please can the above comments also be provided to the applicant for review. Please re-consult if you need any further comments to determine the planning application.

Ian Hayward

Planning Services

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