WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Adur & Worthing Councils FAO: Eve Hearsey
FROM:	WSCC - Highways Authority
DATE:	12 October 2020
LOCATION:	102 First Avenue Lancing BN15 9QE
SUBJECT:	AWDM/1306/20 Formation of a 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 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.

I refer to your consultation in respect of the above planning application and would provide the following comments.

Site Background
The proposal is for the construction of a parking area and the implementation of a Vehicle Crossover (VCO).

The application site is located on First Avenue a publicly maintained, 'C' classified road subject to a 30-mph speed limit. As a result, the Local Highways Authority (LHA) will refer to Manual for Streets (MfS) as guidance.

Access & Parking
Typically, bay parking spaces should measure 4.8 metres as per Manual for Streets guidance. The Local Highways Area Office have the following guidance for parking areas, where they abut a ground floor window or door that can be considered an emergency exit.

Parking areas that abut ground floor accesses, which could be considered to be used in emergencies, are required to be 6 metres in depth, to allow a vehicle to park and not hindered the access point or over hang the publicly maintainable highway.

The parking space demonstrated within this application is slightly shorter at 5.5-metres. However, as per Paragraph 109 of the NPPF, a consideration of an objection in highways terms would only be feasible if the residual impacts are seen as severe.

A license to construct the Vehicular Crossover (VCO) must be sort 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, in this instance, would be contrary to the Area Engineer working practices and thus would not be granted. The LPA may wish to be mindful of this when considering the application.

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 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.

An inspection of data supplied to WSCC by Sussex Police over a period of the past five years reveals that there have been no recorded injury collisions within the vicinity of the site. Therefore, there is no evidence to suggest that the new access is currently operating unsafely.

With all the above considered, the LHA would not anticipate that the proposal would generate a highways safety concern at the proposed access.

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 109), and that there are no transport grounds to resist the proposal.

The LHA advises the LPA that if they are mindful to permit the above application than to attach the following conditions and informative:

Conditions

Access

The use of the parking area shall not commence until the vehicular access serving the development has been constructed in accordance with the approved site plan.

Reason: In the interests of road safety.

Parking

The use of the Access shall not commence until the car parking has been constructed in accordance with the approved site plan. These spaces shall always thereafter be kept for their designated purpose.

Reason: To provide car-parking space for the use

Informative

Vehicle Crossover – Minor Highway Works

The Local Highways Authority (LHA) advises the applicant 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 the permission of a Vehicle Crossover (VCO) licence.

Please see the following link on details pertaining to the licence application process:

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/

Stephen Garrard
West Sussex County Council – Planning Services