AWDM/1119/19 - Land West Of 51 To 63 Southview Road Southwick

Local Highway Authority Appeal Statement

West Sussex County Council, in its capacity as the Local Highway Authority (LHA), has been asked to comment on revised access arrangements to application AWDM/1119/19 (for 10 x dwellings) by the Local Planning Authority (LPA).

The application was refused by the LPA, including for highways reasons under reason 2 – 'The application fails to identify safe access to the highway'. The application has been appealed and revised access arrangements have been submitted in support of this appeal.

In LHA comments to AWDM/1119/19 dated 03/10/2019 further information was requested in respect to the access arrangements. This information was not provided and subsequently the LPA refused the application citing several reasons. Taking the previous LHA comments and revised access arrangement drawing no. *19012_P02*, the LHA does not wish to give transport grounds to resist the application, justified in the comments below.

Road Safety Audit (RSA) and Designers Response

Previously a Stage 1 RSA was carried out on the proposed access arrangements and two issues were raised. 2.1.1 referred to the access width of 4.6m and requested that swept path tracking diagrams be provided to show two cars passing in the access. Whilst amended swept path tracking plans have not been provided, the access within the site has been widened to 5.3m and where this meets with the public highway is approximately 6m wide. On-street parking outside no. 51 has not been shown on the previous swept path tracking plan for a refuse collection vehicle, however the LHA is mindful that the opposite properties feature dropped kerbs and majority of properties in the vicinity feature off-street parking. Ideally amended plans showing tracking for a refuse collection vehicle and two cars passing in the access should be provided. Nevertheless, the LHA consider that the access width meets with Manual for Streets (MfS) figure 7.1 whereby 4.1m is suitable for two cars to pass. Furthermore, the LHA consider that a more practical arrangement for refuse collection would be from Southview Road, as per neighbouring properties arrangements, omitting the need for a refuse collection vehicle to enter the site. Adur & Worthing, as the local waste authority may wish to consider whether this would be a preferred option.

Issue 2.3.1 of the RSA referred to obstructions in the visibility splays due to on-street parking south and north of the site access. A double crossover for plot 10 is now proposed north of the access meaning on-street parking cannot occur. To the south drawing no. *19012_P02* notes 'parking restriction' outside no. 51 in the form of double yellow lines. Such a parking restriction would require the developer to apply and pay for a Traffic Regulation Order (TRO), the process of which is separate and outcome not guaranteed. In light of the fact that suitable vehicle visibility splays have been demonstrated (outlined below) and refuse collection could take place on street, the LHA considers that such a short extent of parking restriction would be out of keeping with the surrounding area and is not considered necessary to make the application acceptable in planning terms. It is advised that reference to parking restriction is removed from the plans. Furthermore, the LHA consider paragraph 10.7.1 of MfS2 applies in this location whereby *"…parking in visibility splays in built-up areas is quite common, yet it does not appear to create significant problems in practice. Ideally, defined parking bays should be provided outside the visibility splay. However, in some circumstances, where speeds are low, some encroachment may be acceptable"*. It is considered that cars emerging from neighbouring accesses would be required edge forward and there is no road traffic collision data in the vicinity to suggest that this has caused a highways safety issue. Furthermore, vehicles from the site will be exiting in a forward gear.

The LHA therefore consider that widening of the access and demonstration of visibility (outlined below) addresses the previous concerns raised in the RSA. The applicant is advised to run the amended access arrangements shown on drawing no. *19012_P02* (with removal of parking restriction) past the auditor to check whether these resolve the previous issues raised.

For completeness the Designers Response should be provided in the format set out in Design Manual for Roads & Bridges (DMRB) table F4 & F5 of GG119. This will assist the WSCC Implementation team in the future process of technical approval for the site access, if the appeal is allowed.

Demonstration of Visibility

Previously it was requested that as the splays pass through third party land, forward visibility along Southview Road should be demonstrated to show a vehicle emerging from the access can be observed by a vehicle traveling along the carriageway. The LHA consider that demonstration of this is not now required, in light of amended visibility splays shown on drawing no. *19012_P02*. WSCC and local mapping also indicate that the alignment of Southview Road is straight in this location and thus forward visibility is satisfactory and the presence of neighbouring accesses means that a car travelling along the carriageway should be anticipating emerging vehicles and be able to react accordingly.

Visibility splays of 2m by 43m have been provided as achievable passing through applicant owned land and publically maintained highway. As per previous comments the 2m 'X' distance is considered appropriate in this location in line with MfS paragraph 7.7.7 (*…"a minimum 'X' distance of 2 m may be considered in some very lightly-trafficked and slow-speed situations, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm. The ability of drivers and cyclists to see this overhang from a reasonable distance, and to manoeuvre around it without undue difficulty, should be considered"*).

43m is the required Stopping Site Distance (SSD) for the 30mph posted limit as set out in MfS. As per previous comments this has been taken to the centreline of the carriageway as the presence of some on-street parking at the extent of the splays means that vehicles are anticipated to be travelling at a distance from the kerbline, this is supported by MfS paragraph 7.7.5 ("*Some circumstances make it unlikely that vehicles approaching from the left on the main arm will cross the centreline of the main arm... If so, the visibility splay to the left can be measured to the centreline of the main arm"*).

Whilst the northern splay passes through a tree trunk, MfS paragraph 7.8.6 states that "*The impact of other obstacles, such as street trees and street lighting columns, should be assessed in terms of their impact on the overall envelope of visibility. In general, occasional obstacles to visibility that are not large enough to fully obscure a whole vehicle or a pedestrian, including a child or wheelchair user, will not have a significant impact on road safety*". Furthermore, a greater splay behind the line of the tree does appear achievable without passing through third party land and therefore the LHA would advise that maximum achievable visibility splays are secured via condition, if the appeal is allowed.

A pedestrian visibility splay of 2m by 2m has been demonstrated north of the proposed site access. This area, and boundary treatment south of the site access, should be kept clear of obstructions above 0.6m in height to enhance visibility of pedestrians on the adjacent footway for vehicles emerging from the site.

Conclusion

In summary the LHA consider that the amended access arrangements and visibility splays as shown on drawing no. *19012_P02* demonstrate that safe and suitable access for all users has been demonstrated as per paragraph 108 of the National Planning Policy Framework (NPPF). Whilst greater visibility splay to the north, without passing through the tree, may be achievable, it is considered that details of this could be secured via condition.

Furthermore, the parking restriction shown outside no. 51 Southview Road should be removed as it is not considered necessary or reasonable to the development as per paragraph 55 of the NPPF.

The applicant is advised to gain the views of the auditor on whether the revised arrangements address the two points previously raised in the RSA, although it should be noted that the LHA consider that these points have been suitably addressed. The applicant should also provide a Designers Response as per table F4 & F5 of GG119 (DMRB).

Subject to conditions securing details of access (with 'parking restriction' removed), maximum vehicle visibility splays, pedestrian visibility/boundary treatment, car parking and turning, bicycle storage and construction management, the LHA does not wish to uphold reason 2 of Adur & Worthing Councils decision notice to refusal of AWDM/1119/19.

If the appeal is allowed then the following conditions and informatives are advised:

Access
No part of the development shall be first occupied 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.

Vehicle Visibility Splays
No part of the development shall be first occupied until maximum visibility splays shall be provided at the site access onto Southview Road in accordance with a plan to be submitted to and approved by the planning authority. These splays shall thereafter be kept clear of all obstructions to visibility above a height of 0.6 metre above the adjoining road level.
Reason: In the interests of road safety.

Pedestrian Visibility
No part of the development shall be first occupied until pedestrian visibility splays have been provided either side of the proposed site vehicular access onto Southview Road in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.
Reason: In the interests of road safety.

Vehicle parking and turning
No part of the development shall be first occupied until the vehicle parking and turning spaces have 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 for their designated use.
Reason: To provide adequate on-site car parking and turning space for the development.

Cycle parking
No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.
Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

Construction plant and materials
No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.
Reason: To avoid undue congestion of the site and consequent obstruction to access.

INFORMATIVE

The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

INFORMATIVE

The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

Katie Kurek
West Sussex County Council – Planning Services