

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO: Mr A Wood
FROM:	WSCC - Highways Authority
DATE:	22 March 2021
LOCATION:	74 Elmer Road Bognor Regis PO22 6EX
SUBJECT:	M/13/21/HH Extending existing dropped kerb to accommodate the 3 car park spaces that were granted on property on original planning permission obtained in 2018.
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 Local Development 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.

Context

The application seeks to extend the existing dropped kerb to accommodate the 3 car park spaces that were granted on property on original planning permission (M/124/17/PL) obtained in 2018.

I note that only one parking space aligning with the existing vehicle dropped crossing was approved under those approved plans. With this in mind the application description seems misleading.

A response was provided dated 19th March 2021. This response should be considered as an additional response to that previously provided.

Crossover and Parking Area

It is noted the frontage aligning with the proposed extended vehicle crossover is 3.7 metres. 4.8 metres is the minimum recognised dept required to park a car and ensure it is fully removed from the highway and does not overhang the footway. 6.0 metres I required if the parking space fronts a door or means of escape, such as a fire escape or accessible window.

Any crossover works on the public highway must be implemented under licence to a specification obtained from WSCC Highways. I have consulted with the Area Office and they have confirmed that, based on the plans submitted, a vehicle crossover licence application regardless of planning consent would be refused given the lack of frontage depth.

However, at planning an objection can only be raised if the application results in an unacceptable safety impact, or the cumulative residual impact upon the operation of the highway network is considered 'severe'. For applications such as this it is extremely difficult to demonstrate this would be the case.

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.

From inspection of the highway boundary for this location it does seem that the highway boundary in this location may provide more frontage depth than that demonstrated on the submitted block plan where 3.71 metres is annotated.

Request for this date can be made via the link below:

<https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/highway-boundary-information/>

The applicant may wish to investigate this prior to determination or applying for the licence.

While no overriding highways concerns are raised the applicant should be aware of the details above, particularly the view of the area office that a licence to implement the extended crossover would not be approved if applied for.

If the LPA are minded to grant planning consent the following informative note would be advised:

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 [REDACTED]

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>