

COMMITTEE:	PLANNING AND LICENSING	
DATE:	8 OCTOBER 2002	
SUBJECT:	PLANNING APPLICATIONS FOR VEHICLE FOOTWAY CROSSOVERS	
REPORT OF:	DIRECTOR OF PLANNING, REGENERATION & AMENITIES	
Ward(s):	All	
Purpose:	To inform the Committee of the factors determining Highway Authority approval for vehicle footway crossovers.	
Contact:	Dale Foden, Highway Manager, Telephone 01323 415243 or internally on extension 5243.	
Recommendations:	The Committee is recommended to note the contents of this report when determining planning applications requiring Highway Authority consent for vehicle footway crossovers.	
1.0	<u>Background</u>	
1.1	<p>Planning legislation requires that in certain circumstances planning consent is required for the conversion of private housing gardens to hard standing areas that can accommodate vehicle parking, where the proposal involves the formation of an access (or the alteration of an existing access) onto a classified road. The consent given by the Planning and Licensing Committee essentially permits vehicles to cross a footway to access the hard standing area. However, consent is also required from the Highway Authority to construct a vehicle access across a footway, where the footway is public adopted highway.</p>	

1.2	For certain classes of road, the Highway Authority has defined standards that will only allow consent for a vehicle footway crossover where there is sufficient turning area within the curtilage of the property. This is to prevent vehicles reversing out on to busy roads or bus routes with the associated potential for vehicle collisions.	
1.3	When a planning application is submitted to the Committee, planning consent may or may not be granted for the hard standing area. However, the Highway Authority will not grant permission for a vehicle footway crossover if the proposed hard standing area does not attain the minimum required dimensions for a turning area.	
1.4	The Highway Authority will also refuse consent for a vehicle footway crossover where the construction would involve the removal of a healthy tree located within the footway.	
2.0	<u>Minimum dimensions for private parking spaces</u>	
2.1	The minimum turning area dimensions are stated in the Manual for Estate Roads, an East Sussex County Council publication produced in consultation with the Borough, District and County Planning officers. The Manual, published in 1995, sets out the design criteria for residential and industrial estate roads, and associated highway works, within the County. The Manual is based on national standards and has been formally adopted as Policy by the County Council, the Highway Authority for the road and footway network in East Sussex.	
2.2	The figure in Appendix A illustrates the minimum dimensions for a private off road parking space.	
3.0	<u>Safety Audit</u>	
3.1	On a number of occasions in recent months, the Planning and Licensing Committee has consented to applications where the local highways comments, on behalf of the Highway Authority, has recommended that consent should not be granted.	

3.2	Following the decisions of the Planning and Licensing Committee, the Eastbourne Highways group has requested that the Traffic & Safety group within the Transport and Environment Department at East Sussex County Council could review the minimum dimension criteria. The subsequent response was to ratify standards and confirm that Highway Authority consent should not be granted in such circumstances where the minimum dimensions could not be attained.	
3.3	In situations where the minimum dimensions are only marginally unable to be attained, or other circumstances exist, then it is suggested that an independent safety audit may determine that the degree of risk is acceptable. The cost of the safety audit would be borne by the applicant.	
4.0	<u>Human Resource, Environmental, Financial, Youth and Anti-Poverty Implications</u>	
4.1	There are no Human Resource, Youth or Anti-Poverty issues that arise from this report.	
4.2	There are no financial implications to the Borough Council.	
4.3	There are environmental implications associated with this report relating to the safety concerns.	
4.4	When considering this report, the Committee is asked to be mindful of a liability that could arise should any accidents occur due to vehicles reversing out of an approved hard standing area across an unlicensed footway crossover.	
5.0	<u>Summary</u>	
5.1	It is appreciated that the number of vehicles per household is increasing, whilst the on-street parking availability is relatively constant. Consequently, it is obviously beneficial to remove vehicles from the highway to an off road parking facility. However, this cannot be sanctioned where the safety of the motorist is compromised.	
5.2	In an increasingly litigious society, the Highway Authority cannot permit any departures from the relevant standards governing the minimum criteria for a vehicle footway crossover.	

5.3	Where the minimum criteria are only marginally unattained, then the Highway Authority would consider the findings of an independent safety audit.	
<p>Norman Kinnish</p> <p>DIRECTOR OF PLANNING, REGENERATION & AMENITIES</p>		
<p>Background Papers:</p> <p>The Background Papers used in compiling this report were as follows:</p> <p>Manual for Estate Roads – Design Guide and Specification 1995 Edition.</p> <p>To inspect or obtain copies of background papers please refer to the contact officer listed above.</p>		