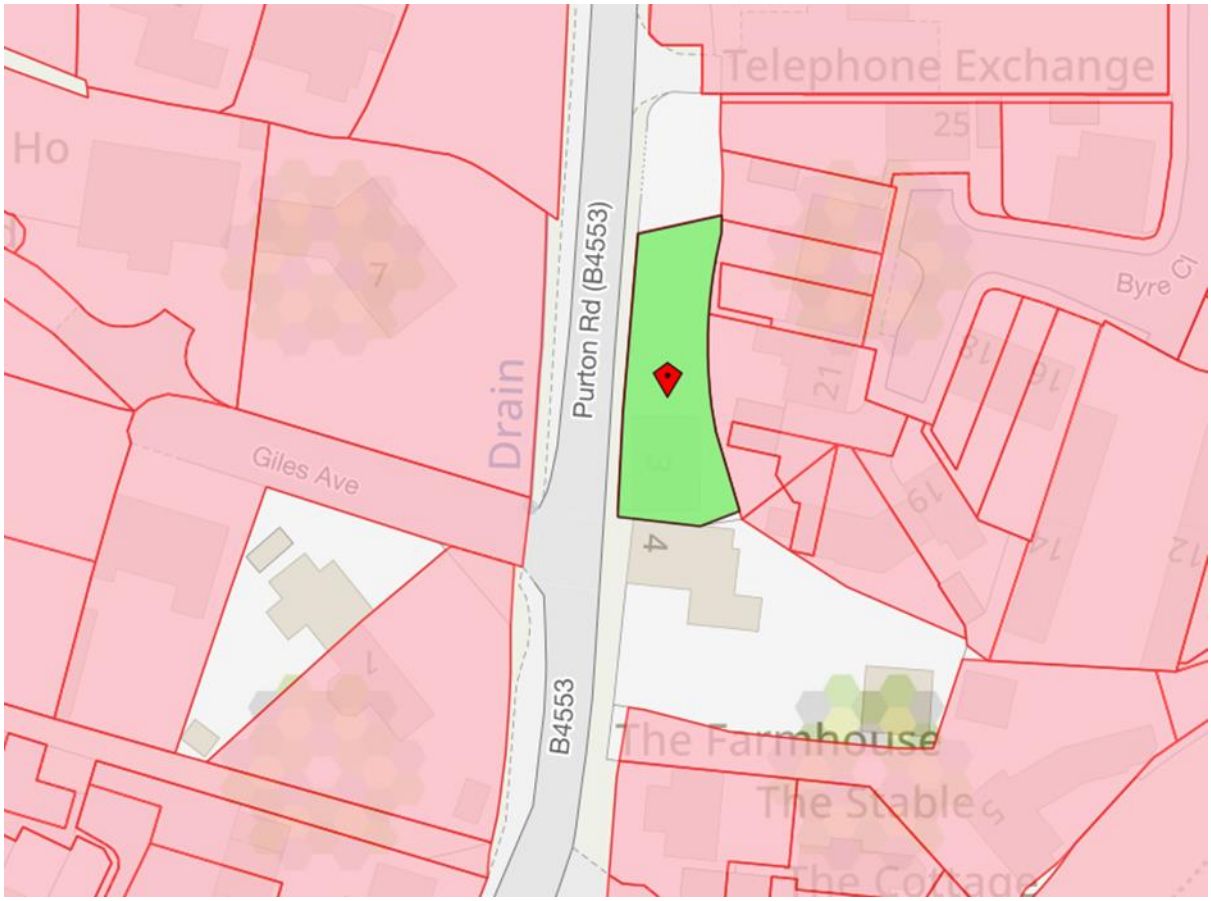
Highway Development Control Consultation Response

Planning Application Ref: 2023/06953

Site Address: Cushlea Cottage 3 The Forty Cricklade

Proposal: Proposed gararge

Date of Consultation Response: 08/09/2023



The above is an extract from the Land Registry map indicating that the red line within the planning application shows that the parking provided is outside of the ownership of the applicant. The highway record confirms that the parking spaces numbered 1 to 3 are within the public highway (see below).

The proposal site has benefited from informal parking arrangements that cannot be allocated to the host dwelling as it is dedicated highway.

However, it is apparent that the parking area has been used without conflict with any other users of the highway or any statutory undertakers. The design does not allow the garage to be accessed easily from the current parking area. It does not negatively impact on the required off street parking because the site is offering 3 off carriageway parking bays and as such the lack of access just makes the garage a building for storage.

I would bring to the attention of the applicant that the area currently used for parking is dedicated highway (shown below in hatch). It is not usual for allocated private parking to be

located on dedicated highway, however, I note that the parking area has a dedicated dropped kerb which I am assuming has been through the Vehicle Crossing Permission process and therefore given consent by the Local Highway Authority previously. As this application is just an extension to the existing dropped kerb I am raising this matter for information for the applicant rather than as an objection. They may wish to investigate removing the dedication via a stopping Up order under the Town and Country Planning Act.

Therefore, in summary, I am minded that the current parking area accommodates 3 car spaces and the orientation of the garage means that it is not likely to be used for parking but rather storage). However, the application does provide an opportunity to improve the current arrangement and as such I am minded to add the following conditions:

No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres to the North and 43 metres to the South from the centre of the parking area in accordance with plans to be submitted to and approved by the Local Planning Authority. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.
REASON: In the interests of highway safety.

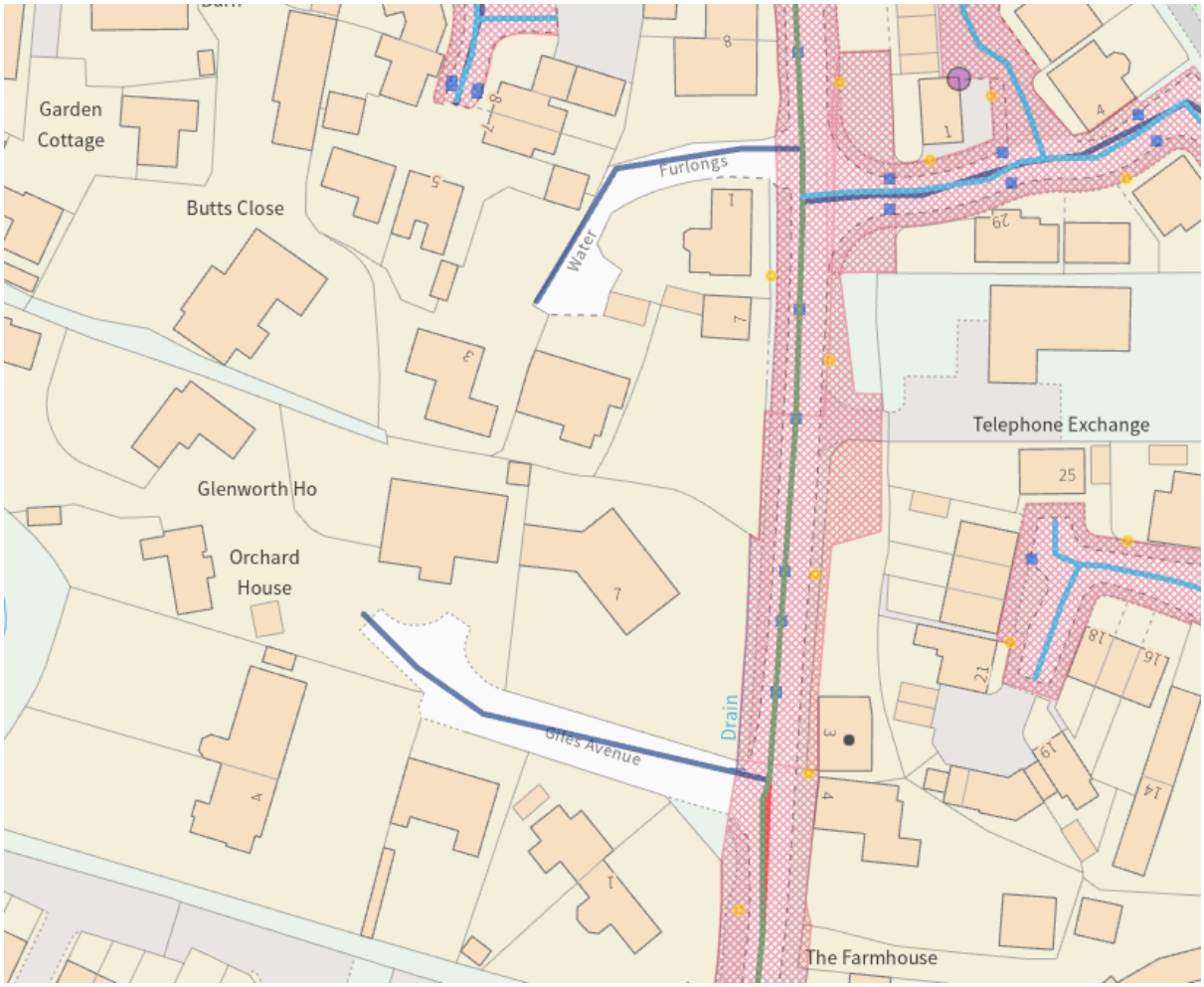
The development hereby permitted shall not be first brought into use until the whole of the parking area, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.
REASON: In the interests of highway safety

No part of the development hereby permitted shall be first brought into use until area for parking spaces to include an extended dropped kerb have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.
REASON: In the interests of highway safety.

INFORMATIVE
The application involves an extension to the existing dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application. The applicant must also ensure that any works within 8m of a watercourse (including discharge to and/or piping of road side ditches) will require full Land Drainage Consent . Please contact the Drainage Team at Drainage@wiltshire.gov.uk

Before commencement of the works the applicant will be expected to apply for and receive written approval of the stopping up of the highway. The applicant is advised to apply to the Secretary of State/ Department of Transport. The following guidance outlines the procedure. The applicant may want to seek independent legal advice on the matter.

https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways



Ian Fry

If you have any queries regarding the above advice, please contact Ian Fry on 01225 771649, Ian.Fry@wiltshire.gov.uk