ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	**Meeting:**	Streetpride Cabinet Member and Advisors meeting
2.	**Date:**	2 July 2007
3.	**Title:**	Request for vehicle access crossing 533 Roughwood Road, Wingfield.
4.	**Programme Area:**	Environment and Development Services

5. Summary

A request has been made to provide a vehicle access crossing from Roughwood Road, Wingfield to No 533. Although Roughwood Road is not a classified road, and therefore does not require formal planning permission, the Council has, since the estate was built, resisted direct vehicular access from Roughwood Road, as alternative access is available from the rear access roads.

6. Recommendations

a) that the request to install a Vehicular Access Crossing to 533 Roughwood Road (from Roughwood Road) be granted, in view of the fact that this particular site is technically feasible, and road safety on Roughwood Road is not compromised by the proposal.

7. Proposals and Details

Streetpride has received a request from the resident of 533 Roughwood Road for a vehicular access crossing (VAC) to the front of the property (from Roughwood Road). A location plan showing the property in question is attached as appendix A to this report.

Although Roughwood Road is not a classified road, and therefore does not require formal planning permission, the Council has, since the estate was built, resisted direct vehicular access from Roughwood Road, as alternative accesses are available from the rear access roads. In the majority of cases of properties fronting, there are also considerable technical problems (embankments etc). However in this particular case it is technically feasible, and safe to construct a crossing from Roughwood Road.

There are special circumstances attached to this particular request. A family member living at 533 is severely disabled, and a vehicular access is required as an adjustment to this property.

A Streetpride officer has assessed the request and looked at the rear access road, which would normally be adequate for vehicular access. However as part of the property adaptations the rear garden is to be used for an extension, and will not therefore be available for a vehicle of any kind.

The only remaining option, therefore, would be to grant permission for a crossing from Roughwood Road, but this would be seen as a departure from the previous informal policy, which resisted VAC's. from Roughwood Road.

Relevant powers

The relevant powers to consider a request to form a vehicular access, and grant permission are contained within Section 184 of the Highways Act 1980. Any works in connection with the provision of vehicular access can be carried out by the Council on behalf of the applicant or by an approved contractor.

There is a common law right for any person to access the highway at any point where their land touches the highway.

I would point out that the highway permission required to allow a vehicle access crossing, relates only to that part of the crossing which is highway, between the carriageway and the property boundary.

As in all cases where such an application is made, the sites are subject to a survey to ascertain what site constraints there are, and to also assess the proposal from a road safety point of view. In determining the request the authority must have regard to:-

- The need to ensure, so far as is practicable safe access and egress from the premises :and
- The need to facilitate, so far as practicable the passage of vehicles on highways.

It is therefore felt that there are no grounds to refuse this particular request, but any future requests for VAC's from residents fronting this road should be subject to the same scrutiny and a similar report to Cabinet Member and his advisors.

8. Finance

There are no financial implications for the Council as the funding for all of the works is being provided through disabled grants

9. Risks and Uncertainties

There is a risk that other requests will be received from residents who front this road

However any future requests for VAC's, from residents fronting this particular length of Roughwood Road, should be subject to the same scrutiny and a similar report to Cabinet Member and his advisors.

10. Policy and Performance Agenda Implications

Equalities and Diversity – helps facilitate adaptations for disabled while maintaining the safe passage of vehicles on the adjacent highway

11. Background Papers and Consultation

Highways Act 1980
Location plan – Appendix A

Planning and Transportation Service, development control team were consulted as part of the initial survey, and would have no objections to the proposal

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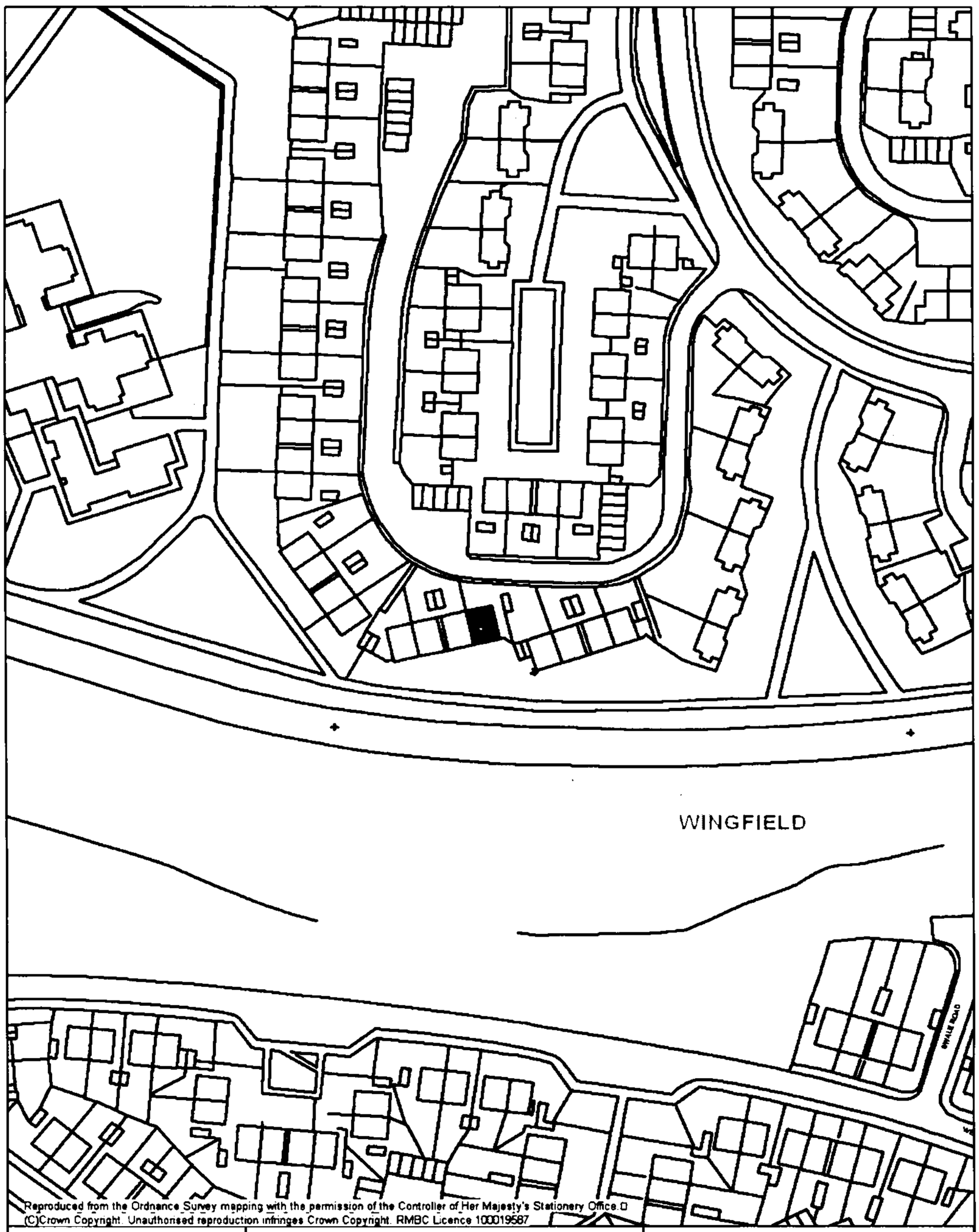
Appendix A



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