

## READING BOROUGH COUNCIL

### REPORT BY DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

TO:	TRAFFIC MANAGEMENT SUB-COMMITTEE		
DATE:	17 JUNE 2015	AGENDA ITEM:	10
TITLE:	REMOVAL OF HIGHWAY VERGES - LOCAL POLICY		
LEAD COUNCILLOR:	TONY PAGE	PORTFOLIO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT
SERVICE:	TRANSPORTATION & STREETCARE	WARDS:	BOROUGHWIDE
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#### 1. EXECUTIVE SUMMARY

- 1.1 To report to the Sub-Committee the need to align local policy to national policy to protect the loss of natural drainage through the removal of highway verges.

#### 2. RECOMMENDED ACTION

- 2.1 That the Sub-Committee notes the report.
- 2.2 That the Sub-committee agree to align local policy to national policy in ensuring that any loss of highway verge is replaced with an approved permeable surface.

#### 3. POLICY CONTEXT

- 3.1 This aligns local and national policy in ensuring that any loss of highway permeability is done without compromising urban drainage.

#### 4. THE PROPOSAL

- 4.1 Removal of an existing permeable area such as a front garden to a non-permeable hard-standing over 5m<sup>2</sup> requires planning permission.

This is a relatively recent change in planning requirements promoted by national policy in response to concerns of urban flooding. Where the area is smaller than 5m<sup>2</sup> or a fully permeable surface is provided planning permission is not required. However, this is often done with a request for a dropped kerb to cross the footway or verge. All such applications (for a dropped crossing) are considered on a site by site basis and whilst some are refused many are granted. Where a dropped crossing application is accepted the total cost shall be covered by the applicant. The Council provides a quotation for which an administration and site visit fee is payable but the applicant is free to seek an alternative quote from any private contractor who is authorised to work on the public highway and meets the Council's requirements. Any dropped crossing shall be constructed to the Council's standards and a Section 184 Licence/fee will apply where a private contractor is used. Any private contractor has to be approved by the Council before any work can commence.

- 4.2 However, there is potentially an inconsistency in providing a dropped crossing as such alterations to the public highway can be done as permitted development and planning permission does not apply. Therefore the dropped crossing is currently constructed in a non-permeable material. Where this is just a footway alteration it is not an issue, but where there is removal of verge the overall surface water drainage is affected.
- 4.3 To ensure consistency with national policy any loss of highway verge shall be included. Therefore the total loss of permeable area where such alterations are made shall be calculated to national policy and replaced to national guidelines. The cost of creating a permeable dropped crossing shall be fully covered by the applicant (as the current requirement). This will protect the urban drainage and reduce the risk of flooding by slowing down the run-off into surface water drains.
- 4.4 The same policy shall also apply to the loss of verge for any other alterations including, for example, the construction of parking laybys by a developer. Where any other wider scheme is promoted to create parking by removing verge all other options must, firstly, be considered. On-street car parking has its advantages particularly by creating a natural traffic calming feature. If, for example, a developer considers a case for removing verge for parking, planning permission shall apply over 5m<sup>2</sup> or a permeable material/an acceptable Sustainable Urban Drainage System (SUDS) shall be used.

## 5. CONTRIBUTION TO STRATEGIC AIMS

5.1 To promote equality, social inclusion and a safe and healthy environment for all.

## **6. COMMUNITY ENGAGEMENT AND INFORMATION**

6.1 The requirement to provide a permeable surface where highway verge is lost will be explained through the planning and/or application process.

## **7. LEGAL IMPLICATIONS**

7.1 This local policy is in line with national policy to protect the urban environment from flooding.

## **8. EQUALITY IMPACT ASSESSMENT**

8.1 In addition to the Human Rights Act 1998 the Council is required to comply with the Equalities Act 2010. Section 149 of the Equalities Act 2010 requires the Council to have due regard to the need to:-

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

## **9. FINANCIAL IMPLICATIONS**

9.1 None arising from this report.

## **10. BACKGROUND PAPERS**

10.1 None.