

**WEST SUSSEX COUNTY COUNCIL
INFRASTRUCTURE CONSULTATION**

DATE: 28th April 2009

**FROM: Ian Gledhill TO: Arun District Council
FAO: Jon Parsons**

SUBJECT: AL/27/09/DOC - Application for discharge of conditions No's 2, 3, 5, 8, 9, 10 & 11 in relation to AL/23/06

The Homestead, Westergate Street, Westergate, West Sussex

CONSULTATION DATE: 27th April 2009

RECOMMENDATION:

Advice	☒	Modification	☐	More Information	☐
Objection	☐	No Objection	☐	Refusal	☐

TAD contribution: £

Comments are offered as appropriate on the relevant conditions as detailed above,

Condition 8 requires the provision of visibility splays of 4.5 by 70metres. It is noted that the Applicant states that the splays have now been provided on site. Could a plan be provided demonstrating that the splays can be provided without encroaching upon 3rd party land? This plan would be sought prior to the condition being discharged.

Condition 9 requires the submission of a specification and layout of the footpaths, roads and parking areas to be provided. It is unclear of the extent of the access road being offered for adoption. It would however seem that the internal access road itself is remaining private and only the access onto the highway (the extent of which works would seem to be entirely within the limits of the public highway) would form part of the adoptable access works. Notwithstanding this, the works within the public highway would require a Section 278 Agreement, if the internal access road is also to be adopted as public highway a Section 38 Agreement would also be required. In either situation, condition 9 cannot be discharged until such time as the technical approval has been granted to the S278 and/or S38 Agreements.

In connection with the above point there is a significant difference between the site layout plan submitted as part of AL/23/06 and the engineering layout provided with this application. The approved site layout plan shows the access onto the public highway to be constructed as a bellmouth with kerb radii, and the comments made by the Highway Authority on this proposal specifically mention this. The engineering layout submitted with the current discharge of condition application, shows a vehicle crossover type access. It is not clear why the access type has been changed from that approved. Unless there are reasons outside of my knowledge, it would seem appropriate for the access to be constructed as a bellmouth and I see no reason to vary from this. If any other aspects have changed, then again this should be highlighted as a variation from the approved planning drawing.

Condition 10 refers to details of surface water drainage. On the understanding that the Highway Authority will not be adopting the surface water drainage system, no comments would be offered in regards of this condition. However, as part of the S278/detailed design process for the construction of the access, it would be checked to ensure that no private surface water is draining onto the public highway, and vice versa.

Condition 11 seeks the submission of a Stage One Safety Audit undertaken in accordance with HD 19/03. Whilst an Audit has been undertaken, the drawings reviewed as part of this have not been provided, hence it is unclear what scheme the Auditor has considered (i.e. whether the access is proposed to be a bellmouth or a vehicle crossover). The issue with the access type should be verified and agreed as this is fundamental to the Safety Audit. If necessary, the Safety Audit may need to be undertaken again to review the agreed access type. This condition should not be discharged.

In conclusion, none of the conditions relevant to the public highway may be discharged at the present time.

Ian Gledhill
Local Development