

From: Ian Hayward
Sent: 06 November 2014 13:40
To: Planning.Responses
Cc: Derek Whittington
Subject: RE: Planning Consultation on: AL/73/14/PL

**WEST SUSSEX COUNTY COUNCIL
STRATEGIC PLANNING CONSULTATION**

DATE: 06/11/2014

FROM: Ian Hayward
TO: Arun District Council
FAO: Mr S Davis

SUBJECT: AL/73/14/PL - Erection of 2 no three bedroom semi detached dwellings (plots 1a and 1b) together with new boundary treatment & landscaping and extension of access road to serve site (part alternative to AL/114/12). This application affects a public right of way.

Land adjoining Sunnyside, Westergate Street, Westergate, West Sussex, PO20 3QR

DATE OF SITE VISIT: n/a

RECOMMENDATION:



Advice

Modification

More

Information

Objection

No Objection

Refusal

S106 contribution total: n/a

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided by Local Development should be considered to be advice only, with respect to this planning application.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

I refer to your consultation in respect of the above planning application and would provide the following comments.

West Sussex County Council was consulted previously on Highway Matters for this location under planning application AL/23/06 for the erection of 4 dwelling houses and 8 flats to which no objection was raised. Most recently WSCC was consulted on application AL/114/12 which sought an extension to approved development by erecting a further 4 dwellings. Both applications were granted consent by the local planning authority.

This application seeks a partial amendment to the previously approved application AL/114/12 by way of replacing 1 x 4 bed dwelling (plot 1) with 2 x 3 bed houses. This will result in a net gain of one additional dwelling over what has been permitted.

Access to the proposed dwellings will be achieved via an existing private access drive which currently serves the 4 houses and 8 flats as approved under AL/23/06. From inspection of my records this development is nearing completion.

Access to the maintained highway network will be achieved via the access arrangements as approved under AL/23/06. This is a bellmouth access adjoining Westergate Street (A29), which is 'A' classified and subject to a 30mph speed limit. The access is wide enough for vehicle to pass and re-pass without causing undue waiting on the A29. The access itself possesses visibility splays of 4.5 x 70 meters as secured under AL/23/06. In principle it has been accepted that this point of access is suitable to serve the dwellings permitted under AL/23/06 and AL/114/12, 8 flats and 8 houses. It would therefore be difficult to substantiate that the access arrangements were not suitable for 8 flats and 9 houses. No anticipated highways safety concerns would therefore be raised.

The dwellings would be provided with 2 x vehicle car parking spaces each. These would be provided in tandem on the opposite side of the private access road. It would be difficult to substantiate that the parking spaces in this location would be of detriment to highway safety given the low flow and low speed environment of the private access road. Two car parking spaces per dwelling in this instance would be considered acceptable. Secure and covered cycle parking large enough to store two cycles per dwelling should be provided, this does appear to have been demonstrated on the proposed site plan.

Public Rights of Way & Public Highway Status

From inspection of the plans provided the physical build of this scheme, and the previously permitted scheme AL/114/12, is intended to cross the legal line of Public Footpath 297. I can confirm that F.P.297 also has additional rights as publically maintained highway as granted under the Highways Act 1980. Any planning consent must be conditioned to the effect that no development can affect the legal line of F.P.297 until and unless formal diversion has been achieved. Arun DC would be expected to act as Order-Making Authority. In addition the status of this public footpath as publically maintained highway will need to be "Stopped Up" under Section 247 of Town and Country Planning Act. The newly diverted line of public footpath F.P.297 will then need to be dedicated as public highway in the interests of continuity through a Section 38 Agreement.

From the information provided no highway safety concerns would be anticipated as a result of this application.

If the LPA are minded to grant planning consent the following conditions and informative notes would be advised:

Conditions

Construction plant and materials

No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access.

Cycle parking

No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

Pedestrian Visibility

No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed dwelling access's onto the private access road in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

Retention of Right of Way

The existing public right of way (no.297) across the site shall remain undisturbed unless and until legally stopped up or diverted prior to the commencement of any of the development hereby permitted. The alignment of any public right of way shall be protected by being clearly demarcated, signed and fenced, as may be approved by the Local Planning Authority, throughout the course of the development.

Reason: To safeguard the rights of the public.

Surfacing of the Public Right of Way

No development shall be commenced until such time as plans, details and construction specification showing the proposed surfacing works for Right of Way no.297 have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that suitable materials are used for the surfacing works and to safeguard users.

Vehicle parking

No part of the development shall be first occupied until the vehicle parking spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the dwellings.

Informative

Section 38 Agreement of the 1980 Highways Act – Provision of Adoptable Highway

The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.

Stopping Up

The applicant is advised that the legal line of Footpath 297 also has additional rights as publically maintained highway as granted by the Highway Act 1980. These rights will need to be extinguished and "Stopped Up". This process is controlled by Section 247 of Town and Country Planning Act and approval would have to be obtained from the Government Office for the North East (GONE). The "Stopping Up" process would follow the granting of planning permission. The applicant is advised that granting of planning consent does not guarantee that a "Stopping Up" application will be successful.

Ian Hayward Strategic Planning

Ian Hayward | Senior Technician, Monitoring and Records, Strategic Planning, Resident's Services, West Sussex County Council

Location: Ground Floor, Northleigh, Chichester, PO19 1RH

CALL IM EMAIL

From: planning.responses@arun.gov.uk [<mailto:planning.responses@arun.gov.uk>]

Sent: 20 October 2014 14:34

To: SU Local Development

Subject: Planning Consultation on: AL/73/14/PL

To: WSCC(ROW/Strategic/Highways/Archaeology/Ecology)

NOTIFICATION FROM ARUN DISTRICT COUNCIL

Town & Country Planning Act 1990 (as amended)

**Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended) - Articles 16 & 18 Consultation before the grant of permission
Planning Permission**

APPLICATION NO: AL/73/14/PL

Registered: 14th October

Site Address: 2014
Land adjoining Sunnyside Westergate Street Westergate
PO20 3QR

Grid Reference: 493876 104881

Description of Works: Erection of 2 No three bedroom semi-detached dwellings
(Plots 1a & 1b) together with new boundary treatment &
landscaping & extension of access road to serve site (Part
alternative to AL/114/12). This application affects a public right
of way.

The Council have received the above application. I shall be pleased to receive any observations you may wish to make.

[Click here to view the application details](#)

Should you have any comments to make, these should be sent by replying to this email by 20-NOV-14.

You can also monitor the progress of this application through the Council web site:

www.arun.gov.uk/planning

Please be aware that any comments you may make will be available on our website so please do not insert personal details or signatures on your reply.

In the absence of a reply within the period stated, I shall assume that you have no observations to make.

The officer dealing with this application is Mr S Davis who can be contacted on telephone number 01903 737874.

Regards
Planning Officer

consultee_email

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