



BARRATT
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Wednesday, 19th August 2026

Planning Department;
Arun District Council (ADC);
Arun Civic Centre;
Maltravers Road;
Littlehampton;
BN17 5LF.

[Via Planning Portal](#)

Dear Sir/Madam,

Land to the rear of Meadow Way, Westergate

S96A NON-MATERIAL AMENDMENT APPLICATION – TO ALTER THE TRIGGER ON CONDITION 18 OF OUTLINE PLANNING PERMISSION AL/178/22/OUT

On behalf of Barratt Redrow (Southern Counties) please find enclosed a submission for a Section 96A non-material amendment (NMA) to Outline Planning Permission AL/178/22/OUT (APP/C3810/W/23/3323858), approved at Appeal on 08 December 2023, for the following:

“Outline planning application with all matters reserved, other than principal means of access and demolition of 24 Meadow Way, for the construction of up to 89 residential dwellings, with access taken from Meadow Way, together with the provision of open space, landscaping and associated infrastructure..”

A Reserved Matters Application pursuant to AL/178/22/OUT is currently awaiting determination under reference: AL/35/26/RES.

This NMA seeks to amend the wording of Condition 18 to revise the trigger points relating to the Section 278 Agreement, thereby enabling preliminary site works to commence in parallel with the progression of the Section 278 process.

Rationale for Change

In the Inspectors Decision , they mention at Paragraph 82 that:

“a condition requiring off-site highway improvements would be reasonable and necessary to ensure future occupants of the development would have good access to nearby bus stops, to encourage bus use as a more sustainable mode of transport in comparison to private motor vehicles. Those works would require an agreement to be entered into with the Highway Authority under section 278 of the Highways Act 1980 (as amended).”

Condition 18 reflects this requirement by securing the delivery of specified off-site highway works through a Section 278 Agreement. As currently worded, the condition requires the agreement to be entered into prior to commencement of development, with the associated works to be completed prior to the first occupation of any dwelling.



Barratt Redrow is seeking to amend Condition 18 so that the requirement to enter into a Section 278 Agreement with the Local Highway Authority is triggered no later than three months of the commencement of development, rather than prior to commencement, with the required off-site highway works to be completed prior to occupation beyond the 30th dwelling.

The proposed amendment is intended to facilitate the timely commencement of development whilst continuing to secure the delivery of the necessary off-site highway works. Whilst the Applicant recognises the purpose of the existing trigger, it is considered that requiring the Section 278 Agreement to be entered into within three months of commencement would continue to provide an effective mechanism for securing delivery of the required highway works, whilst allowing development to commence and early site preparation works to progress without unnecessary delay.

Importantly, the proposed amendment would not remove or weaken the requirement to secure and deliver the identified highway improvements. The condition would continue to ensure that the Section 278 Agreement is secured at an early stage in the development programme and that the associated highway works are delivered before occupation proceeds beyond the agreed threshold of 30 dwellings.

The proposed amendment therefore maintains the objective of the condition and the delivery of the required mitigation whilst providing a more practical and proportionate trigger. Furthermore, the proposed amendment remains consistent with the Inspector's conclusions at paragraph 82, as the requirement for both the Section 278 Agreement and the associated highway improvements would remain unchanged. The amendment relates solely to the timing of those requirements and seeks a pragmatic way forward.

Proposed Amended Condition 18

Condition 18 of OPP: AL/178/22/OUT should, therefore, be amended as follows:

"18. Condition:

No later than three months following the commencement of development, an agreement pursuant to section 278 of the Highways Act 1980 (as amended) shall be entered into with the local highway authority to enable the following off-site highway works to be carried out (as shown in the approved plan titled 'Improvements to Pedestrian Route and Bus Stops at Westergate Street drawing 1809023-06 Revision B'):

(a) the upgrading of the surface, cutting back of vegetation, and the upgrading/provision of any lighting of the Public Right of Way between Meadow Way and Westergate Street.

(b) improvements to the two bus stops on Westergate Street located immediately to the south of Elmcroft Place including shelters and real time public information displays.

(c) the existing traffic island located to the north of the Elmcroft Place junction with Westergate Street to be upgraded to a pedestrian crossing point refuge island with the carriageway width on both sides; and

(d) the re-alignment of kerbs and crossing points to be provided over the junction of Elmcroft Place with Westergate Street.

The locations of all of these off-site highway works are identified on the approved plan referred to above.

The off-site highway works shall be completed prior to the first-occupation of the 30th dwelling hereby permitted.

All other conditions approved remain unaffected. This application does not seek any changes to the layout, nor does it introduce new plans.



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The size, scale and description of the development remain unaltered and, as such, the proposal is appropriately considered under the NMA regime.

Application Fee

The required fee has been paid via the Planning Portal.

I look forward to discussing the application with you during the 28-day determination period including our proposed wording and triggers. If you have any queries or require any additional information, please do not hesitate to contact me.

Yours sincerely,



Matt Davy MRTPI

Planning Manager | Barratt Redrow (Southern Counties)

