

From: Amanda Scholes on behalf of Planning.Responses
Sent: 04 August 2017 12:58
To: Planning Scanning
Subject: FW: Planning Application A/11/17/OUT
Attachments: 2017-08-02 MB ltr to ADC.pdf

From: David Innes
Sent: 04 August 2017 12:35
To: Planning.Responses
Subject: FW: Planning Application A/11/17/OUT

Please upload to the application website.

David Innes | Planning Consultant , Strategic Development, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF DX 57406 Littlehampton
Internal: 37776 | External: +44 (0) 1903 737776 | E-mail: David.Innes@arun.gov.uk

Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

From: Vera Lamont [REDACTED]
Sent: 02 August 2017 11:51
To: David Innes
Cc: [REDACTED] Ross Moyler; Sarah Wickens; Serena Page; Richard Gregory
Subject: FW: Planning Application A/11/17/OUT

David

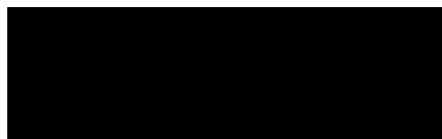
Land South of A259 New Road and East of Brook Lane, Angmering, West Sussex – Planning Application A/11/17/OUT

Please find attached comments on the above planning application, on behalf of our client Store Property Investments Ltd.

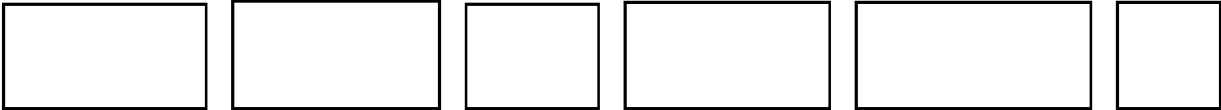
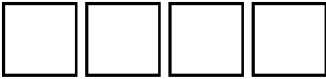
Regards

Vera

Vera Lamont, BE (Civil) CEng MICE MCIHT MCM
Director
Mayer Brown Limited
Lion House
Oriental Road
Woking
Surrey
GU22 8AR



Visit our New Website www.mayerbrown.co.uk



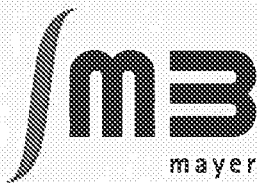
Please consider the environment before printing this email. Thank you.

IMPORTANT: This message is private and confidential. If you received this message in error, please notify us and remove it from your system.

Mayer Brown is a limited company registered in England.
Registered number: 3531997. Registered office: Lion House, Oriental Road, Woking Surrey, GU22 8AR

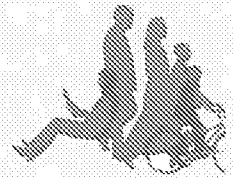
This message (and any associated files) is intended only for the use of the intended recipient and may contain information that is confidential, subject to copyright or constitutes a trade secret. If you are not the intended recipient you are hereby notified that any dissemination, copying or distribution of this message, or files associated with this message, is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer. Any views or opinions presented are solely those of the author (dl@arun.gov.uk) and do not necessarily represent those of the company.

From: Vera Lamont
Sent: 02 August 2017 11:47
To: 'David.Innes@arun.gov.uk' <David.Innes@arun.gov.uk>
Cc: [REDACTED] 'Ross Moyler' [REDACTED]
Subject: Planning Application A/11/17/OUT



mayer brown

TRANSPORT PLANNING INFRASTRUCTURE DESIGN ENVIRONMENTAL & WATER



02 August 2017

Our Ref VL/SPRUST(BROOKLANE).1
Your Ref A/11/17/OUT

David Innes
Arun District Council
Arun Civic Centre
1 Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Dear Mr Innes

Land South of A259 New Road and East of Brook Lane, Angmering, West Sussex –
Planning Application A/11/17/OUT

I write, on behalf of our client, Store Property Investments Ltd, to raise concerns regarding SDB Investments Limited Commercial Development Projects Ltd application for development at the above site. Specifically, my concerns relate to the proposed access arrangements and pedestrian and cyclist linkage.

Access

Proximity of the Proposed Access to Manor Retail Park Access

The previous application for this site, application reference A/23/15/OUT, proposed to obtain access to the A259 via Brook Lane. This application has been re-advertised and is currently a live application. Providing an alternative access to the east, as is proposed in application A/11/17/OUT, reduces the separation between the proposed access and the existing access to the Manor Retail Park, east of the application site.

Application A/11/17/OUT is accompanied by a Stage 1 Road Safety Audit, produced by Fenley, dated January 2017. The Road Safety Audit identified the "inadequate weaving length" between the existing access to Manor Retail Park and the proposed access as problem A.1.1, and stated that it has the potential to lead to accidents. The Applicant did not address this issue in the documentation submitted with the planning application.

In their consultation response, dated 17th February 2017, West Sussex County Council requested that this issue be addressed in a Designers' Response to the Safety Audit, in accordance with HD19/95, and also requested a Design Audit.

The Applicant provided a Designer's Response dated 15th March 2017. The Applicant proposed to address the inadequate weaving distance through signage and a reduction in the length of deceleration lane to their site which would increase the weaving distance to 90m. The overall distance between the accesses remained the same as submitted in the planning application. The Applicant also provided a Design Audit, dated 15th March 2017, where they did not address the separation between accesses.

West Sussex County Council provided a further consultation response on 27th April, requesting additional information from the Safety Auditor as the proximity of the proposed access to the existing Manor Retail Park access remained unresolved. Fenley, the Safety Auditors, provided an additional response dated 4th July, which explained the reason for their concern, as follows:

"The item was raised to highlight a problem arising when a vehicle egressing the adjacent development along the acceleration lane attempts to merge onto the A259, whilst a vehicle

Mayer Brown Limited
Web: www.mayerbrown.co.uk

Woking (Head Office)
Tel: 01483 750 008
e: wokingoffice@mayerbrown.co.uk

Birmingham Office
Tel: 0121 224 7639
e: birminghamoffice@mayerbrown.co.uk

Bristol Office
Tel: 0117 325 1027
e: bristoloffice@mayerbrown.co.uk

Isle of Wight Office
Tel: 01983 050 234
e: isoleoffice@mayerbrown.co.uk

Leeds Office
Tel: 0113 385 4697
e: leedsoffice@mayerbrown.co.uk

London Office
Tel: 0207 874 1574
e: londonoffice@mayerbrown.co.uk



Mayer Brown Limited, Lion House, Oriental Road, Woking, Surrey, GU22 8AR

VAT Registered Number 483 8049 21 Registered in England Number 3531987 Registered Office Lion House, Oriental Road, Woking, Surrey, GU22 8AR



attempts to manoeuvre into the offside lane in order to utilise the deceleration lane of the current proposals. It is likely that the driver of both these vehicles will focus on vehicles within the offside lane and could therefore miss a vehicle moving into their current lane. Moreover, vehicles egressing the adjacent development could assume that a vehicle indicating to turn off the A259 into the proposed development was slowing to enter the adjacent development and undertake their manoeuvre to access the A259 when it is not safe to do so."

West Sussex County Council provided a further consultation response, dated 19th July, where they stated that the weaving distance was accepted and an Exceptions Report would be provided. It is not clear how this conclusion was drawn from the above highway safety advice. Providing the site access in the vicinity of Brook Lane, as proposed in planning application A/23/15/OUT, would provide a safer access as the distance between the proposed access and the Manor Retail Park access would be greater.

Closure of Brook Lane

The proposed access arrangements are shown on Redwood Partnership's drawing number REDW-3167-131 A. The access arrangement relies on the closure of Brook Lane. West Sussex County Council's comments on the application, the Road Safety Audits and the Design Audit are all based on Brook Lane being closed to facilitate the new access to the east. The new access shown on Redwood Partnership's drawing would be located approximately 90m east of Brook Lane and it would be unsafe for both accesses to co-exist.

In their consultation response, dated 27th April 2017, West Sussex County Council state that it "is assumed that the developer will obtain the necessary consents from third parties to close part of Brook Lane." However, this is not reflected in the below suggested condition relating to Access, which West Sussex County Council provided on 19th July 2017.

"No part of the development shall be first occupied until such time as the vehicular access has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority"

The proposed new access requires Brook Lane to be closed, however, this is not specifically stated in the above condition. As set out in Sarah Wickens' email to you of 13th July, Brook Lane is owned by Store Property Investments Ltd and they have not had any discussions with the Applicant regarding closure of Brook Lane and they do not agree to its closure.

In their consultation response dated 19th July, West Sussex County Council advised that they would only adopt the left-in/left-out access at the A259 and that they would not adopt the internal roads. This would result in occupants of Brook Lane having to pass through third party land to obtain access to the adopted highway at the A259. This arrangement is not acceptable to our client, Store Property Investments Ltd.

Residential Application on Land West of Brook Lane, Planning Application A/44/17/OUT

Store Property Investments Ltd currently have a planning application with your authority for residential development on land to the west of Brook Lane. In their letter of 10th July to West Sussex County Council on planning application A/11/17/OUT, Redwood Partnership state that the closure of Brook Lane "will be brought about by the current housing scheme application to the west of this site which utilises our client's safer access onto the A259." This is not correct. The planning application drawings show the residential development obtaining access via a new left-in/left-out access at Brook Lane, similar to the access proposed for planning application A/23/15/OUT.

It has not been demonstrated by the Applicant or anyone else that the access proposed in A/11/17/OUT is 'safer' than an access located where Brook Lane currently meets the A259, as proposed in A/44/17/OUT and A/23/15/OUT. The increased distance between the existing Brook Lane access and the Manor Retail Park access means that this would, in my opinion, be the safer option. Our client has not held any discussions with the applicant and do not intend to access their proposed residential site via a proposed new access east of Brook Lane.

The access proposed for planning application A/11/17/OUT, which relies on closure of Brook Lane's access to the A259 and diversion of Brook Lane through the mixed-use development is unsuitable as an access to the proposed residential development. The proposed alignment of the diverted route is contorted and narrows severely where it joins Brook Lane. This alignment was not included in the Road Safety Audit, and no attempt has been made to provide a "safe and suitable access to the site" (for land to the west of Brook Lane) as required by the NPPF (paragraph 32, 2nd bullet point).

Vehicular Linkage to Manor Retail Park

As set out in Sarah Wickens' email to you of 13th July, the proposed layout would permanently prevent vehicular linkage between the application site and Manor Retail Park. This would result in vehicles wishing to visit both sites exiting onto the A259 from one site and re-entering the next access, resulting in an unnecessary increase in vehicular movements over the section of the A259 where the separation between the accesses would be sub-standard, and where concerns have already been raised by the Safety Auditors.

Forcing vehicles to travel between the sites on the external highway network will result in longer journeys, in particular, for those who visit the western site first, which is contrary to paragraph 37 of the NPPF.

Pedestrian and Cyclist Linkage

The Applicant's latest plan REDW-3167-131A shows pedestrian/cycle linkage east of the proposed site adjacent the A259, north of Manor Retail Park. However, their proposals do not reflect the as built drawings for Manor Retail Park. As shown in the attached hybrid drawing, the pedestrian and cyclist paths would not link up. This will add to the number of people driving between the two retail parks and likely cause further highway issues, especially when considered alongside the sub-standard highway design.

The footway/cycleway within Manor Retail Park falls entirely within the privately owned land of the retail park and not on highway land. Therefore, the cycle lane shown on REDW-3167-131A, should be designed to provide the minimum width specified by West Sussex County Council, and should form part of the applicant's proposed development.

In the absence of appropriate provision for access to the site for pedestrians and cyclists, the development fails to give "people a choice about how they travel", and therefore is not sustainable development and is in conflict with paragraph 29 of the NPPF.

Conclusions/Recommendations

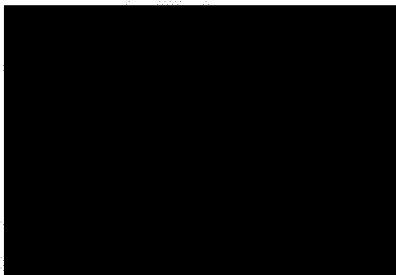
Based on the above I request, on behalf of my client, that the implications of the proposed access arrangement are considered further. As currently proposed the access arrangements could not be implemented as the development relies on the stopping up and diversion of Brook Lane, which is not acceptable to my client.

The suggested Access condition implies that Brook Lane would need to be stopped up and diverted as this is noted on the scheme drawings. I consider that the condition should explicitly state this in order that the full consequences of implementing the condition are understood.

In addition, the planning application drawings should reflect the as built Manor Retail Park layout in order that vehicular, pedestrian and cyclist linkage between the sites can be provided.

I trust that these comments are helpful and will be considered in determining the planning application.

Yours sincerely



enclosure

Hybrid drawing

cc.

Ross Moyler
Sarah Wickens
Dominic Smith

Store Property Investments Ltd
Store Property Investments Ltd
West Sussex County Council

