



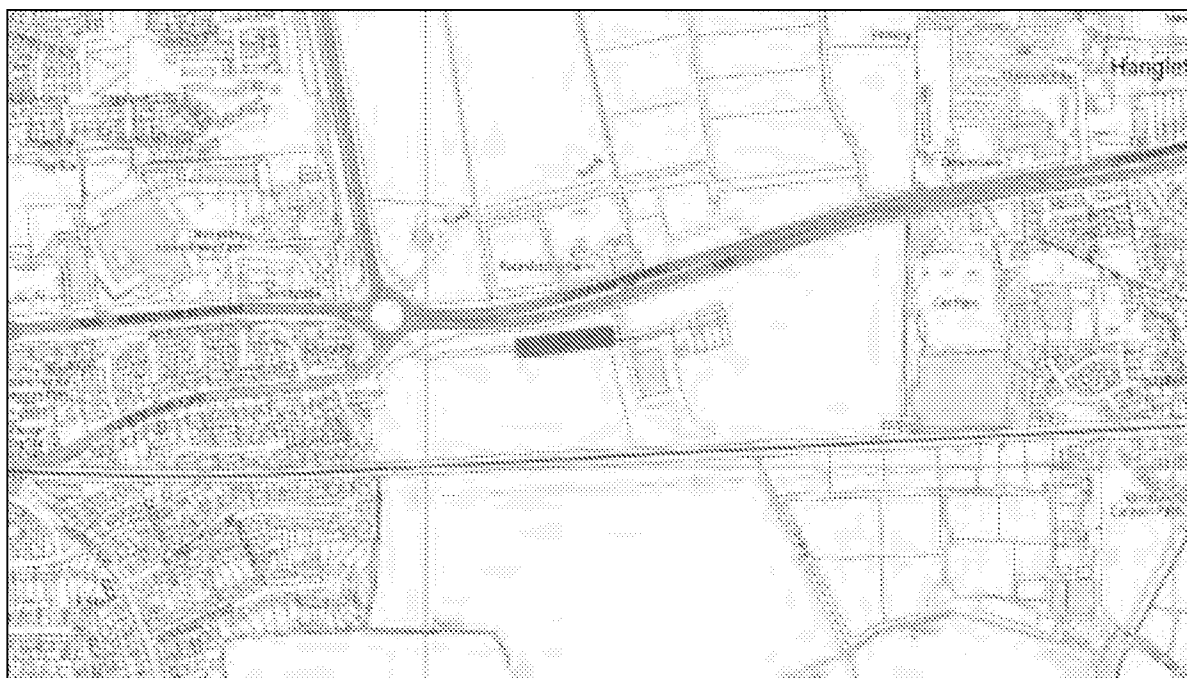
Technical Note

Project No: ITB16357
Project Title: Land South of A259, Angmering
Title: Permitted Development Transport Note
Ref: ITB1637-004 TN
Date: 18 June 2021

SECTION 1 Introduction

- 1.1 Redrow Homes has instructed i-Transport LLP to provide highways and transport advice in relation to a submission to Arun District Council for a determination as to whether prior approval of the authority is required in relation to the upgrade of an existing agricultural track at Roundstone Farm in accordance with of the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 6, Class B(d).
- 1.2 Roundstone Farm situated to the south of the A259, Angmering. The location of the application site is identified at **Figure 1**, an extract of which is shown in **Image 1.1**.

Image 1.1: Site Location



Source: Consultants' image

1.3 This Technical Note (TN) has been prepared to accompany the submission for determination and summarises the proposed improvement and its compliance with the relevant permitted development criteria as set out in the General Development Management Procedure Order (GDMPO). The remainder of this TN is structured as follows:

- Section 2 summarises the proposed improvement to the existing farm track;
- Section 3 provides an overview of permitted development requirements; and
- Section 4 summarises and concludes the TN.

SECTION 2 Access Track

2.1 Existing Conditions

- 2.1.1 Roundstone Farm is located to the south of the A259, immediately to the east of the A259/A280 roundabout. The application site is in agricultural use for crop growing, and the wider site is predominately agricultural with a small area of commercial floorspace and some residential dwelling to the east.
- 2.1.2 Access to the site is currently achieved from 2 points; a 'left in, left out' priority junction is situated on the northern boundary of the wider site, which in turn connects to a priority junction type arrangement within the site connecting to the agricultural track. This arrangement is shown in **Image 2.1**.

Image 2.1: Eastern Access



Source: Google

- 2.1.3 The agricultural track provides a connection through the agricultural fields to an access located on the A259/A280 roundabout. The access arm of the junction provides rights for both roundabout access and egress, although manoeuvres out of the site by farm vehicles are typically undertaken via the eastern access. The western access is shown in **Image 2.2**.

Image 2.2: Western Access



Source: Google

- 2.1.4 The agricultural track extends a distance of some 300m between the two points of access. The surface of the track is formed of a loose bound material and use by heavy vehicles associated with agricultural activities has resulted in undulations along its length, as shown in **Image 2.3**.

Image 2.3: Agricultural Track



Source: Google

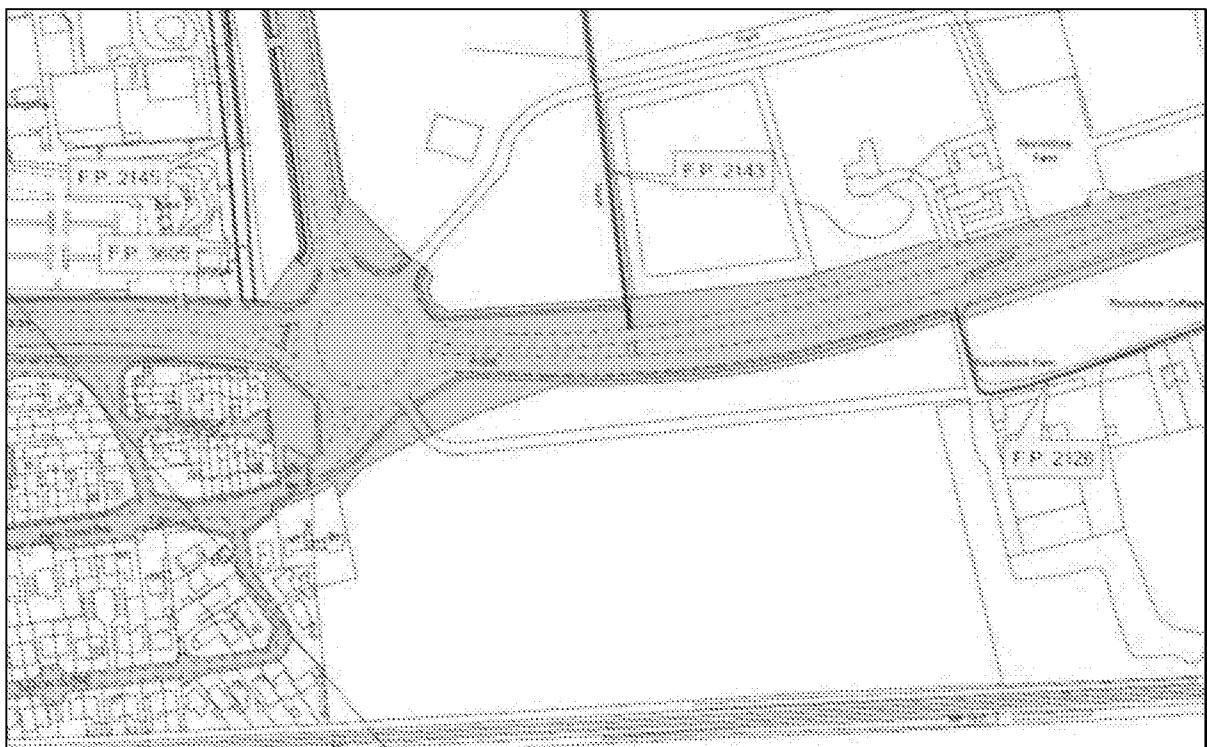
2.2 Proposed Improvement

- 2.2.1 The access track is used by agricultural vehicles associated with the operation of Roundstone Farm, including the operation of larger 'abnormal load' vehicles (defined as being in excess of the typical legal width/weight for use on the public highway) for which consent has been granted by Sussex Police.
- 2.2.2 As it can be seen in **Image 2.3**, the use of such vehicles has had a detrimental impact on both the surface and subbase construction of the route, resulting in an undulating track surface and the need for frequent maintenance, and which is exacerbated by periods of inclement weather. Therefore, it is proposed to undertake improvements to the access track to address these issues.
- 2.2.3 The access track is to be constructed to provide for a 5.5m wide tarmac track (consistent with the existing width of the track) with a full depth construction and coupled with the inclusion of drainage. The following specification is proposed:
- 150mm subbase course;
 - 100mm base course;
 - 50mm binder course;
 - 300mm surface; and
 - Kerbing either side and drainage gullies every 25m discharge from the road into the ground.
- 2.2.4 The access track is to be kept on the existing alignment, and no alterations are to be made to either point of access. The extent of the works area is identified in **Drawing ITB16357-GA-007**.
- 2.2.5 The improvements will not result in any change to the way the access track operates; the use of the access track will not intensify vehicular activity along the track and will continue to be used by vehicles in connection with Roundstone Farm.

SECTION 3 Permitted Development

- 3.1 The proposed works are to be undertaken through the Town and Country Planning (General Permitted Development) (England) Order 2015 under Schedule 2, Part 6, 'Class B – agricultural development on units of less than 5 hectares'.
- 3.2 The Order identifies that, in relation to access, Class B permits the following on agricultural land of less than 5 hectares:
- (d) the provision, rearrangement or replacement of a private way.
- 3.3 The Public Highway and the Public Rights of Way records have been obtained from West Sussex County Council, a copy of which is provided at **Appendix A**, and extracted at **Image 3.1**.

Image 3.1: Public Highway and Rights of Way Overview

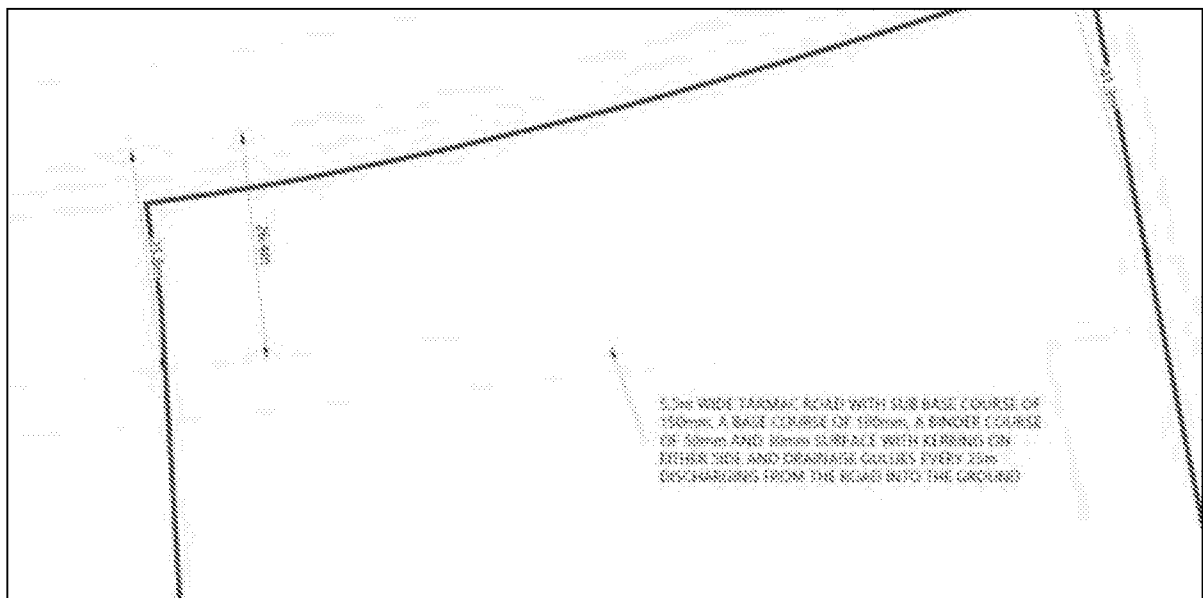


Source: WSCC Records

- 3.4 The section of agricultural track subject to improvement does not form part of either the Public Highway or the Rights of Way network, with Footpath 2126 diverting northwards towards the A259 through the left in, left out junction. Therefore, the access track satisfies the Class B(d) permitted development criterion of being a private way.
- 3.5 Section B1 of Class B removes permitted development rights through clause (c) where ***“any part of the development would be within 25 metres of a metalled part of a trunk road or classified road”***.

- 3.6 The 'metalled' section of road refers to the carriageway surface, which is formed of a gravel and tar solution. A 'made up carriageway' is defined in Section 329 of the Highways Act (1980) as being *"carriageway which has been metalled or in any other way provided with a surface suitable for the passage of vehicles"*. Therefore, the 25m distance is measured from the edge of carriageway and not from the boundary of the public highway or any adjacent footways.
- 3.7 On this basis, annotations have been added to drawing **ITB16357-GA-007** detailed the separation between the metalled carriageway surface and the access track; an extract of the drawing is provided at Image 3.2.

Image 3.2: Separation Between Metalled Road and Access Track



Source: ITB16357-GA-007

- 3.8 Therefore, the proposed improvement satisfies the criterion of section B1. Sections B2, B3 and B4 do not relate to any of the permitted development rights associated with Class B (d).
- 3.9 Section B5 (2) (a) requires that, prior to the commencement of the works set out in Section 2 of this TN, that a determination must be sought as to whether the prior approval of the authority will be required in relation to the siting of means of the construction of the private way. This determination is sought by way of this submission.

SECTION 4 **Summary and Conclusion**

- 4.1 Redrow Homes has instructed i-Transport LLP to provide highways and transport advice in relation to a submission to Arun District Council for a determination as to whether prior approval of the authority is required in relation to the upgrade of an existing agricultural track at Roundstone Farm in accordance with Schedule 2, Part 6, Class B(d) of the Town and Country Planning (General Permitted Development) Order 2015.
- 4.2 The access track provides a private east-west connection between 2 points of farm access over land used for agricultural purposes. Improvement of the access track is proposed to provide for a bound surface, full depth construction and drainage to address issues of maintenance and useability.
- 4.3 In accordance with the Town and Country Planning Act (2015), improvement works to a private way are permitted development. The access track does not form part of the Public Highway, nor does it accommodate a Public Right of Way.
- 4.4 The access track is situated more than 25m from the metalled carriageway of the nearest classified road, as required by Section B1 of the Class B permitted development requirements.
- 4.5 The proposed improvements to the access track satisfy all permitted development requirements and it is concluded to be permitted development. In accordance with Condition B5, a determination from the local planning authority as to whether the prior approval of the authority will be required in relation to the siting and means of construction of the private way, and this submission requests such a determination be made.

FIGURES



DRAWINGS

APPENDIX A. HIGHWAY BOUNDARY AND RIGHTS OF WAY RECORDS

