

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO: Ms Myer
FROM:	WSCC - Highways Authority
DATE:	22 December 2021
LOCATION:	Land between 32 Downs Way and 2 Ambersham Crescent Angmering BN16 1AB
SUBJECT:	A/253/21/1/OUT Outline planning application with all matters reserved for the erection of 1 No bungalow dwelling with off street parking and private amenity space.
DATE OF SITE VISIT:	n/a
RECOMMENDATION:	Advice
S106 CONTRIBUTION TOTAL:	n/a

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals.

WSCC acting as the Local Highway's Authority (LHA) refer to your consultation in respect of the above planning application and would provide the following comments.

The indicative plans provided detail that the application site, and indicative physical build, is on land considered public highway. As such in order to not result in a physical obstruction to the extent of public highway and be subject to enforcement action the land required to implement the application will need to be first Stopped Up.

Providing commencement has not occurred this can be sought via Section 247 of the Town and County Planning Act 1990. Applications for Stopping Up should be made via the Department for Transport's National Transport Casework Team. West Sussex County Council as the Local Highways Authority will then be consulted for their view.

An internal 'in principle' consultation process has taken place and it has been concluded that Stopping Up would not be supported by WSCC because the land provides an important public amenity and there may also be services and other highway assets underneath that require access for maintenance.

The applicant is therefore strongly advised to take this into consideration when it comes to further developing and proceeding with this application. The Local Highway Authority want to make their view on this matter clear at this stage so the applicant is fully aware that if permission is granted it seems extremely unlikely, based on the plans and details submitted to date, that the Stopping Up which would be required to implement the scheme will be granted.

Informative Note - Stopping Up Order

The applicant is advised that the existing public highway to be incorporated into the development must be the subject of a Stopping Up Order. This process must be successfully completed prior to any highway land being enclosed within the development. The applicant should contact the Department for Transport's National Transport Casework Team in order to commence this process:

National Transport Casework Team
Tyneside House
Skinnerburn Road
Newcastle Business Park
Newcastle upon Tyne
NE4 7AR

<https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways>

The applicant is advised that based on the plans and details submitted to date it is considered extremely unlikely that the Stopping Up which would be required to implement the scheme will be granted.

Stephen Garrard
West Sussex County Council – Planning Services