

1720/04-180701

FUTURE
PLANNING AND DEVELOPMENT

4 July 2018

2 Wardrobe Place
London EC4V 5AH

Andrew Howick
West Sussex County Council
County Hall
West Street
Chichester
PO19 1RQ



BY EMAIL

Dear Mr Howick

Approval of Highways Works Scheme

Future Planning and Development provide planning advice to our client Gold (Angmering) Limited. On behalf of our client we are pleased to enclose details of the *Highway Works Scheme* in relation to the Outline application for the demolition of the existing dwelling & construction of 30 dwellings (reference A/132/17/OUT) approved 19 January 2018.

The s106 agreement (enclosed) associated with the outline application requires the approval of a *Highway Works Scheme* prior to the commencement of development.

Section 2.24 clarifies “*The Highway Works means the provision of a northbound and southbound bus stop and supporting pedestrian infrastructure on the existing public highway as shown indicatively on the Proposed Access Provision Plan*”.

Clause 12.2 states that “*The owner shall not commence the Proposed Development until a Highway Works Scheme has been submitted to and approved in writing by WSCC*”. Section 12.3 confirms that the owner shall enter into a Section 278 following the approval of the *Highway Works Scheme*. We have received confirmation from the Council's Legal Department (via Tim Townsend) that only the *Highway Works Scheme* needs to be approved prior to commencement and not the s278 (email enclosed).

We have already submitted the s278 to WSCC for approval. The s278 comprises the same works as the *Highway Works Scheme*.

The works are shown on the following enclosed drawings:

- J5762/HW05 – *Proposed Arrangement and Levels of the Site Entrance Works*
- J5762/HW06 – *Proposed Section 278 Legal Drawing*
- J5762/HW07 – *Proposed Visibility Splays and Markings*
- J5762/HW08 – *Proposed Highway Details*

In advance of the s278 being agreed, and to enable us to commence on site in accordance with the obligations of the s106, we would be most grateful if you can formally approve the enclosed *Highway Works Scheme*.

Should you require any further information please give a call on the number at the top of this letter.

Yours sincerely



Garry Hutchinson – MRTPI

Garry Hutchinson

Subject: FW: Quiet Waters, Angmering - Highway Works Scheme

From: [REDACTED]

Sent: 25 June 2018 12:05

To: [REDACTED]
Cc: [REDACTED]

Subject: RE: Quiet Waters, Angmering - Highway Works Scheme

Dear Garry,

The following is an extract from an email I received this morning from my Legal Dept. I have added to this but only to give comment about what the Implementation Team do and how to contact them.

I trust what is said is self-explanatory but please do come back to me should you wish to discuss.

Regards,

Tim

(Your questions in blue and WSCC replies in green):

1. Can you please confirm what information you will require to approve the *Highway Works Scheme* in terms of drawings? Is this effectively the drawings which will be enshrined in the subsequent s278?

Yes, please contact the S38/278 Implementation Team for confirmation of the precise requirements for submission of the scheme (details can be found on the WSCC website).

2. Can you also confirm that we only need the Highways Works Scheme approved prior to commencement rather than the Section 278?

Yes. The wording of the S.106, para 12.3 is that:

"Obtain All Requisite Consents including without limitation entering into a Section 278/38 and/or Section 38 Agreement with WSCC once WSCC has approved a Highway Works Scheme (the "Approved Highway Works Scheme") such approval not to be unreasonably withheld or delayed provided that there shall be no obligation to obtain any of them prior to the Commencement of Development."

From: [REDACTED]

Sent: 25 June 2018 11:53

To: Tim Townsend

Subject: RE: Quiet Waters, Angmering - Highway Works Scheme

Hi Tim

Did you hear back from your legal department?

I believe it is quite clear that the 278 follows the highways works scheme.

Can you confirm what information you require as part of the *Highway Works Scheme*?

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PROPOSED EXTEND OF S278 WORKS
1:200 @ A1
1:400 @ A3

TECHNICAL APPROVAL

DATE	10/05/2024
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BMC

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PROJECT	ROUNDSTONE LANE, ANGERING
TITLE	PROPOSED S278 LEGAL DRAWING
DATE	10/05/2024
AM	CM
NOTED	06.18
DESIGN NUMBER	J5762/HW06

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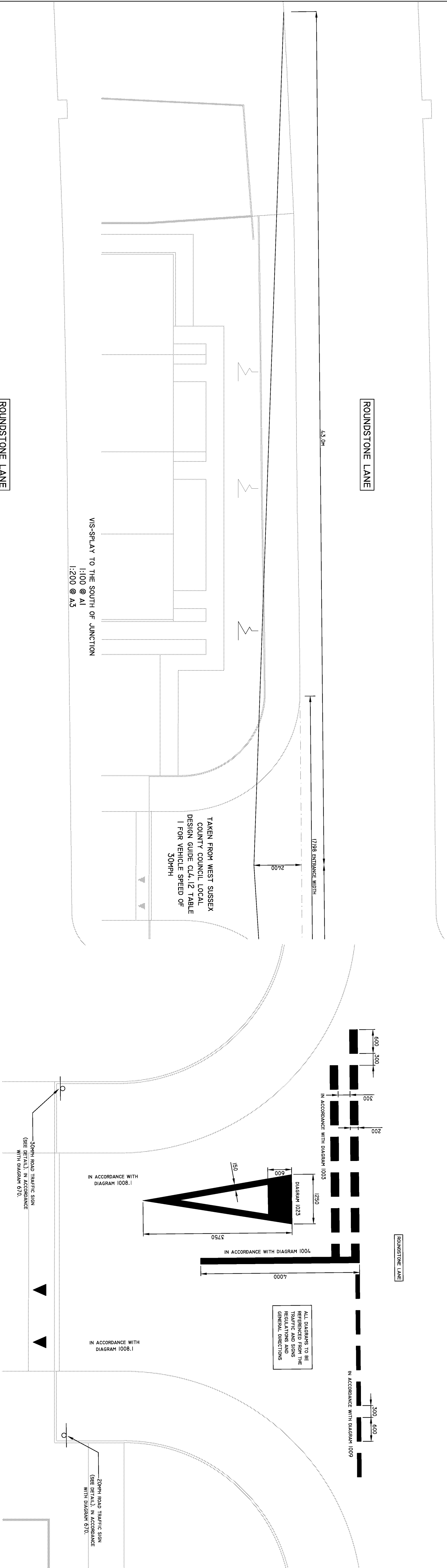
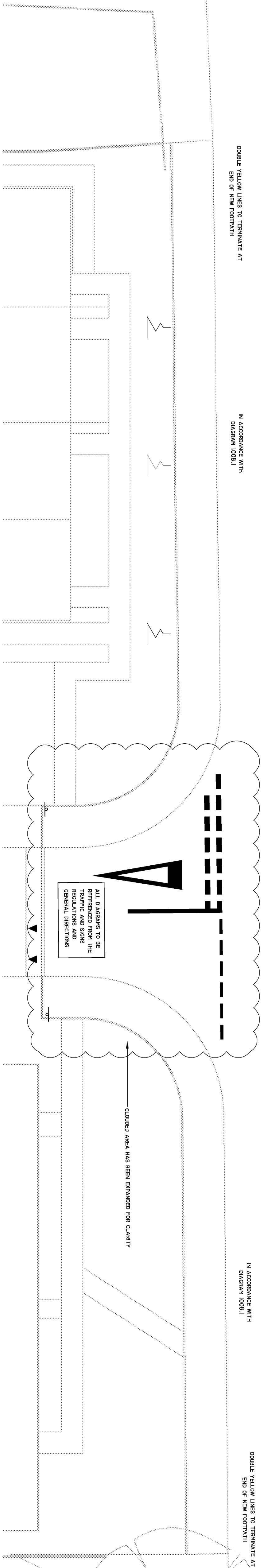
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ROUNDSTONE LANE

ROUNDSTONE LANE

1:50 @ A1
1:100 @ A3

43.0M

17198 ENTRANCE WIDTH

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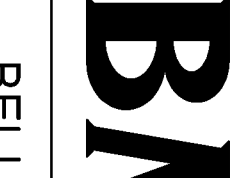
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PROJECT	ROUNDTONE LANE, ANCHERING	
TITLE	PROPOSED VISIBILITY SPLAYS AND ROAD MARKINGS	
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1/1/11	CH	AS NOTED
	DATE	BY
	06.18	
J57621/PW07		CHECKED -

[REDACTED]

From: Michael Eastham
Sent: 31 July 2018 08:19
To: Planning.Responses
Subject: FW: Quiet Water, Angmering - Highways Works Scheme

Please upload the email below and the attachment onto A/82/18/DOC on Ocella as a response from the Local Highway Authority.

Thanks,

Michael

From: [REDACTED]
Sent: 30 July 2018 15:04
To: Garry Hutchinson
Cc: Andrew Howick; Michael Eastham; Tim Townsend
Subject: RE: Quiet Water, Angmering - Highways Works Scheme

Hi Garry,

Sorry I haven't responded earlier I have been away on leave.

I can confirm that the attached plans and highways work scheme are acceptable to West Sussex County Council as Highway Authority and satisfy the pre-commencement requirements of clause 12.2 of the S106 agreement relating to planning application A/132/17/OUT. Obviously, the highway works are subject to a separate Section 278 agreement with the Highway Authority and no technical approval is hereby granted by the discharge of clause 12.2 of the S106 agreement.

Regards

Steven Shaw BA (Hons) MSc MCIHT

County Highways (Development Management) Team Manager

Economy, Planning, and Place Directorate

West Sussex County Council, Ground Floor, Northleigh, County Hall, Chichester PO19 1RH

[REDACTED] Web: www.westsussex.gov.uk

From: [REDACTED]
Sent: 26 July 2018 15:52
To: Steven Shaw
Subject: FW: Quiet Water, Angmering - Highways Works Scheme

Hi Steve

I need your help with something.... The attached letter explains all, however in short....

We wrote a letter to WSCC to get approval for our highways works scheme (not the s278) prior to commencement, as required by our Section 106 for our site in Angmering.

Andrew Howick said he would pass it on to the manager of the Highway Planning Team, we didn't hear anything back.

We are about to start on site, could you provide confirmation that our highways works scheme is acceptable for the purposes of commencement as set out in the 106??

Garry Hutchinson, MRTPI
Associate Planner

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From: [REDACTED]
Sent: 12 July 2018 10:24
To: Garry Hutchinson

Subject: RE: Quiet Water, Angmering - Highways Works Scheme

Garry

As per our telephone conversation I manage the Highway Agreements Team and we will issue our technical approval for the S278 submission once all issues raised in our design review have been addressed. However I will pass to the manager of our Highway Planning Team to see if there is any separate approval process related to the s106 obligations.

Regards

Andrew

Andrew Howick | Team Manager – Highway Agreements, Planning Services, West Sussex County Council | Location: Ground Floor, Northleigh, County Hall, Chichester, PO19 1RH

From: [REDACTED]
Sent: 12 July 2018 09:49
To: Andrew Howick

[REDACTED]

Subject: RE: Quiet Water, Angmering - Highways Works Scheme

Hi Andrew

Can you confirm when you will be responding to our letter in relation to the *Highways Works Scheme*?

Many thanks

Garry Hutchinson, MRTPI
Associate Planner

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[REDACTED]

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From: [REDACTED]
Sent: 04 July 2018 10:41

[REDACTED]

Subject: Quiet Water, Angmering - Highways Works Scheme

Dear Andrew,

Please see attached letter requesting approval of the *Highways Works Scheme* in relation to Quite Waters, Angmering.

We look forward to your response.

Kind regards

Garry Hutchinson, MRTPI
Associate Planner

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[REDACTED]

2 Wardrobe Place, London EC4V 5AH
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