

From: Daun Johnson
Sent: 25 April 2022 16:34
To: Planning Scanning
Subject: FW: WSCC/052/20 - A29 - Non-Material Amendment - to consultees 25 04 22
Attachments: NMA Cover Letter.pdf; Environmental Statement.pdf

Daun Johnson
Technical Support Unit Assistant,
Planning Services



Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

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From: Daun Johnson
Sent: 25 April 2022 15:49
To: Daun Johnson
Subject: FW: WSCC/052/20 - A29 - Non-Material Amendment - to consultees 25 04 22

Daun Johnson
Technical Support Unit Assistant,
Planning Services



Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

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From: James Neave
Sent: 25 April 2022 08:37
To: SU Local Development; Planning
Cc: Tim Townsend; Claire Potts
Subject: WSCC/052/20 - A29 - Non-Material Amendment - to consultees 25 04 22

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The applicant has submitted an application for a Non-Material Amendment in respect of [WSSCC/052/20](#).

Full details of the application and submitted documentation setting out the proposed amendments are available to view via the above link (under the 'post decision' tab). I attach the NMA supporting statement/ ES addendum for ease of reference.

The key consideration is whether the effect of the proposed changes would be 'material' in nature, a matter of fact and degree dependant on the amendment sought in the context of the approved development. Whilst there is no statutory requirement for consultation on an NMA, to inform this decision, I would nonetheless be grateful for any comments you may have on the proposed changes.

SU local development:
COUNTY HIGHWAYS

Arun District Council (DM)

FYI : However please do not hesitate to provide me with any comments or give me a call should you wish to discuss.

Please return any comments by **9th May 2022**. If you don't provide any comments, I will assume you have none to make and the NMA application will be determined.

Kind regards,

James Neave

James Neave | Principal Planner, Planning Services, [West Sussex County Council](#)
Location: Ground Floor Northleigh, County Hall, Chichester, PO19 1RH

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James Neave
Principal Planning Officer
Ground Floor Northleigh
County Hall
Chichester
PO19 1RH

Your Ref: WSCC/052/20

Our Ref: 70079718

19 April 2022

Dear James Neave,

**SECTION 96A SUBMISSION FOR A NON-MATERIAL AMENDMENT TO PLANNING
PERMISSION WSCC/052/20 DATED 30th June 2021**

WSP UK are acting on behalf of West Sussex County Council (hereinafter referred to as “the Applicant”) regarding the submission of a Non-Material Amendment (NMA) to an extant planning permission for the following development:

Construction of a single carriageway with shared cycleway / footway, roundabouts, road markings, traffic signals, bus stops, provision of hard and soft landscaping, construction of a substation building, installation of a noise barrier, and other associated works at Land to the north of Eastergate and north-west of Barnham, PO22 0DF

The construction of a single carriageway at Land to the north of Eastergate and north-west of Barnham is authorised by the planning permission reference WSCC/052/20 and was Granted with Conditions on 30/06/2021.

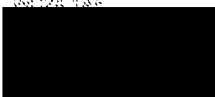
S96A SUBMISSION

The mechanism for introducing non-material amendment to a planning permission is through the submission of an application under Section (s)96A of the Town and Country Planning Act 1990. S96A states the following:

“(1) A local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.

(2) In deciding whether a change is material, a local planning authority must have regard to

WSP House
70 Chancery Lane
London
WC2A 1AF





the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

There is no statutory definition of 'non-material'; it is dependent on the context of the overall scheme (i.e. what is non-material in one case may be material in another). A Non-Material Amendment is sought to change the location of a bus shelter located on the Southern Carriageway of the Proposed Scheme as shown on the A29-CAP-HPN-00-DR-C-0133 S0 drawing no. P14

NMA JUSTIFICATION

As mentioned, the proposed NMA seeks to change the location of the westbound bus stop and shelter located on the Southern Carriageway of the Proposed Scheme. The relocation was required following Road Safety Audit 2 review by the Overseeing Organisation which requested the bus stop to be relocated west of the proposed roundabout.

A Supplementary Environmental Statement Addendum (ES Addendum 2022) has been prepared that reviews the proposed amendment against the original Environmental Statement dated 2021 (2021 ES). The ES Addendum 2022 concludes that the amendment to the position of the bus shelter is unlikely to have significant adverse environmental effects to those identified in the 2021 ES. The assessment undertaken in relation to the 2021 ES remains valid. Therefore, we contend that the amendment is non material.

We list below the revised plans that are affected by this change:

Plan Name	Existing Plan Number	Revised Plan Numbers
Plan and Profile: Sheet 2 of 4	A29-CAP-HPN-00-DR-C-0176-P04	A29-CAP-HPN-00-DR-C-0176-P05
Cross Sections: Sheet 1 of 3	A29-CAP-HPN-00-DR-C-0180-P08	A29-CAP-HPN-00-DR-C-0180-P09
Cross Sections: Sheet 2 of 3	A29-CAP-HPN-00-DR-C-0181-P08	A29-CAP-HPN-00-DR-C-0181-P09
Cross Sections: Sheet 3 of 3	A29-CAP-HPN-00-DR-C-0182-P09	A29-CAP-HPN-00-DR-C-0182-P10
Site Plan: Sheet 2 of 5	A29-CAP-HPN-00-DR-C-0133-P08	A29-CAP-HPN-00-DR-C-0133-P14
Proposed Landscape with Revised Redline Boundary ES Addendum	A29-CAP-HPN-00-DR-C-0239-P03	A29-CAP-HPN-00-DR-C-0239-P04
Infiltration Pond 2: Pond Models and Cross Sections Sheet 1 of 3	A29-CAP-HPN-00-DR-D-0240-P02	A29-CAP-HPN-00-DR-D-0240-P04



Site Clearance Layout: Sheet 2 of 5	A29-CAP-HPN-00-DR-C-0247-P01	A29-CAP-HPN-00-DR-C-0247-P02
Bus Stop Locations	A29-CAP-HGN-00-DR-C-0252-P01	A29-CAP-HGN-00-DR-C-0252-P02

We understand that the application fee of £266.20 will be paid via an internal transfer within West Sussex County Council, using the WSCC Charge Code HC-00010.1.

I trust everything is in order and that the application can be progressed without delay.

Yours sincerely



Sam Noble
Graduate Consultant - Infrastructure Planning



TECHNICAL NOTE 1

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PROJECT:	A29 Phase 1 Post Planning Support	AUTHOR:	Samuel Noble
CHECKED:	David Cassells	APPROVED:	Jo North

SUPPLEMENTARY ENVIRONMENTAL STATEMENT ADDENDUM 2022

INTRODUCTION

PURPOSE OF THE MEMO

This Supplementary Environmental Statement Addendum ('ES Addendum') of Phase 1 of the A29 Realignment Scheme is to be undertaken to support an application seeking a Non-Material Amendment (NMA) to alter the location of a bus stop on the southern carriageway.

This ES Addendum assesses the likely environmental effects of the proposed design amendment described below in connection with a Planning Application (Ref: WSCC/052/20) granted on 30/06/2022 for the *"Construction of a single carriageway with shared cycleway / footway, roundabouts, road markings, traffic signals, bus stops, provision of hard and soft landscaping, construction of a substation building, installation of a noise barrier, and other associated works at Land to the north of Eastergate and north-west of Barnham, PO22 0DF"*, known as Phase 1 of the A29 Realignment Scheme ("the Proposed Scheme").

The approved scheme was supported by an Environmental Statement (the '2021 ES'). The 2021 ES for Phase 1 of the A29 Realignment Scheme was prepared as part of the design development and assessment process. This was undertaken in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (hereafter referred to as the 'EIA Regulations'). This ES Addendum should be read alongside the 2021 ES.

DESIGN AMENDMENT

NEED FOR DESIGN AMENDMENT

An item was raised during the second Road Safety Audit (RSA2) (July 2021). This identified that the bus stop position in combination with the horizontal alignment, may lead to unsafe overtaking manoeuvres as a result of the westbound bus stop being located too close to the eastbound exit with a stationary bus obstructing forward visibility for vehicles attempting to overtake. To rectify this safety risk, relocation of the bus stop to the west side of the developer roundabout was recommended.

DETAILS OF THE DESIGN AMENDMENT

Figure 1 below shows the location of the bus stop in the 2021 ES approximately 45 m to the east of the central / developer roundabout.

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Figure 1 – Approved bus stop location (source A29-CAP-HPN-00-DR-C-0133 S0-P08)

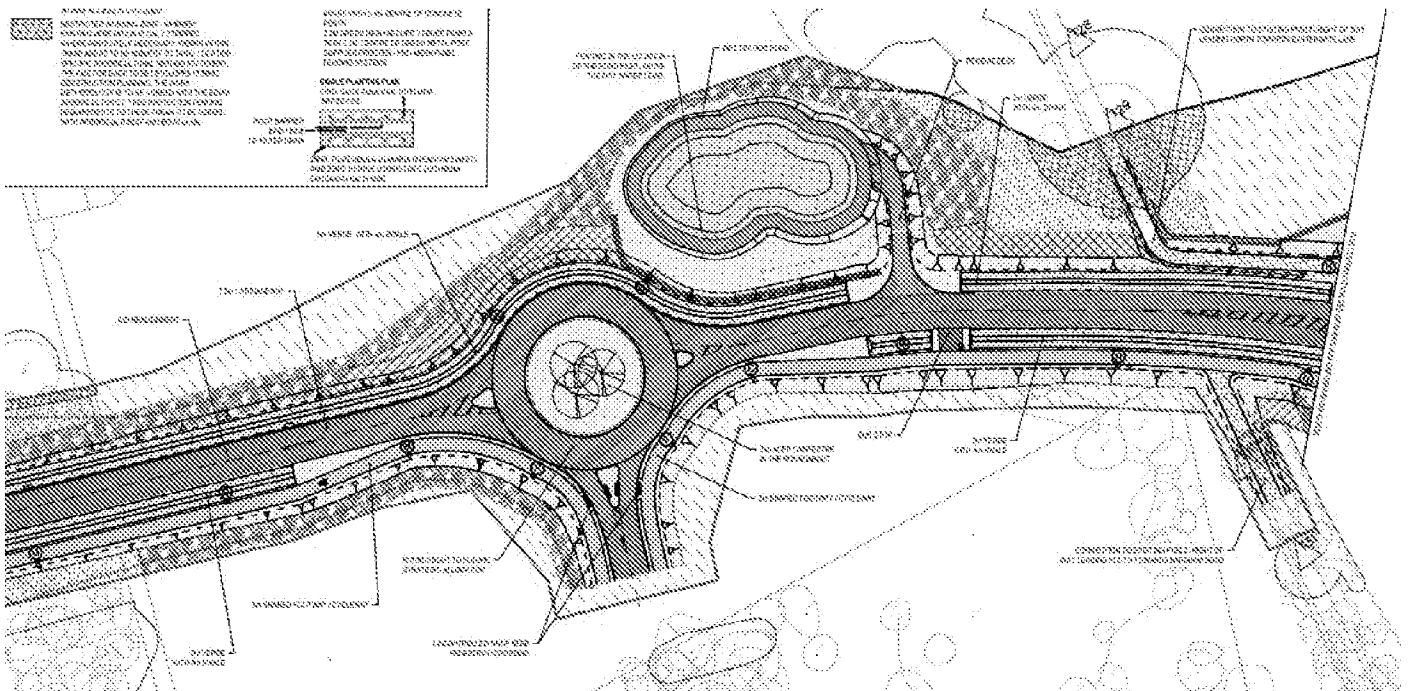
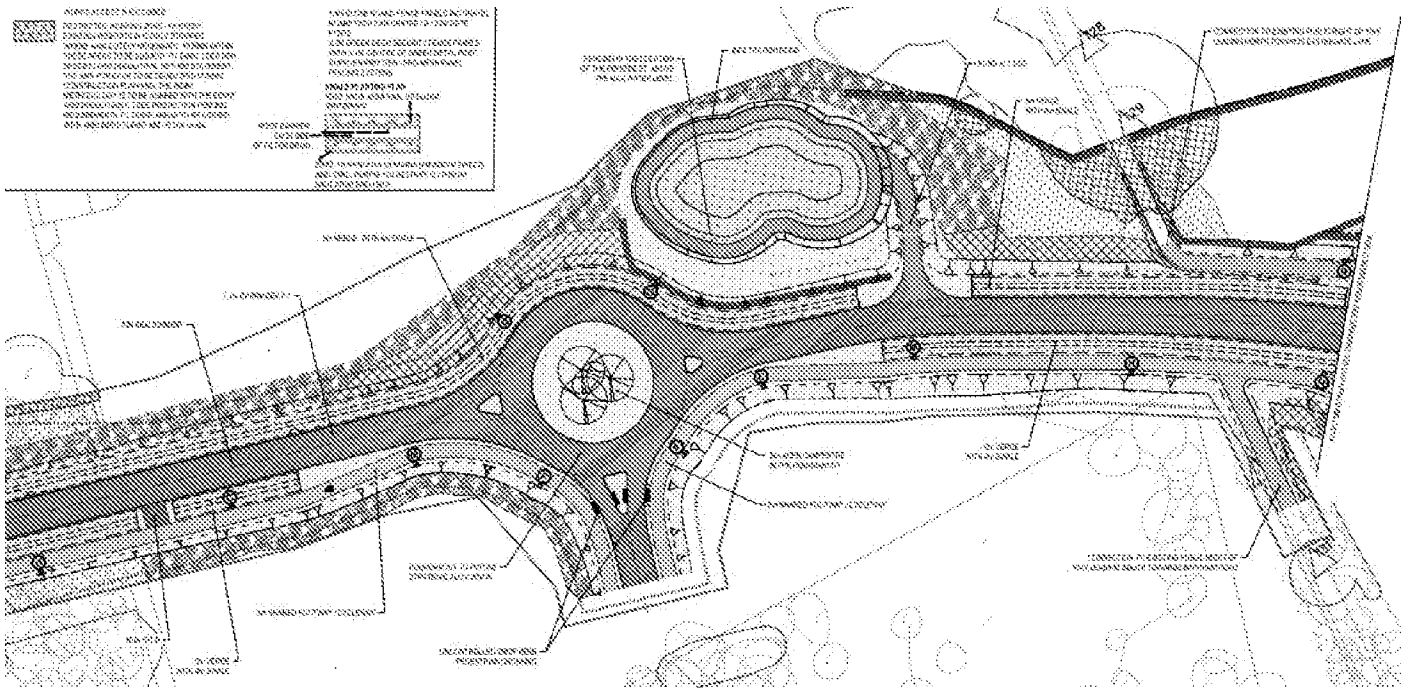


Figure 2 below shows the proposed location for the bus stop approximately 60 m to the west of the central / developer roundabout

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Figure 2 – Bus stop relocation (source A29-CAP-HPN-00-DR-C-0133 S0-P14)



ES REVIEW

METHODOLOGY

The potential effects associated with the alteration of the position of the bus stop on the Southern Carriageway have been assessed. This Supplementary ES Addendum has considered best practice guidance and relevant legislation. No additional surveys have been conducted to assess the effects of the alteration of the position of the bus stop.

APPRAISAL OF ANY CHANGES IN THE LIKELY SIGNIFICANT EFFECTS

The planning application and its corresponding 2021 ES have been reviewed and the significant effects of the proposed amendments against each topic relevant to the pre-commencement conditions have been



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assessed and the findings are set out within Table 1 below. This is presented against the chapter number of each assessment within the 2021 ES. We conclude from this assessment that the proposed amendment will not result in any effects that have not been previously considered in the 2021 ES.



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ES CHAPTER NUMBER	ES CHAPTER HEADING	LIKELY EFFECT OF THE NMA	CHANGE IN RESIDUAL EFFECT (NO CHANGE, NEGLIGIBLE CHANGE, SIGNIFICANT CHANGE)
6	Air Quality	There is no change to the residual effects in the construction stage that are reported in Chapter 6 Air Quality. For the operational stage, the proposed changes do not alter the road alignment or traffic flows. The findings of the air quality assessment, as presented in Chapter 6 Air Quality, are unchanged.	NO CHANGE
7	Noise and Vibration	The proposed changes do not significantly alter the area that is potentially affected by construction impacts. As such there is no change to the residual effects in the construction stage that are reported in Chapter 7 Noise and Vibration.	NO CHANGE



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		For the operational stage, the proposed changes do not alter the road alignment or traffic flows. The findings of the noise and vibration assessments, as presented in Chapter 7 Noise and Vibration, are unchanged.	
8	Transport & Access	The proposed changes do not significantly alter the effects on Transport & Access that were assessed and established for both the Construction Phase and Operational Phase of the Proposed Scheme in Chapter 8 Transport & Access in the 2021 ES.	NO CHANGE
9	Ecology	The proposed changes do not significantly alter the area that is potentially affected by construction dust impacts. As such there is no change to the residual effects in the construction stage that are reported in Chapter 9 Ecology. For the operational stage, the proposed changes do not alter the road alignment or traffic flows. The findings of the ecological assessment, as presented in Chapter 9 Ecology, are unchanged.	NO CHANGE



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10	LVIA	The proposed changes do not significantly alter the area that is potentially affected by construction dust impacts (assuming no change to the construction methodology and timeframes). As such there is no change to the residual effects in the construction stage that are reported in Chapter 10 LVIA. For the operational stage, the proposed changes do not alter the road alignment, traffic flows, footpaths or proposed soft landscape. The findings of the landscape and visual assessment, as presented in Chapter 10 LVIA, are unchanged.	NO CHANGE
11	Water Resources	The proposed changes do not significantly alter the potential impacts on Water Resources of the Proposed Scheme that were established in Chapter 11 Water Resources of the 2021 ES. The changes are unaffected in both the Construction Phase and the Operational Phase.	NO CHANGE



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12	Geology and Soils	The proposed changes to the Proposed Scheme do not significantly alter the impact on Geology and Soils during the Construction Phase that was assessed in Chapter 12 Geology and Soils of the 2021 ES.	NO CHANGE
13	Archaeology and Heritage	The proposed changes do not significantly alter the impact that the Proposed Scheme may have on Archaeology and Heritage. As such there is no change to the residual effects in the construction stage that are reported in Chapter 13 Archaeology and Heritage. For the operational stage, the proposed changes do not alter the road alignment or traffic flows. The findings of the assessment on Archaeology and Heritage, as presented in Chapter 13 Archaeology and Heritage, are unchanged.	NO CHANGE