

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO: Amber Willard
FROM:	WSCC - Highways Authority
DATE:	11 February 2020
LOCATION:	Beachcroft Hotel, Clyde Road, Felpham, PO22 7AH
SUBJECT:	FP/13/20/PL Change of use of highway land to outdoor seating area together with new fence & planter.
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 which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided by Strategic Planning should be considered to be advice only, with respect to this planning application.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

Summary

This proposal is for the change of use of highway land to outdoor seating area with new fence and planter. The site is located on Clyde Road, an unclassified road subject to a speed limit of 30 mph.

Content

The Design & Access Statement indicates that the land in question is assumed to be owned by West Sussex County Council (WSCC). WSCC in its role as Local Highway Authority (LHA) can confirm that WSCC has no land ownership in this location. However, part of the proposed seating area may encroach into publicly maintained highway.

The applicant should be aware that any items placed within the public highway are not to be permanently fixed and are to be removable. This is to permit the maintenance of the public highway and to ensure that a permanent obstruction does not result.

If planning consent is approved, a separate Licence agreement will be required to be entered into with the LHA. It will be a requirement of the highway licence that tables and chairs must be removed from the highway each night and only placed out at times stated within the licence agreement.

Alternatively, the LHA advises the applicant to consider modifying the plans to ensure the proposed seating area does not encroach into publicly maintained highway. This way, a licence will not be required.

Conclusion

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application then the applicant will be required to apply for a licence for placing the tables and chairs in maintainable highway, please include informative below.

Informative

The items placed within the public highway are not to be permanently fixed and are to be removable. This is to permit the maintenance of the public highway and to ensure that a permanent obstruction does not result. If Planning Consent is approved, a separate Licence agreement will be required to be entered into with the Highway Authority, WSCC. It will be a requirement of the Highway Licence that tables and chairs must be removed from the highway each and every night and only placed out at times stated within the Licence agreement. The applicant is advised to contact the Highway Licensing team (01243 642105) in order to obtain the required licence.

Kyran Schneider
West Sussex County Council – Planning Services