

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO: Michael Eastham
FROM:	WSCC - Highway Authority: Tim Townsend
DATE:	22 July 2020
LOCATION:	Land North of Toddington Lane Littlehampton
SUBJECT:	LU/164/20/PO Application to amend obligations on the Section 106 dated 23rd January 2013 under ref LU/47/11 relating to various modifications.
DATE OF SITE VISIT:	n/a for purposes of this specific planning application
RECOMMENDATION:	More Information Required
S106 CONTRIBUTION TOTAL:	n/a

This is the WSCC County Highway Authority (CHA) response to the above planning application to amend obligations on the Section 106 dated 23rd January 2013 under ref LU/47/11 relating to various modifications.

Application details.

From the highways perspective, the application proposes a revised trigger for delivery of part of the agreed highways infrastructure secured as part of the original outline planning permission under planning reference LU/47/11 and referenced in accompanying S106 Agreements. The specific part of the highway is known as 'The Southern By-Pass works' and is the section of road found immediately north of the existing A259 (and which will join with the same when completed). In brief, it makes up the central part of the proposed Lyminster By-Pass works which also comprises a section of road to be constructed by the CHA to the north of it, continuing with an extended Fitzalan Link Road to the south of it. The existing trigger for the 'Southern By-Pass' (SBP), the subject of this planning application, is 350 occupations, whereas the proposed trigger is 450.

The applicant has put forward a Planning Statement explaining why the change is required and this can be found by accessing the Arun District Council Planning website.

Should the LPA consider that other highways changes are proposed in the planning application, then the case officer should notify the CHA at the earliest time.

Information still required.

Reviewing the current version of the S106 where the highways obligations are set-out, reveals that under the current trigger, the SBP is required to be completed *prior* to the Fitzalan Link Road (FLR) extension, the latter which is set at 400 occupations. Given that the SBP provides a roundabout on the A259 that the FLR requires to connect into, having the trigger placed *afterwards* does potentially present an issue with the completion of the FLR.

This matter has already been raised with the applicants through pre-application discussions and a request was put to them asking for sight of a DRAFT revised S106 setting-out how the various component parts of the roads infrastructure would be submitted and, thereafter, constructed in a logical way without compromising overall

delivery of the roads in the Agreement. To date, this necessary piece of information has not been provided and is required in order for the CHA to consider the proposal further.

It is noted that a programme containing estimated timescales and dates has been provided alongside the planning application. However, this does not appear to cover the FLR and might, given that it was prepared a few months ago, be out-of-date. Therefore alongside any DRAFT S106 revision, an up-to-date construction programme should also be provided setting out the sequence of construction of both the SBP and FLR in-light of the proposed trigger changes. This should also include latest estimated timescales and how they relate to proposed build and occupations.

Please re-consult when the information requested above is available, at which time the CHA will consider the proposal further.

Thank you.

Tim Townsend
West Sussex County Council – Planning Services