

**WEST SUSSEX COUNTY COUNCIL
STRATEGIC PLANNING CONSULTATION**

DATE: 21st October 2016

**FROM: Tim Townsend TO: Arun District Council
FAO: Hilary Kernohan**

SUBJECT: LU/234/16/RES - Application for reserved matters relating to access, appearance, landscaping, layout and scale of the previously approved LU/63/11/. This application affects a Public Right of Way.

LOCATION: Fitzalan Link Road, Worthing Rd (A259), East Street, Littlehampton, West Sussex.

ADDITIONAL INFORMATION.

RECOMMENDATION:

Advice	☒	Modification	☐	More Information	☒
Objection	☐	No Objection	☐	Refusal	☐

S106 contribution total (see below for breakdown): £N/A (secured at outline stage)

This is the second WSCC highways and transport response to the above planning application.

Summary position of Highway Authority.

In its response of 21st September 2016, the Highway Authority requested sight of the following additional information to enable further consideration of the proposal. The text from that previous response is found below in blue with latest Highway Authority response in red text alongside:

1. Account of how the design as currently submitted for this RES application compares with that considered as part of the outline application. This has now been provided in Technical Note prepared by Mayer Brown Ref. PHFITZ. Although it generally repeats that as set out in earlier assessments circa 2012, the document adds further information about what the applicant considers the most recent position to be. From a Highway Authority point of view, the scheme appears to be *similar* to that approved at the outline planning application stage. However, some changes appear to have been made since that time – particularly at and close to the Academy roundabout. The applicant should clearly document where all changes have been made and clarify what is the latest plan requiring review. Also, in the light of recent discussions – primarily about bus stop provision – and given that this is now a detailed submission, this matter should be further considered – particularly adjacent to the northbound carriageway. Further comments about this latter point are made later on in this report.
2. Account of design principles agreed at that time and how they have been applied to this RES application. Please see comments in 1 above.
3. Confirmation of design standards now used. These are set out in the latest technical report – essentially repeating those used at the outline planning application stage.
4. Copies of the Stage 1 RSA and DR supplied at the outline stage. Both the Road Safety Audit and Designer's Response undertaken for all of the proposed highways infrastructure for the entire 'Greencore'/Toddington development has been provided. However, it is not clear from the Designer's Response whether the recommendations made for the Fitzalan Link have been accepted by the applicant and agreed by the Highway Authority. Please provide evidence.

5. Copies of any Departures from Standard (DfS) and conclusions reached at the outline stage (and any changes that may or may not be proposed now). Departures and Relaxations applied for at the outline stage have been provided. The Highway Authority previously checked Drawing No. WYGLITTLEHAMPTON.1/24G in relation to the Fitzalan Link Road for purposes of assessment of Departures and Relaxations etc. Although the applicant does not make mention of any changes to the scheme since the previous outline scheme was considered, changes do appear on the plans now submitted – particularly at and close to the Academy roundabout. For avoidance of doubt, (WYG Drawing No. A088461 FL1 & 2[C]/dwg has been reviewed on this occasion and although this is primarily a landscaping drawing, it does show close detail of the road and roundabout). Given that this is the case, the applicant should provide confirmation of what they consider to be the latest drawing for review. The applicant should also clearly identify the latest position – as they see it – with regard to DfS and also document and further DfS identified as a consequence of any changes and/or re-design.
6. Confirmation that all PRow have been considered in-line with County advice. PRow have been considered as part of this REM application. Drawing PHF-MB-S278-GF-DR-D-PROW-01 (produced by Mayer Brown Consulting Engineers on behalf of the applicant) shows the proposed routes and alterations thereto. However, when further changes have been made and Safety Audit responses and recommendations received, the routes will need to be reviewed again to ensure route appropriateness and safety. Clearly, a diversion will be required for both the footpaths affected by this proposal, under S.257 of the TCPA. Particular attention must be given to ensure that there are safe crossing points at each necessary point where the routes will be crossing carriageway.

A potential issue could be the closure of these paths whilst the works are taking place because if a route is closed it must be reopened on its original route before any diversion comes into being. This has been the case for a couple of other locations that PRow team has commented on in the past. With regard to this and following up on the point of a temporary closure (TTRO) for works to commence but before a formal diversion process is complete. It is practice not to grant a TTRO unless the line of a highway so closed is the line that will be available upon lifting of the Order. As such, it is recommended that formal diversion is first completed before a TTRO is applied for and, likely, granted. Presumably diversion will be effected under Town & Country Planning Act 1990 S257, where the Local Planning Authority would ordinarily act as Order Making Authority; and the legal test should be simply satisfied, i.e. diversion necessary to enable development to take place.

Another consideration or assumption to make with the above is the intention to retain the future route as a PRow status. If the future route is to become S38 adopted perhaps it is possible to do things in a different way, e.g. once a binding commitment (including timeframe) is given to WSCC for the future route then, perhaps, Legal Services may consider that enough to begin a TTRO process. If the future path is provided to an adoptable standard WSCC would be seeking for it to be added to the gazetteer in any event. For avoidance of doubt, PRow team is not able to maintain routes to that standard. As such, although retaining a legal line of a PRow, any maintenance would then fall to the Area Highways office.

7. Landscaping plans and planting types adjacent to crossings etc. Now provided and shown on Drawings A088461 FL1 & 2[C].dwg prepared by White Young Green (WYG) on behalf of the applicant. Planting types and appropriates are being checked by the Highway Authority and comments will follow separate to this report. From assessment of that provided so far, the Highway Authority wishes to raise the following points:
 - Shared footway-cycleway required on south-eastern side of Academy roundabout to provide continuity with existing infrastructure running along both sides of already constructed Fitzalan Road and E-W footway-cycleway. Tactile paving to also be shown at all relevant crossing points – particularly on south island on roundabout. All planting to be removed here unless sufficient space allows for grass (at least 1.0m would be required to enable grass to grow adequately).
 - The extent of that intended to be offered for adoption should be made known.

- Bus layby – northbound. As mentioned elsewhere in this report, consideration should be given to a northbound bus stop and layby. From observation, an area of land exists just north of the Academy roundabout (to the rear of properties 22-36) which might, subject to design and safety consideration, accommodate a layby with shared footway-cycleway behind. In any event, a bus layby should be shown at a suitable location. Any design (and indeed any other alterations made to the road) should be presented to the Road Safety Audit team responsible for the original Audit or if they don't exist, a Supplementary Audit should be undertaken. Any report or discussion should consider impact on crossing points across the link road and the impact of the bus layby on them.
- Please explain or show what is proposed at point PRow (public footpath just north of Academy roundabout) joins new shared footway-cycleway.
- Please show how design interacts with approved residential development on the eastern side of the road, south of the Academy roundabout.
- Please show future servicing and maintenance arrangements (i.e. parking and working areas clear of the highway) for the section of Fitzalan Link, the subject of this Reserved Matters planning application.

Note to the Planning Case Officer.

The Highway Authority will, as part of any S38/278 process following any grant of planning permission, check other details such as road thicknesses, surfacing materials, cross and long-sections etc. As such, it will be premature at this planning stage to discharge any conditions relating to matters to be considered as part of that S38/278 process. WSCC officers will update the Planning Case Officer as such approvals are granted at the appropriate time.

Please re-consult in response to the points made above in red.

Thank you.

Tim Townsend
Strategic Planning