

**WEST SUSSEX COUNTY COUNCIL
STRATEGIC PLANNING CONSULTATION**

DATE: 9th December 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): £(secured at outline stage)

This is the fourth WSCC highways and transport response to the application seeking approval of reserved matters. Comments made below follow consideration of additional information provided in email from the applicant (Laura Graham of Persimmon Homes to Hilary Kernohan, Clare Potts and Tim Townsend) dated 30th November 2016. The text below should also be read alongside previous WSCC highways responses dated 21st September, 21st October and 21st November 2016.

Previous points raised with applicant:

Summary position of Highway Authority.

Comments below in **green** text reply to the headings as set out in WSCC highways response dated 21st September 2016. **Red** text is in response to latest information:

1. Account of how the design as currently submitted for this RES application compares with that considered as part of the outline application. Account of design principles agreed at that time and how they have been applied to this RES application. Although the main design principle of the road appears to be unchanged from the outline application (namely that the road will be an 'all-purpose' distributor road designed to carry traffic north-south, linking with the existing Fitzalan Road to the south and the proposed 'Southern By-Pass', due to be constructed north of (and including) the A259), the design does not meet WSCC's Speed Limit Criteria for a 30mph road. Previously, WSCC had stated that to achieve 30mph, any scheme would need to incorporate adequate design features to demonstrate likely suitability. As submitted, it does not. Therefore, WSCC considers the road is suited to a higher – likely 40mph - speed limit. However, it will still be subject to some further changes and consideration of part of it having a 30mph speed limit (the southern section on the approach to the crossing point adjacent to the school sports pitches as this will tie in with the 30mph speed limit south of the school access roundabout). A 30mph limit is likely to be acceptable on this section only. Also since the outline stage, parts of the design have altered. The main changes are at the northern end of the scheme at the point the road joins Highdown Drive (where the road alignment has been moved generally eastwards – albeit with some minor alignment westwards further south) and at the Academy roundabout (where the roundabout has been enlarged slightly and alignment also moved eastwards).

Further comments in response to the actual design as presented will follow elsewhere in this report.

MB Response

Rejected. The DMRB 30mph design standards have been utilised in the design of the Fitzalan Link Road as agreed.

The speed limit was discussed and agreed with WSCC as 30mph at the pre-planning stage. In particular, the acceptance of the 30mph speed limit was noted WSCC's Statement, Highway Design Review document dated 17 November 2011.

Following this agreement, a Highway Infrastructure Design Check Report dated January 2012 was prepared and submitted, stating that Fitzalan Link shall be 30mph (as agreed above).

This agreed speed limit thus set the standards for the design presented at the planning application stage which subsequently achieved outline planning consent.

In consideration of the above, we see no justification as to why WSCC now feel the speed should be increased to 40mph, and consider this to be an unreasonable request to change a fundamental aspect of the design, particularly considering that a speed limit of 30mph was agreed previously and formed the basis for the original application.

WSCC response:

The detailed design, as now submitted, does not comply with a design speed appropriate for a 30mph speed limit. WSCC had previously stated that acceptance of a 30mph speed limit would only be acceptable on the basis of a suitable design demonstrating that such a speed would be achieved. As it is not, a 40mph speed limit should be applied to the section referred to in the green text above and below. A 30mph limit can be applied thereafter just north of the Academy roundabout – again as documented in the green text.

2. Confirmation of design standards now used. Upon inspection of the submitted Technical Report (reply to Reserved Matters comments), the design standards are now quoted. As stated above, the design does not meet WSCC's Speed Limit Criteria for a 30mph road. For the reasons set out in point 1 above, the majority of the road will need to be 40mph which aligns with the speed limit found on the A259 found north and the rest of the relief road being provided by the applicant. A 30mph speed limit would be acceptable only for the southern section on the approach to the crossing point adjacent to the school sports pitches as this will tie in with the 30mph speed limit south of the school access roundabout. However, the crossing should be changed to a signal-controlled 'Toucan' for road safety reasons and to further reinforce that section being 30mph. As a new addition, the crossing needs to be safety audited and any recommendations agreed prior to determination of the application. **Further information and amendments required from the applicant to show this.**

MB Response

Rejected. The location and form of crossings were agreed at the pre-planning stage and it was always clearly indicated within the Transport Assessments and associated drawings that informal crossing facilities would be provided just to the north of the Academy access and that an informal crossing facility would be provided to number 36 Highdown Drive. A controlled toucan crossing has been provided on the Fitzalan Link just south of the southern boundary of the school, in line with the existing cycle route along Cornwall Road and Elm Grove Road.

In consideration of the above, we see no justification for an additional Toucan crossing facility, which would be over and above that agreed for the outline consent.

WSCC Response:

As the applicant will know, WSCC has, as part of other recent submissions of reserved matters applications for other parts of the highways infrastructure for the Toddington development, sought to secure the most appropriate roads and infrastructure through discussion and negotiation with the applicants and their agents. Notable changes which have benefitted the scheme (and the applicant) have occurred at the IDR road north of Toddington Lane (landscaping, reduced road width and tighter junctions to retain developable area) and revisions to Toddington Lane itself to retain existing footway provision (thereby not requiring as much footway to be provided on the development side). From a technical and road safety viewpoint, because of the speed limit comments and desire line for pedestrians and cyclists - the latter highlighted on the drawings between the residential area to the west and the sports facilities and Academy on the eastern side of the road - a controlled crossing is recommended. There is already a well-used one south of the roundabout. As such, a second one north should also be provided. Please show on an amended plan and provide a new Stage 1 Road Safety Audit or Supplementary Audit covering this change (and Designer's Response).

3. Copies of the Stage 1 RSA and DR supplied at the outline stage. 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). The Designer's Response to the Stage 1 Road Safety Audit undertaken as part of the outline planning application has been provided. The Highway Authority is in agreement with all the recommendations made by the Audit Team. However, the designer rejects the recommendation made in item 3.12 (removal of [central] crossing point over new relief road). Having reviewed it, the Highway Authority agrees with the audit team (**NOT** the designer) and requires that the crossing point referred to be removed for highway safety reasons. This needs to be shown on an amended drawing. With regard to Departures from Standard (DfS) identified at the outline stage and whether any are carried-forward to the revised design as currently presented, the only one identified at this stage for this section of road is the one referred to as 'Fitzalan Link – Omission of Transition Curves'. This has been considered by the Highway Authority. The conclusion reached is that the design as currently submitted is suitable for vehicles using this stretch (without transition curves) for a road designed to a 70kph (40mph) design speed. Full details of the consideration process can be made available on request. **Further information/amendments required re. removal of uncontrolled crossing point.**

MB Response

Accepted. The scheme has been amended and now excludes this crossing point as requested. Refer to updated drawing numbered PHF-MB-S278-GF-DR-D-210-02 Rev P5.

WSCC Response:

Noted.

4. Confirmation that all PROW have been considered in-line with County advice. **Please see comments made in previous WSCC highways reports about legal requirements and comments made elsewhere in this report about physical changes to paths/routes/crossings.**

MB Response

As detailed previously clarification has been sought from Jon Perks, Principal Rights of Way Officer at WSCC and he has advised that an application should be made to Arun District Council under s257 of the T&CPA. This application will be made shortly, when Delwyn Jones, ADC Solicitor, advises of the application process. The first round of consultation will commence once this application is received by Arun. The making of the order will be duly advertised by Arun and open to public comment. This process, Jon Perks advises, can occur while the RMA is being considered. Once the RMA consent is issued, the confirmation stage of the PROW diversion will commence. Following receipt of confirmation that the diversion has been made a temporary diversion order will be applied for and made to enable the Road to be constructed.

WSCC Response:

Noted.

5. Landscaping plans and planting types adjacent to crossings etc. Comments have been made via email directly to the planning officer. Key points include maintaining visibility at all crossing points and junctions with the road; ensuring that any planting does not encroach on foot/cyclepaths running through the scheme and who will maintain planting/landscaping for sections of the scheme not intended to be offered for adoption. **Further information is required from the applicant to demonstrate and answer these points.**

MB Response

Please refer to amended landscaping plans and note prepared by WYG.

WSCC Response:

The issues/points of clarification raised by the Trees and Landscaping Officer appear to have been addressed in the amended plans (see email from Julie Bolton to Tim Townsend dated 5th December 2016 and landscaping reply from White Young Green (WYG) Louise Ball to Tim Townsend reference A088461).

With regard to visibility requirements at crossings and growth over footpaths/footways etc., the WYG report also replies to all points adequately. However, if the design changes again, such matters will need to be checked again.

Further Highway Authority comments in response to design.

1. Red line boundary – This has implications for PRow connection in south-western corner (north of Academy roundabout) – please demonstrate that an appropriate design can be accommodated and correctly interact with existing PRow connection. As shown, the existing path and the new paths do not appear to tie-in. Also see 3 below. **Further information and alterations required.**

MB Response

Accepted. The full extent of the land required to implement the outline consented scheme has not been made available. As a result, the alignment of the shared footway/cycleway has been altered from that indicated at Outline Consent stage. The geometry of the facility has been revised to provide a more suitable design and continuity of the PRow within the constraints of the site limits. The proposed PRow ties into the existing PRow route at the red line. Please refer to amended drawings PHF-MB-S278-GF-DR-D-210-01 Rev P5 and PHF-MB-S278-GF-DR-D-PROW-01 Rev P3.

WSCC Response:

Comments noted (but please see comments below about shared footpath/cycleway alignment north of the PRow connection).

2. Bus layby south of Academy RBT – WSCC drawings for the section of road south of the Academy entrance do not appear to show the bus layby as suggested by the applicant. As such, this matter is not concluded and a further response is required from the applicant on the subject of a northbound bus layby. **Further information and alterations required.**

MB Response

Rejected. As indicated previously, the section of Fitzalan Link promoted by the Developer incorporates the southbound bus lay-by as previously agreed within the outline consented scheme. For some reason, it would appear that the northbound bus lay-by was never constructed as part of the Academy access works promoted by WSCC. This is a matter for WSCC to address on the section of the Fitzalan Link that they have delivered. It is not a matter for the RMA prepared by the Developer.

WSCC Response:

The approved WSCC drawings do not include a bus layby. As such, one is still required for northbound traffic to complement the one for southbound traffic. Please show.

3. Shared footpath/cycleways alongside both sides of the access road – On the western side at the point the PRow joins the scheme, the alignment is very convoluted and may not meet appropriate design standards. Please amend and remove bends etc. This also applies to the 'kink' on the eastern side of the road found further north. Also, because of the increased speed limit along the majority of the road, it is recommended that the footpath/cycleways be set-back from the edge of the carriageway by a minimum of 1.5m wherever possible. Also because of the speed limit, a signal controlled crossing should be provided in this location (Toucan). Any design should be Safety Audited before planning consent is issued. **Please provide amendments, Road Safety Audit and Designer's Response.**

MB Response

Accepted. The full extent of the land required to implement the outline consented scheme has not been made available. As a result, the alignment of the shared footway/cycleway has been altered from that indicated at Outline Consent stage. The geometry of the facility on the western side has been revised to provide a more suitable design and continuity of the PROW within the constraints of the site limits. The proposed PROW ties into the existing PROW route at the red line. Please refer to amended drawings PHF-MB-S278-GF-DR-D-210-01 Rev P5 and PHF-MB-S278-GF-DR-D-PROW-01 Rev P3.

The geometry of the eastern facility has been amended to provide a more suitable design as requested. Please refer to amended drawings PHF-MB-S278-GF-DR-D-210-02 Rev P5 and PHF-MB-S278-GF-DR-D-PROW-01 Rev P3.

WSCC Response:

Don't accept. LTN1/12 (cycle infrastructure note) says this:

- Edge of ≤40mph carriageway: add 500mm
- Edge of >40mph carriageway: add 500mm (absolute minimum)
- Edge of >40mph carriageway: add 1500mm (desirable minimum)

Clearly, if there is room at any particular point on a route then desirable minimum should be provided. As the applicant has not demonstrated that a lower speed limit is achievable, the Highway Authority still considers these features are required to mitigate the impact of higher traffic speeds on VRUs.

With regard to the alignment of the section of shared footpath/cycleway adjacent to the PRow on the western side of the road, the applicant has not provided an adequate alignment. LTN2/08 (cycle infrastructure design) has minimum design radii of 25m for commuter routes and 15m for local access routes. The route running parallel to the new road should be designed as a commuter route, and links off it should be designed as local access routes. Forward visibility requirements are also 25m and 15m respectively. Please show on an amended plan.

4. Refuge adjacent to Highdown Drive – Applicant should demonstrate that adequate kerb-to-kerb width for vehicles is provided either side of the proposed pedestrian/cycle refuge and that the refuge itself is wide enough for pedestrian and cycle usage. The full WSCC specification for refuges can be found on the WSCC website. **Further information and alterations required.**

MB Response

Accepted. The design has been amended to incorporate a pedestrian refuge island as required by WSCC detail numbered S278/38/19 Rev B with 3.2m lane widths, 2.5m wide island and road markings offset from the island, as requested. Please refer to amended drawings PHF-MB-S278-GF-DR-D-210-02 Rev P5.

WSCC Response:

The lanes must have minimum kerb-to-kerb widths of 3.5m each side of the refuge or similar kerbed upstand and/or feature. Please amend.

5. Shared footpath/cycleway on south-eastern side of the Academy RBT - To be shown remaining as shared footway/cyclepath – NOT landscaping as shown on one of the landscaping plans. **Further information and alterations required.**

MB Response

Accepted. The existing footway/cyclepath has been shown as retained on amended drawings PHF-MB-S278-GF-DR-D-210-01 Rev P5 and the updated landscaping plans prepared by WYG.

WSCC Response:

Comments noted.

6. 0.5m margins - As shown in places alongside the road will not be suitable for planting (nothing will grow given the narrow width) – applicant to confirm how they intend to construct these. **Further information required.**

MB Response

Accepted. As indicated on MB's construction treatment dwgs, margins of less than 1m shall be formed using bituminous surface materials as required by WSCC Detail ref S278/38/09.

WSCC Response:

Noted.

7. Surface Water Drainage – Design principles are currently being reviewed by WSCC – comments to follow.

MB Response

Noted. Comments awaited.

WSCC Response:

Design principles have been accepted. Full details to be checked at S38/278 stage.

8. Adoption limit – who will maintain planting and other areas outside of proposed adoption limits? Further information required.

MB Response

WSCC own the land on which the Fitzalan Link will be delivered. The Developer has a licence to construct the Fitzalan Link, but no ownership rights over the land. Therefore, any areas that fall outside of the adoption limits will remain with the landowner (e.g. WSCC) and will be their responsibility for maintenance. Further details relating to this will form part of s278 process/agreement.

WSCC Response:

For information, a plan showing the extent of adopted highway is provided to be read alongside this consultation response. As such, the road will need to be constructed using a joint S38/278 Agreement.

9. Street lighting considerations – what is proposed? Further information required.

MB Response

Noted. The street lighting design has been prepared by SSE and is indicated on the MB general arrangement drawings PHF-MB-S278-GF-DR-D-210-01 Rev P5 and PHF-MB-S278-GF-DR-D-210-02 Rev P5. The proposed SSE specification is:

“PROPOSED 8 METRE COLUMN FITTED WITH POST TOP MOUNTED LUMINAIRE WITH 5 DEGREE TILT. LUMINAIRE TO BE PHILIPS WRTL LUMA R5 WITH 80 No. COOL WHITE LEDs PROVIDING NO LESS THAN 15.5klm. LUMINAIRE TO BE FITTED WITH ELECTRONIC DIMMABLE BALLAST COMPATIBLE WITH MAYFLOWER CMS VIA DALI PROTOCOL. LUMINAIRE IS TO BE CONTROLLED VIA A MAYFLOWER EXTERNAL NODE. COLUMN TO BE PAINTED BS12C39 (SHERWOOD GREEN)”

These are of course subject to technical review and approval.

WSCC Response:

Noted. Details will be checked and responded to at S38/278 stage.

10. Maintenance access and access routes to be identified alongside road (to permit vehicles to be parked clear of the road when maintenance is taking place) – Please show.

MB Response

Noted. I'm sure this will be discussed in greater detail during the detailed technical approval stage. However, a maintenance bay has been included within the scheme, north of the Academy roundabout for maintenance vehicles. Please refer to the MB general arrangement drawing PHF-MB-S278-GF-DR-D-210-01 Rev P5.

WSCC Response:

The layby arrangement shown opposite the southbound bus stop would not be acceptable as it would be parked on and generally likely used in a detrimental way. As such, a short section of kerbing with angled/bevelled kerbing and an area of grasscrete should be provided at a suitable location for

maintenance vehicle purposes. This should be indicatively shown on a revised drawing now for planning purposes with final details being checked/agreed at the S38/278 stage.

11. Road surfacing - Hot-Rolled Asphalt (HRA) as per WSCC policy. NO FURTHER ACTION REQUIRED AT THIS STAGE.

12. Access barriers alongside crossing points - Will be considered at detailed design stage. NO FURTHER ACTION REQUIRED AT THIS STAGE.

13. Construction Management Plan – A suitable plan will need to be agreed prior to any works commencing. NO FURTHER ACTION REQUIRED AT THIS STAGE.

14. Road signing strategy - A suitable plan will need to be agreed prior to the road opening. The obligation to do this will fall to Persimmon Homes and must include signing further afield on approaches etc. (essentially beyond red line boundaries etc.). NO FURTHER ACTION REQUIRED AT THIS STAGE.

15. Fencing around drainage basins etc. (specification to be agreed) – will be required as part of S38/278 design.

Conclusion.

Please re-consult with the additional information, at which time the Highway Authority will consider the application further.

Thank you.

Tim Townsend
Strategic Planning

