

**WEST SUSSEX COUNTY COUNCIL
STRATEGIC PLANNING CONSULTATION**

DATE: 21st November 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 third WSCC highways and transport response to the above planning application. It follows submission of further information from the applicant's Highway Consultant (Mayer Brown) in the form of the following in response to comments made in previous WSCC highways reports dated 21st September and 21st October 2016:

- Response to WSCC Reserve Matters Comments (Mayer Brown – Ref: PHF-MB-S278-GF-RP-D-DS01 Revision P1 [Initial Issue] – November 2016)
- Drawing No: PHF-MB-S278-GF-DR-D-S278-01 Revision P1 (Adoption Drawing)
- Drawing No: MBTK160331-01 (Anticipated swept paths of 16.5m FTA articulated vehicle accessing Academy roundabout)
- Drawing No: MBTK160331-02 (Anticipated swept paths of single deck bus accessing Academy roundabout)
- Drawing No: MBTK160331-03 (Anticipated swept paths of combination articulated vehicle accessing Academy roundabout)
- Drawing No: PHF-MB-S278-GF-DR-D-209-01 Revision P2 (Proposed S278 highway works site clearance drawing 1 of 2)
- Drawing No: PHF-MB-S278-GF-DR-D-209-02 Revision P2 (Proposed S278 highway works site clearance drawing 2 of 2)
- Drawing No: PHF-MB-S278-GF-DR-D-210-02 Revision P3 (Proposed S278 highway works general arrangement drawing 2 of 2)
- Drawing No: MBPHFITZ-DS-01 Revision P2 (Proposed S278 highway works scheme overlay comparison drawing)

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:

- 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.

- 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 Filtzalan 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.

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 'Filtzalan 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 P6.

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.

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.

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.

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.

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.

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.

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.

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.

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

MB Response

Noted. Comments awaited.

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.

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 5km. 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.

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.

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.**

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 and detailed drainage design 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 when replies have been received in response to the points made above requiring attention.

Thank you.

Tim Townsend
Strategic Planning

AB 30/11/16 - Mayer Brown Response to WSCC comments dated 21 November 2016.

Attachments:

- ✦ MB Drawing numbered PHF-MB-S278-GF-DR-D-210-01 Rev P5
- ✦ MB Drawing numbered PHF-MB-S278-GF-DR-D-210-02 Rev P5
- ✦ MB Drawing numbered PHF-MB-S278-GF-DR-D-PROW-01 Rev P3