

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO: Katie Sharp
FROM:	WSCC - Highway Authority
DATE:	23rd September 2022
LOCATION:	Land north of Toddington Lane (adjacent to Lyminster Bypass) Hampton Park Littlehampton BN17 7PP
SUBJECT:	LU/417/21/OUT Outline application with some matters reserved (except access) for the erection of up to 71 No dwellings. Further information received in Katie Sharp's email of 26th August 2022.
DATE OF SITE VISIT:	16 th September 2022 + desktop study
RECOMMENDATION:	No Highway Objection
S106 CONTRIBUTION TOTAL:	Please see below

This is the third WSCC County Highways (CHA) response to the above outline planning application with some matters reserved (except access) for the erection of up to 71 dwellings. Comments below respond to additional information received from the applicant's transport consultant between 20th September and 23rd September 2022. Comments should be read alongside previous WSCC Highways responses dated 16th February 2022 and 8th September 2022.

Response.

In its previous response dated 8th September 2022, the CHA requested that the following points be attended to by the applicant:

1. A Road Safety Audit Decision Log (in tabular form) and with a further response to RSA Problem 4.2.
2. Provision of agreement to including the Travel Plan measures as previously put forward by the CHA.

The applicant's consultant has now responded to the above and the comments made are acceptable to the Highway Authority.

Other highway-related matters.

Construction of development on land required to enable construction of WSCC-section of Lyminster By-Pass.

Compulsory purchased land for WSCC section of Lyminster By-Pass - T&L Crawley No. 2 LLP (the applicant's for this site) are the landowners of Plots 10a and 10b which are subject to land which WSCC is acquiring temporarily for the construction of the Lyminster Bypass (North) CPO Scheme. Planning Permission for the CPO under reference 'WSCC/049/18/LY' was granted on 9th May 2019.

For the purposes of the WSCC Scheme, Plot 10a is described in the CPO as:

'1081 square metres of commercial development land to the south-east of A284 Lyminster Road from the field boundary in the north, extending south over the North Littlehampton Development land, for temporary use, to provide working space for construction'

Also for purposes of the WSCC Scheme, Plot 10b is described in the CPO as:

'2716 square metres of commercial development land to the south-east of A284 Lyminster Road from the field boundary in the north, extending south over the North Littlehampton Development land, for temporary use, for creation of compound area during construction of new carriageway and working space for the construction of an embankment'

The CPO was confirmed by the Secretary of State for Transport on 16th September 2021 and following the service of Notices to Treat and Enter, WSCC and/or its appointed operatives, are able to gain entry onto the site to begin construction of the Bypass on 22nd February 2022.

The Planning Permission for the By-Pass and the confirmed CPO allows WSCC and/or its appointed operatives, unfettered access to the land (plots 10a and 10b) to construct the By-Pass and for additional compound storage until the By-Pass is open for public use. T&L Crawley will not be able to interfere with the construction or have control of the land until the land is returned to them after the By-Pass is open for public use and is adopted highway maintained at the public's expense.

The CPO Scheme is contained within the 'red line' boundary as attached to the Committee Report (pages 35, 37 and 39) that accompanies that application. However, the areas outside the red line boundary may also be affected by the construction of the By-Pass.

WSCC ask that Arun District Council, as Planning Authority, is mindful of this when they are considering the current planning application and/or subsequent Planning Appeal.

Internal access/road layout.

As submitted, the internal road/access layouts for both the northern and southern plots (north and south of 'Spur Road' respectively), are not suitable for adoption under section 38 of the Highways Act 1980 given lack of service margins and location and design of some of the parking spaces.

Additionally, the final design of the tie-in points for the shared foot and cycleways where they enter and leave the development parcels, will need to be amended and agreed at the detailed design stage. In particular, road markings for the tie-ins should either be located wholly on public highway or wholly on private land (access/roadway) for maintenance reasons.

Conclusion.

Should the LPA be minded to approve the development, the CHA recommends that it should be subject to the following:

S106:

1. Final Travel Plan
2. Travel Plan Monitoring Fee (currently £3,500)
3. Public transport contribution of £13,707.26
4. Traffic Regulation Order (TRO) for waiting restrictions on spur road

Planning conditions:**1. Access**

The development shall not be commenced until such time as the vehicular access serving the development has been constructed generally in accordance with the details shown on Drawing's 23104-02 Revision 'A' (albeit with revisions to the interface points of the shared foot and cycle ways where they enter each development parcel - to be agreed with the Highway Authority prior to works commencing), or as otherwise may be agreed with the Highway Authority.

Reason: In the interests of road safety.

2. *Pedestrian and cycle access through site from Hinchliff Drive to spur road*

No part of the development shall be occupied until a pedestrian and cycle access path running between Hinchliff Drive to the spur road (and through the development) has been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reasons: To secure satisfactory standards of access for the proposed development and provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

3. *Internal Access Roads, footways, footpaths, cycle ways*

No part of the development shall be occupied until the road(s), footways and cycle ways serving the development have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development.

4. *Car parking*

No dwelling shall be occupied until the car parking serving the respective dwelling has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use

5. *Cycle parking*

No dwelling shall be occupied until covered and secure cycle parking spaces serving their respective dwellings have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

6. *Construction Management Plan*

No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

Informatives:

Section 59 of the 1980 Highways Act - Extra-ordinary Traffic

The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process (only required if daily HGV trips to and from the site during the construction period exceed 20).

Works within the Highway – Implementation Team

The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

Temporary Works Required During Construction

The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

Temporary Developer Signage

The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

Temporary directional signs to housing developments (Major apps only 10 units +)

The applicant is advised that they must apply and obtain approval from West Sussex County Council as Highway Authority for all temporary directional signs to housing developments that are to be located on the highway. Further details of the process and how to apply are available here <https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/temporary-development-signs/#overview>

Note to planning case officer:

Given the recent changes to the Building Regulations Approved Document S (Infrastructure for the Charging of Electric Vehicles), it may be that the provision of EV charging is now covered under separate legislation to planning. Therefore, WSCC as Highway Authority have no comment to make upon the EV charging provision as a result of this planning application. However, the planning case officer should check whether the development is being built under the old Building Control regulations, in place prior to 15th June 2022, and if they are, it may be appropriate to secure EV charging provision through the planning process.

Thank you.

Tim Townsend
West Sussex County Council – Planning Services