

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO: Maria Tomalova
FROM:	WSCC - Highways Authority
DATE:	19 October 2021
LOCATION:	Land at the rear of 69 The Causeway, Pagham, PO21 4PQ
SUBJECT:	P/137/21/PL Change of use from public amenity land to private residential garden together with boundary works. This site is in CIL Zone 4 (Zero Rated) as other development.
DATE OF SITE VISIT:	N/A
RECOMMENDATION:	Advice
S106 CONTRIBUTION TOTAL:	N/A

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals.

This proposal is for the change of use from public amenity land to private residential garden with boundary works. The site is located off The Causeway, an unclassified road subject to a speed restriction of 30 mph.

From inspection of WSCC mapping, the area in question forms part of the publicly maintainable highway and therefore, for highway rights to be extinguished, the land would need to be legally "Stopped Up".

In order for the land to be incorporated into the site, the highway rights would need to be formally removed by way of a Stopping Up Order. The process is controlled by Section 247 of the Town and Country Planning Act and approval would have to be obtained from the Department for Transport. This would be subject to a separate process administered by the Department for Transport's National Casework Team. The Highway Authority along with other statutory undertakers and interested parties would be consultees in this process. There is also no guarantee that this process would be successful.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal. The applicant is advised to contact the Department for Transport in order to commence the "Stopping-Up" process under Section 247 of the Town and Country Planning Act.

If the LPA are minded to approve the application, the following informative should be applied:

Stopping-Up Order

The applicant is advised to contact the Department for Transport in order to commence the "Stopping-Up" process under Section 247 of the Town and Country Planning Act.

Kyran Schneider
West Sussex County Council – Planning Services