

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO: Anita Gardner
FROM:	WSCC - Highways Authority
DATE:	29 March 2019
LOCATION:	Land Adjacent 1 Orchard Way Fontwell BN18 0SH
SUBJECT:	WA/18/19/PL Erection of 2 No. detached dwellings, adaptation to existing crossover & new driveway (resubmission following WA/58/18/PL).
DATE OF SITE VISIT:	
RECOMMENDATION:	Advice
S106 CONTRIBUTION TOTAL:	£ N/A

I refer to your consultation in respect of the above planning application and would provide the following comments.

Summary

The Local Highways Authority (LHA) has previously been consulted on matters at this location under application WA/58/18/PL which also sought permission for the erection of two dwellings. The LHA has reviewed data supplied to WSCC by Sussex Police over a period of the last five years. There have been no recorded injury accidents at the proposed access point on the public highway, onto Orchard Way. There is no evidence to suggest that the proposed change of use would exacerbate an existing safety concern.

Publicly Maintained Highway

The westernmost proposed building is shown to be erected onto part of the publicly maintainable highway and therefore before such a use of that land can commence, the land will 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.

A plan is attached outlining the extent of the Publicly Maintained Highway in this location and the location of WSCC Ownership.

Due to this positioning on the highway, the LHA note that utilities may be present within the site that will be required to be moved. The suitability of removing/relocating these utilities should be ascertained in liaison with the appropriate utilities companies and would be at the expense of the applicant.

Access

The proposed dwellings are to use an existing dropped kerb arrangement and extend to allow a shared VCO access for the two properties. The Local Highways Authority (LHA) has independently consulted the Area Engineer for Arun whom has advised that a VCO

license in this location would likely be supported. The applicant would be required to approach the Area Engineer to obtain formal approval and a license to carry out the access works on the highway.

Parking

Two parking spaces have been demonstrated to serve each dwelling although will less space than the previously submitted proposal; the LHA considers that this provision would be suitable to satisfy the anticipated demands. No turn on site is available to users of this parking area, however due to the nature of Orchard Way it is not considered that this would pose a severe highways safety concern.

Sustainability

The site is located in an area that is remote from local facilities although the LHA note the presence of a fuelling station within walking distance of the dwellings. There are bus routes that run from Arundel Road and lead to Barnham Railway station and local villages. Cycle parking has been shown and should be conditioned alongside any permission of this proposal. It is considered that the site meets the criteria set out in point 109 of the National Planning Policy Framework (NPPF).

Construction

Matters relating to access during the construction of the proposed would need to be agreed prior to any works commencing. Vehicular access to the site is possible only from Orchard Way. A comprehensive construction management plan should be submitted. This should set out the controls to be implemented throughout the construction project to ensure that safety of users of the public highway, as well as its operation, is not detrimentally affected. The construction management plan should amongst other things set out how deliveries are to be managed along London Road and Orchard Way in light of the carriageway width and presence of other vulnerable road users.

Ownership

I note the presence of a parcel of land in this location within WSCC ownership. This land intersects the dropped kerb access along the frontage of the property where future residents would be required to cross. I advise that the applicant contacts WSCC Legal Services in order to formalise this right of access or with a view to purchase a portion of this land. I have included a plan outlining the extent of WSCC ownership at this location, this is represented by a pink shaded rectangle.

Conclusion

The LHA does not consider that the proposal would have a 'severe' impact on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (para 109), and that there are no transport grounds to resist the proposal. Should the LPA be minded to approve this proposal, the following should be sealed via condition.

Conditions

Access (details approved, access provided prior to commencement)

No development shall commence until the vehicular access serving the development has been constructed in accordance with the approved planning drawing.

Reason: In the interests of road safety.

Car parking space (details approved)

No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use

Cycle parking

No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details 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.

Construction plant and materials

No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors' buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

Reason: To avoid undue congestion of the site and consequent obstruction to access.

INFORMATIVE

Stopping Up

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.

Vehicle Crossover – Minor Highway Works

The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

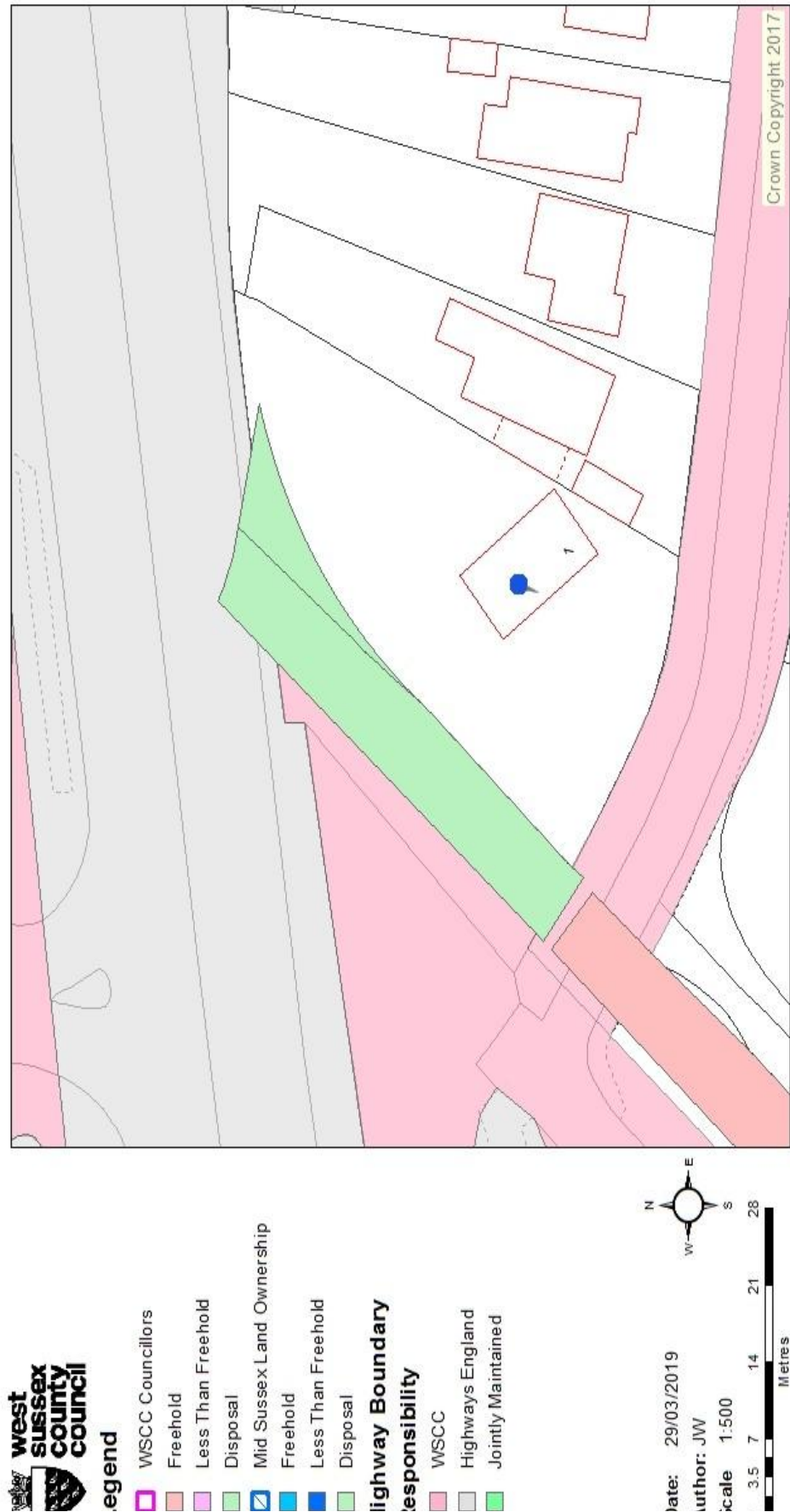
Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>

Jodie Wilkes

West Sussex County Council – Planning Services

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