

[REDACTED]

From: Cleaver, Elizabeth [REDACTED]

Sent: 17 May 2021 18:46

To: Planning.Responses <Planning.Responses@arun.gov.uk>; Anita Gardner <Anita.Gardner@arun.gov.uk>
[REDACTED]

Subject: Highways England response: WA/32/21/PL, Land at West Walberton Lane, Walberton, BN18 0QF

For the attention of: Anita Gardner

Planning Application No: WA/32/21/PL

Site: Land at West Walberton Lane, Walberton, BN18 0QF

Proposal: Construction of 30 No. dwellings together with associated access, parking, public open space & landscaping. This site may affect the setting of listed buildings, affects the character & appearance of the Walberton Green Conservation Area, is a Departure from the Development Plan & is in CIL Zone 3 & is CIL Liable as new dwellings.

Highways England Ref: HAMIS 91149; Tracker #13162

Dear Mrs Gardner

Thank you for your consultation of 26 April 2021 regarding the planning application referenced above and requesting a response by 27 May.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN, in the case of this proposal, the A27.

The A27 Arundel Bypass preferred route announcement has been published and this has implications for the traffic distribution associated with this proposed development. Traffic from this proposed development will impact upon the Fontwell Avenue roundabouts in the same way as traffic associated with the Land East of Tye Lane development (WA/44/17/OUT) which is

contributing towards A27 mitigation. Further housing development, even relatively small allocations, will have an additional cumulative impact on the A27 junctions as well as the local highway network and thus is likely to require further mitigation. Consequently, we recommend that Arun District Council requests an appropriate proportional contribution from this particular site towards mitigation at the A27 junctions in Arun, in particular the A27/A29 Fontwell roundabouts.

The Land East of Tye Lane development site is contributing £2829.27 per dwelling towards A27 mitigation and a proportional contribution in line with this site is deemed appropriate. Therefore, provided that Arun District Council collects a contribution of £84,878.10 (30 x £2829.27) indexed from 2017 prices, from this particular site towards mitigation of the A27 junctions in Arun, Highways England is satisfied that the proposals would not materially affect the safety, reliability and / or operation of the SRN (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10, and MHCLG NPPF2019, particularly paragraphs 108 and 109) in this location. I attach our formal HEPR response.

If you have any queries regarding this response, please contact us at:

[REDACTED]

Kind regards,

Elizabeth Cleaver, Assistant Spatial Planning Manager

Highways England | Bridge House | 1 Walnut Tree Close | Guildford | Surrey | GU1 4LZ

Web: <http://highwaysengland.co.uk/>

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Highways England Company Limited | General enquiries [REDACTED] National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park, Birmingham B32 1AF |

<https://www.gov.uk/government/organisations/highways-england> [REDACTED]

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Developments Affecting Trunk Roads and Special Roads

Highways England Planning Response (HEPR 16-01)

Formal Recommendation to an Application for Planning Permission

From: Nicola Bell (Regional Director, South East),
Operations Directorate
South East Region
Highways England.
[REDACTED]

To: Arun District Council – Case Officer Anita Gardner
planning.responses@arun.gov.uk

CC: [REDACTED]

Council's Reference: WA/32/21/PL

Location: Land at West Walberton Lane, Walberton, BN18 0QF

Proposal: Construction of 30 No. dwellings together with associated access, parking, public open space & landscaping. This site may affect the setting of listed buildings, affects the character & appearance of the Walberton Green Conservation Area, is a Departure from the Development Plan & is in CIL Zone 3 & is CIL Liable as new dwellings.

Highways England Reference: HAMIS 91149

Referring to the planning application referenced above, received by Highways England on 26 April 2021, in the vicinity of the A27 that forms part of the strategic road network, notice is hereby given that Highways England's formal recommendation is that we:

- ~~a) offer no objection;~~
- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);
- ~~c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);~~

Highways England Planning Response (HEPR 16-01) January 2016

~~d) recommend that the application be refused (see Annex A – Reasons for recommending Refusal).~~

Highways Act Section 175B that requires consent to be obtained from the strategic highways company for the construction, formation or laying out of any access to or from a trunk road in England ~~is~~ / is not relevant to this application.¹

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This application has been assessed by the Highways England South East Region Spatial Planning Team. This HEPR form represents Highways England's formal recommendation regarding the application. It is copied to the Department for Transport as per the terms of our Licence.

Should you disagree with this recommendation you must consult the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via [REDACTED]

Signature: [REDACTED]	Date: 17 May 2021
Name: Elizabeth Cleaver	
Position: Assistant Spatial Planning Manager	
Highways England: Bridge House, 1 Walnut Tree Close, Guildford, GU1 4LZ	
[REDACTED]	

¹ Where relevant, further information will be provided within Annex A.

Annex A Highways England recommended Planning Conditions

No part of the development hereby permitted shall be occupied until the applicant has entered into a section 278 agreement with Highways England for a contribution towards A27 highway improvement schemes at A27 / A29 Fontwell roundabouts. No more than 15 dwellings shall be occupied prior to the payment of £84,878.10 (indexed from 2017 prices).

Reason: to ensure that the A27 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

The Town and Country Planning (Development Affecting Trunk Roads) Direction 2018

The Secretary of State, in exercise of the powers conferred by articles 18(4), 31(1) and 45 of the Town and Country Planning (Development Management Procedure) (England) Order 2015¹ (“the Order”), directs as follows;

1. This Direction shall come into force on the 23rd February 2018
2. In this Direction “strategic highways company” means a company for the time being appointed under Part 1 of the Infrastructure Act 2015.
3. This Direction applies where—
 - (a) A local planning authority consults a strategic highways company under article 18 or 20 of the Order before granting planning permission;
 - (b) The strategic highways company makes a recommendation as to the determination of the application for planning permission; and
 - (c) The local planning authority does not propose to determine the application in accordance with that recommendation.
4. The local planning authority must consult the Secretary of State and, for that purpose, must as soon as practicable send to the Secretary of State—
 - (a) A copy of the application together with any accompanying plans and drawings;
 - (b) A copy of any representations made to the local planning authority in respect of the application (including those made by the company); and
 - (c) The reasons why the local planning authority does not propose to determine the application in accordance with the strategic highways company’s recommendation.
5. The local planning authority must not determine the application unless—
 - (a) The Secretary of State gives a direction under article 31 of the Order in respect of the application (and the authority must then determine the application in accordance with the terms of the direction); or
 - (b) The authority receives notification by or on behalf of the Secretary of State that the Secretary of State does not propose to give any such direction in respect of the application; or
 - (c) A period of 21 days beginning with the date which the Secretary of State tells the authority in writing is the date the Secretary of State received the material specified in paragraph 4, has elapsed without the Secretary of State giving such a direction.
6. The Town and Country Planning (Development Affecting Trunk Roads) Direction 2015 is cancelled.

Signed on behalf of the Secretary of State for Transport



Date 23rd February 2018

Director General
Department for Transport

¹ S.I. 2015/595, amended by S.I. 2017/402 and S.I. 2017/571.