

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

To register to receive notification of planning applications in your area please go to
<https://www1.arun.gov.uk/planning-application-finder>

Sign up to our newsletter [here](#)



From: Michael Eastham <Michael.Eastham@arun.gov.uk>
Sent: 13 August 2021 10:15
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: Alternative access to Avisford Grange via Tye Lane.
Importance: High

Please upload onto Ocella the email below and the attachments (listed below) from **Walberton Parish Council** objecting to **WA/63/21/PL**.

- Further letter of objection from **Walberton Parish Council**;
- Redacted letter from **Highways England** dated 17th June 2021;
- **Highways England's** consultation response to WA/63/21/PL.

Thanks,

Michael

Michael Eastham BA (Single Hons) Dunelm, MTp, MRTPI
Principal Planning Officer,
Planning Services

T: 01903 737772
E: michael.eastham@arun.gov.uk



Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF

Sign up to our newsletter [here](#)

To register to receive notification of planning applications in your area please go to <https://www1.arun.gov.uk/planning-application-finder>

[Michael Eastham](#) | Principal Planning Officer, Strategic Development, Directorate of Place, [Arun District Council](#) | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37772 | External: +44 (0) 1903 737772 | E-mail: Michael.eastham@arun.gov.uk



Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

From: Andy Peppler [REDACTED]

Sent: 13 August 2021 10:01

To: Michael Eastham <Michael.Eastham@arun.gov.uk>
[REDACTED]

Subject: Alternative access to Avisford Grange via Tye Lane.

Importance: High

CAUTION: This email originated from outside of the organisation. You should take extra care when clicking links or opening attachments - if you are unsure the content is safe contact the IT Helpdesk before clicking or opening.

Dear Michael,

Please see the attached letter from Walberton Parish Council's Planning Committee and accompanying documents. I would be grateful if you would acknowledge receipt.

Regards,

Andy.

Andy Peppler - Clerk - Walberton Parish Council
[REDACTED]

This e-mail is intended solely for the person or organisation to which it is addressed. It may contain privileged and confidential information. If you are not the intended recipient, you are prohibited from copying, disclosing or distributing this e-mail or its contents (as it may be unlawful for you to do so) or taking any

action in reliance on it. If you receive this e-mail by mistake, then please delete it and then advise the sender immediately by using the e-mail reply facility. The parish office is open on Tuesday and Thursday mornings 9.00am to 12.30pm unless otherwise notified.



WALBERTON PARISH COUNCIL
INCLUDING FONTWELL AND BINSTED
Parish Council Office, The Pavilion, The Street,
Walberton, Arundel, West Sussex, BN18 0PJ

13 August 2021

To: Michael Eastham
Arun District Council
Maltravers Road
Littlehampton

Dear Michael,

Ref: WA/63/21/PL Access to Tye Lane from Avisford Grange development instead of Yapton Lane.

Walberton Parish Council's Planning Committee asked me to write to you following their dismay on reading documents issued at the last minute but read after the closing date for this planning application. We also note that some consultee responses were not available on the planning portal until well after the deadline of 5th August. This includes that of HE that at the time of writing is still not shown.

The first came from a FOI request to Highway England (HE), (attached, letter dated 17 Jun but received 5 Aug) and the second is HE's own submission to this planning application. Both clearly state that HE will now be able to maintain access to Avisford Grange both during and after construction of the A27 Grey route.

At the heart of the Planning Application was the builder's inability to sell property on Avisford Grange (AG) with the risk of the A27 published preferred Grey route blocking their entrance. Hence the request for an alternative access. We now know from these documents that this is no longer necessary! HE's letter states "Highways England hereby confirms that the A27 Arundel Bypass Scheme will be designed so as to ensure that access to Avisford Grange along the existing access road at Yapton Lane will be permanently retained" Note the use of **PERMANENT**.

We also know that HE is only supporting this alternative access for their convenience and from their letter that if this planning application is approved, they will not bother with maintaining access on Yapton Lane.

We have previously submitted that this application is premature and should wait for the detailed A27 bypass design to be released and that an access via Tye Lane would be wholly inappropriate with long term traffic issues for Walberton and Fontwell.

We trust that in reviewing this application officers will take into account the points we outline above and reject this application.

Should you be tempted to support the application then in the light of the above information approval should be temporary to facilitate A27 construction only, then reverting to Yapton Lane access.

If Tye Lane is only required for access to AG for the period of various works on Yapton Lane by HE, then this can be controlled by condition.

- A condition can be added that “no access from or to the AG development permitted pursuant to WA/63/21/PL shall be taken from the Tye Lane access hereby permitted unless the Yapton Lane access to the AG development is unavailable by reason of work undertaken by Highways England pursuant to powers granted in a development consent order for the A27 Bypass Scheme and except for use by emergency services”.

Yours sincerely,

(sent unsigned by email)

Andy Peppler.

On behalf of Walberton Parish Council’s Planning Committee.

To whom it may concern


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

17th June 2021

A27 Arundel Bypass Scheme – Avisford Grange

In October 2020 Highways England Company Limited (Highways England) announced the Preferred Route for the A27 Arundel Bypass Scheme. The Preferred Route included land that forms part of the access road into Avisford Grange.

Following the Preferred Route Announcement, Highways England has been undertaking further surveys and investigations in order to develop the design of the scheme in more detail. In addition, Highways England has been working with Linden Wates (Walberton) LLP, the owners of Avisford Grange, to reduce the impacts of the A27 Arundel Bypass Scheme on Avisford Grange.

Whilst the final alignment of the A27 Arundel Bypass Scheme will not be fixed until after the statutory consultation, and will remain subject to the grant of development consent by the Secretary of State for Transport, Highways England hereby confirms that the A27 Arundel Bypass Scheme will be designed so as to ensure that access to Avisford Grange along the existing access road at Yapton Lane will be permanently retained.

In the event that Highways England needs to carry out any construction or mitigation works along the access road from Yapton Lane to Avisford Grange, Highways England hereby confirms that an alternative access will be provided to Avisford Grange for the duration of the construction or mitigation works.

The commitments set out above will not apply in the event that an alternative permanent access road from Tye Lane to Avisford Grange is consented and constructed.

Highways England trusts that this confirmation gives you sufficient certainty to enable you to proceed with your purchase of a property at Avisford Grange.

Yours faithfully





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

To: Arun District Council (FAO Case Officer: Michael Eastham)
michael.eastham@arun.gov.uk

CC:

Council's Reference: WA/63/21/PL

Location: Land East of Tye Lane Walberton BN18 0LU.

Proposal: Proposed alternative vehicular accesses off Tye Lane and emergency access off Avisford Park Road, along with minor highway works following WA/95/18/RES (resubmission following WA/93/20/PL). This site is CIL Zone 2 (Zero Rated) as other development.

Highways England Reference: 91820, #13721

Referring to the planning application referenced above received by Highways England on 29 June 2021, in the vicinity of the A27 at Walberton, West Sussex 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);~~

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

Highways Act Section 175B (covering new access to the SRN) is not relevant to this application.¹

HIGHWAYS ENGLAND (“we”) have 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 we work 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.

This represents Highways England’s formal recommendation (prepared by the Area 4 Spatial Planning Team) and is made available to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority disagree with any recommendation made under b), c) or d) above, the application must not be determined before they have:

- i) informed Highways England; and
- ii) consulted the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via

[REDACTED]

Signature: [REDACTED]	Date: 5 August 2021
Name: Kevin Bown	Position: Spatial Planning Manager
[REDACTED]	
Highways England: Bridge House, 1 Walnut Tree Close, Guildford, GU1 4LZ	

¹ Where relevant, further information will be provided within Annex

Annex A Highways England Recommended Conditions

We recommend that the following conditions be attached to any planning permission granted in connection with application WA/63/21/PL:

Condition: Strategic Road Network Improvements

1. Prior to bringing the development hereby permitted into use, the scheme of highways works forming the A27/Tye Lane junction improvements as shown on the Ardent Consulting Engineers drawing No. 183248-005 Rev D 'PROPOSED A27 / TYE LANE JUNCTION' dated June 2021 (or other such alternative scheme that may be agreed in writing by the local planning authority who shall consult Highways England) shall be completed and opened for use.

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.

Condition: Construction Management Plan

2. No works (including site clearance and/or preparation) shall commence on the development hereby permitted until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (who shall consult with Highways England). The construction of the development shall be carried out in accordance with the approved Construction Management Plan unless otherwise agreed in writing by the Local Planning Authority (who shall consult with Highways England).

Reason: To ensure that construction of the development does not result in avoidable congestion and disruption on the A27 Trunk Road, 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.

Informative:

This planning application is linked to the original planning application WA/44/17/OUT Land East of Tye Lane Walberton which was conditionally approved with a signed s106 agreement in place. Section 11 of the agreement relates to the contribution of £400k towards the scheme of works at the A27/A29 Fontwell Avenue Roundabout and Section 12 of the agreement referring to the additional scheme of works given in Schedule 6 which describes the necessary highway works to the A27 Yapton Lane right turn Lane. These are unaffected by this application WA/63/21/PL save for the following:

- In the event that the Arundel Bypass proceeds (option 5Bv1) and Tye Lane is disconnected from the A27 then the agreed works as shown on the Ardent Consulting Engineers drawing No. 183248-005 Rev D 'PROPOSED A27 / TYE LANE JUNCTION' dated June 2021 will be deemed unnecessary.
- In the event that the Arundel Bypass proceeds (option 5Bv1) and Tye Lane is disconnected from the A27 then the agreed contribution of £400k for the scheme of works at the A27/A29 Fontwell Avenue Roundabout shall be an alternative scheme of works that Highways England considers necessary

to achieve improvement at the junction in accordance with the s106 agreement.

- In the event that the Arundel Bypass proceeds (option 5Bv1) and Tye Lane is disconnected from the A27 and the agreed works as shown on the Ardent Consulting Engineers drawing No. 183248-005 Rev D 'PROPOSED A27 / TYE LANE JUNCTION' dated June 2021 are deemed unnecessary by Highways England as too are the agreed works on i-Transport's drawing number ITB11324-GA-014 Revision C "*Proposed extension to A27 Yapton Lane right turn*" dated 30/8/17 then the works costs of £180k will be contributed towards improvement of the A27 corridor in accordance with the s106 agreement.

1. Works affecting the Public Highway

Section 175(b) of the Highways Act 1980 (as inserted via The Infrastructure Act 2015) requires those proposing works affecting the public highway to enter into an agreement with the Strategic Highway Authority (Highways England). This development involves work to the public highway that can only be undertaken within the scope of a legal Agreement (s278) between the applicant and Highways England. Planning permission in itself does not permit these works. The works proposed to the public highway as part of this planning application (contained in conditions 1) will need to be completed in full and be maintained through the requisite defects period prior to formal adoption by Highways England.

It is the applicant's responsibility to ensure that before commencement of any works to the public highway, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the Spatial Planning Team, Highways England, Bridge House, 1 Walnut Tree Close Guildford, Surrey GU1 4LZ. Highways England switchboard [REDACTED]

[REDACTED]