

[REDACTED]

[REDACTED]

From: Bowie, David [REDACTED]
Sent: 17 September 2021 11:07
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Cc: Cleaver, Elizabeth [REDACTED] Bown, Kevin
[REDACTED] Planning SE [REDACTED] Jackson, Andrew
[REDACTED] Welby-Everard, Christopher [REDACTED]
[REDACTED] Kevin Markey [REDACTED] David
Howson [REDACTED]
Subject: RE: Alternative Access Tye Lane Walburton WA/63/21/PL

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.

Good morning Michael,

Thank you for providing National Highways (formerly Highways England) with the updated information related to drainage and highway matters to application no. WA/63/21/PL Land East of Tye Lane.

The drainage matters do not impact on the safe and efficient operation of the A27 Trunk Road at this location and therefore we have no comments on this aspect of the additional information.

In relation to the banned 'U – turn' at the A27 Yapton Lane junction, this matter was discussed between myself and the applicants consultants and it is agreed that this will be provided. This is a very minor matter of detail and would simply be tied into the agreed works forming the s278 agreement with National Highways once the detailed design is completed. The reason why it was not included in the recent Stage 1 Road Safety Audit was because the Audit concerned itself with the improvements at Tye Lane junction with the A27. The provision of some minor signage changes at A27 Yapton Lane can more than adequately be dealt with at Stage 2 Road Safety Audit should you be minded to grant consent and the scheme proceeds. The prohibition of the U turn movement does not require planning permission as it is normal works within the highway boundary and is accordingly classed as permitted development and in any event is covered by its own order making process.

With the above mentioned I conclude that there is no need for National Highways to change it's position in relation to this application and accordingly our substantive response of 4 August 2021 (attached) still remains valid.

I trust that the above clarifies our comments in relation to the further information provided and if you or the applicant wish to discuss the above further please contact me again and copy our Team inbox at [REDACTED]

Kind regards

David
David Bowie
Area 4 Spatial Planning Manager (Acting)
[REDACTED]

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

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

Please note that for the foreseeable future we are all working from home. All meetings will be via telephone, Skype or similar. We will continue to seek to work to our statutory and other deadlines. In case of IT or other issues, as a precaution, please copy all emails to [REDACTED] Thank you.

From: Michael Eastham [<mailto:Michael.Eastham@arun.gov.uk>]

Sent: 17 September 2021 08:38

To: Bowie, David [REDACTED]

Cc: Cleaver, Elizabeth [REDACTED]

Subject: FW: Alternative Access Tye Lane Walburton WA/63/21/PL

Importance: High

Dear David,

Please see the email below from the applicant to **WA/63/21/PL**.

I look forward to receiving Highways England's comments.

Kind regards,

Michael

From: John Longhorn [REDACTED]
Sent: 14 September 2021 11:23
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Cc: David Dodds [REDACTED] Claire Potts <Claire.Potts@arun.gov.uk>; Stephen Gee [REDACTED] Kevin Markey [REDACTED]
Subject: Alternative Access Tye Lane Walburton WA/63/21/PL

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

Further to our earlier conversation it was disappointing to hear that ADC are looking to issue a refusal based on a lack of further drainage and tree information in respect to Tye Lane. I did mention that it will take a little time to get further drainage comments, however, these are set out below. Given that it's a Tuesday then perhaps these can be evaluated today. Also attached is the approach that we would take from an arboricultural point of view as provided by CSA

Ardent said in relation to Lauras comments :

- *Comment 1 (Culvert invert level vs the foul pipe invert level):* As the foul pipe is part of the proposed works we have the ability to lower the foul pipe invert to provide greater clearance to the culvert. Given the downstream connection invert, we would be able to lower the proposed foul pipe by over one metre.
- *Comment 2 (Ability to deepen the watercourse given the constraints that exist):* Pending further investigation to determine the presence of tree roots, the supplied drawing demonstrates that from a levels perspective, the proposed culvert and ditch realignment can be achieved.
- *Comment 3a (The proposed cross-sections are narrower than existing, leading to a loss of capacity):* The proposed ditch bed width is 0.5m, this is only 88mm narrower than the existing bed width at the upstream end of the proposed works. Any loss of capacity is more than compensated for by the proposed deepening of the ditch and the resulting increase in cross-sectional area. This is evident in the table below which compares the existing and proposed cross-sectional areas in all three sections shown on drawing 183248-001:

Cross-section (ref. drawing 183248-001)	Existing Cross-sectional Area (m2)	Proposed Cross-sectional Area (m2)	Proposed % Increase in Cross-sectional Area
A-A	0.93	1.17	25.8%
B-B	1.25	1.85	48.0%
C-C	0.91	1.06	16.4%

Notwithstanding the above, it is worth highlighting that this ditch is not expected to convey a significant volume of water – it starts circa 130m north of the proposed access, does not receive any flow from Tye Lane (the bank top is consistently higher than the channel of Tye Lane), the land to the north and east does not drain to the ditch (the topographic survey demonstrates that ground levels fall consistently to the south, not towards the ditch), and finally, there is no observable outfall to the southern end of the ditch. The ditch is therefore isolated.

- *Comment 3b (Steep side slopes will lead to erosion and collapse):* The long term stability of the ditch will be considered during detailed design. If necessary for erosion protection, we would opt to use a proprietary slope stabilisation product which allows vegetation growth. One such solution is EnkaMat which has been used with great success on previous projects and promotes strong vegetation growth for permanent erosion protection.

- *Comment 3c (Works within the tree root protection areas):* [Insert advice from CSA]. If the further investigative works reveal the presence of significant tree roots within the area of the realigned ditch, we would recommend a lengthening of the culvert to avoid damage to the tree roots. This option would entail significantly less excavation.

CSA said:

- In respect of the ditch excavations works and the close presence of the TPO trees, we would recommend that exploratory air spade works are carried-out along the length of the ditch, under the supervision of the appointed arboriculturalist, particularly to the south of the proposed access to establish if any major roots are present within the extent of the proposed excavation.
- Once air spade exploratory works are complete, the extent of potential impacts can be thoroughly evaluated and any amends to the ditch proposals made accordingly or where root pruning is the only viable option, an approach agreed in partnership with the LPA tree officer and set-out in a detailed Arboricultural Method Statement.
- Once the final scheme is agreed, works to form the new ditch should continue to be undertaken through a combination of both air-spade works and hand-digging, all of which should be undertaken under the supervision of the appointed arboriculturalist.

As we have an extension of time until the 24th September this should be sufficient to resolve the above matters. If ADC drainage need further time or indeed further information then we can look at an extension of time.

Turning to the WSCC Highways comments. In their response WSCC stated that they required clarity in respect to para 4.2 of the Planning Statement. This was given and the applicants position is that because absolute certainty is required, then if consented, the proposal would be implemented during the course of construction of the 175 units which will be within the 5 year lifetime of the consent. Therefore, having discussed the WSCC Highways response of the 19th August last further with them, we would respond as follows:

1. Following further discussions with NH (National Highways – no longer Highways England (HE)) there was no requirement for a ban on U-turn movements at the A27/Yapton Lane junction, which is why this was not picked up in our proposals. The proposed improvements to A27 have been reviewed by NH and covered in a Stage 1 RSA, which has been accepted by NH.
2. The planning statement mentions that the application would not be implemented until the Arundel Bypass (Grey Route) was implemented. However, this is no longer the case, and the application is proposed to be implemented as soon as possible, disregarding the future status of the Arundel Bypass.

As a result I would be grateful if you would pass these comments onto WSCC Highways for them to comment on. Again their response should be relatively swift and well within the extension granted until the 24th September.

In the circumstances we would request that this further information be disseminated for further comment and I will give you a call once you are in receipt of this email to confirm

Kind Regards

John Longhorn
Planning Manager



This email is confidential and may be legally privileged. If you are not the intended recipient of this email and its attachments you must not copy, distribute, disclose or use them for any purpose. If you have received this email in error, please notify [REDACTED] and delete all copies from your system. Email communications cannot be guaranteed to be secure or free from error or viruses. Vistry Group accepts no liability for any loss or damage which may be caused by viruses. Opinions, conclusions and other information within this email unrelated to the business of Vistry Group are the responsibility of the individual sender. Vistry Group PLC is registered in England and Wales with registered number 306718. The registered office is 11 Tower View, Kings Hill, West Malling, Kent, ME19 4UY. You can view a copy of our privacy policy: <https://www.vistrygroup.co.uk/site-services/privacy/>.

<http://www.arun.gov.uk>

DX 57406 Littlehampton

You can view Arun District Council's Privacy Policy from <https://www.arun.gov.uk/privacy-policy>

Important Notice This e-mail is intended exclusively for the addressee and may contain information that is confidential and/or privileged. If you are not the intended recipient (or authorised to receive it for the addressee), please notify the sender and delete the e-mail immediately; using, copying, or disclosing it to anyone else, is strictly prohibited and may be unlawful. Any views, opinions or options presented are solely those of the author and do not necessarily represent those of Arun District Council. The information in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000, therefore we cannot guarantee that we will not provide the whole or part of this e-mail to a third party. The Council reserves the right to monitor e-mails in accordance with relevant legislation. Whilst outgoing e-mails are checked for viruses, we cannot guarantee this e-mail is virus-free or has not been intercepted or changed and we do not accept liability for any damage caused. Any reference to "e-mail" in this disclaimer includes any attachments.

This email may contain information which is confidential and is intended only for use of the recipient/s named above. If you are not an intended recipient, you are hereby notified that any copying, distribution, disclosure, reliance upon or other use of the contents of this email is strictly prohibited. If you have received this email in error, please notify the sender and destroy it.

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

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

Registered in England and Wales no 9346363 | Registered Office: Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ

Consider the environment. Please don't print this e-mail unless you really need to.



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);
- e) ~~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 [REDACTED]	Position: Spatial Planning Manager
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]