

Mr James Neave
West Sussex County Council
County Planning
County Hall
Chichester
PO19 1RH

Please ask for: James Cross
Email: james.cross@arun.gov.uk
Telephone: 01903 737784
Our Ref: BN/126/20/WS
Your Ref: WSCC/052/20
Date: 04 June 2021

Dear James

**Town and Country Planning Act 1990
The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 –
Regulation 25 – submission of further information and evidence respecting an environmental
statement**

I write to you further to your consultation received on 06 May 2021 for updated information submitted as part of the Regulation 25 submission, in support of the proposed development at Land to the north of Eastergate and north-west of Barnham.

Proposal *The construction of a 1.3km single carriageway with a 3m wide shared cycleway/footway, 2.5m wide central island, one uncontrolled pedestrian crossing with a central island to enable road users of the PRoW to cross the carriageway, three roundabouts, provision of hard and soft landscaping, road markings, traffic signals, bus stops and signalised pedestrian crossings, construction of a substation building; installation of a noise barrier and associated works.*

Site Address Land to the north of Eastergate and north-west of Barnham
Applicant WSP on behalf of West Sussex County Council
Reference WSCC/052/20
Date 28 October 2020

1. Background

- 1.1 The site comprises approximately 11.8 hectares in total and consisting of approximately 9.2 hectares of land for the proposed road and additional 2.6 hectares of land for use by temporary construction compounds and access.
- 1.2 The Local Planning Authority (LPA – Arun District Council) was consulted with and formal comments were submitted in respect of this application dated 03 December 2020.
- 1.3 These submitted comments had the benefit of being endorsed by the LPA's Development Control Committee Members and therefore represent views of the Council as a whole, and not just Officers.
- 1.4 Paragraph 4.4 of these comments concluded that:

Whilst the development is not fully in accordance with the development plan in so far as residential amenity, it is considered that on the whole, and on balance, the proposals accord with the Development Plan. The material considerations in this instance comprise biodiversity net gain, which is enshrined within the NPPF. However, it is not considered that this material consideration is of such weight at this time to warrant deviating from the

Development Plan. Therefore, Arun District Council supports the approval of this planning application subject to:

- 1) *Increased planting along the extent of the A29 to provide visual screening and better placemaking throughout the operational lifetime of the development; and*
- 2) *Additional information being provided to clarify the correlation between the junction design at Fontwell Avenue and the effect on traffic flows/congestion at the A27 junction*

1.5 We are not aware that (2) above has been concluded on the date of this response and we trust that Officers of the determining authority (West Sussex County Council) will ensure these points are addressed in their final report to Committee.

1.6 Following the submission of these comments, a Regulation 25 re-consultation was required owing to amended information being submitted in respect of application WSCC/052/20. The additional information namely relates to:

- 1) *Realignment of the red line boundary north of Fontwell Avenue in connection with the relocation of the electricity substation building;*
- 2) *Extension of the red line boundary to accommodate the relocation of the electricity substation building east of Fontwell Avenue; and*
- 3) *Amendments to the red line boundary at the Fordingbridge Industrial Estate (Halo) entrance to align with the site boundary*

1.7 The Environmental Statement has been revised as a whole to amend and update any conclusions in light of the amendments submitted.

1.8 For the purposes of brevity, the LPA does not repeat the comments and conclusions raised within their consultation response dated 03 December 2021; however, we still retain our position detailed in the earlier consultation, save for the updates detailed in this response.

2. Arun District Council Response in Relation to Updated Matters

1) Realignment of the red line boundary north of Fontwell Avenue in connection with the relocation of the electricity substation

2.1 We note that Figure 2-2 of the *WSP A29 Phase 1 Environmental Statement Addendum (May 2021)* reduces the overall extent of the area originally detailed as 'Amenity Grass Mix' in favour of use of asphalt concrete. This is as a consequence of relocating the electricity substation.

2.2 The use of a hard surfacing material and removal of soft landscaping is contrary to the Local Planning Authority's comments submitted on 03 December 2021; which sought to increase the green character of the area and minimise the potential urbanising effect that would occur with the delivery of the Phase 1 A29 re-alignment.

2) Extension of red line boundary to accommodate the relocation of the electricity substation building east of Fontwell Avenue

2.3 We note that that paragraph 2.3.1 and Figure 2-3 of the *WSP A29 Phase 1 Environmental Statement Addendum (May 2021)* relocates the electricity substation which will now occupy a more visible position at the junction of the Fontwell East Roundabout. This electricity substation would be readily appreciated when vehicles are giving way at the junction.

- 2.4 Such an approach is considered contrary to the Local Planning Authority's comments dated 03 December 2021, which sought to increase the green character of the area and minimise the potential urbanising effect that would occur with the delivery of the Phase 1 A29 re-alignment.
- 3) Amendments to the red line boundary at the Fordingbridge Industrial Estate (Halo) entrance to align with the site boundary
- 2.5 We note that paragraph 2.4.2 and Figure 2-6 of the *WSP A29 Phase 1 Environmental Statement Addendum (May 2021)* details that new boundary green mesh securing fence, to match the existing Halo fence, will be installed.
- 2.6 Vegetation forward of this will be low lying wildflower meadow grass mix that will likely be kept 1m or lower in order to achieve and retain sufficient visibility splays across this junction for vehicular traffic.
- 2.7 These amended boundaries which now comprise hard boundaries will dominate the green nature of this through route which will not assist in preventing the coalescence of the nearby settlements, as required by the Development Plan policies.
- 2.8 We therefore consider that the amendments would not deliver the aims of the strategic policies contained within the Arun Local Plan and is contrary to the Local Planning Authority's earlier comments submitted on 03 December 2021, as endorsed by the Development Control Committee.

Chapter 10 (Landscape & Visual) of the Environmental Statement

- 2.9 The Addendum to Chapter 10 of the originally submitted Environmental Statement (ES) assumes that the only areas of sensitivity are those Visual Receptors identified in the Landscape and Visual Impact Assessment underpinning Chapter 10 of the ES.
- 2.10 Whilst this approach is accepted, it does fail to take into account the cumulative impact of the re-aligned A29 and the importance of landscaping around the key junctions, to ensure a cumulative urbanising character does not result.
- 2.11 These Regulation 25 amendments affect 3 junctions which, across the entirety of the Phase 1 A29 re-alignment, will have a cumulative negative impact upon the visual amenity and subsequent character of the area.
- 2.12 However, we trust that the determining authority (WSCC) can weigh these factors appropriately having regard to their statutory duty under Section 38(6) of the Planning and Compulsory Purchase Act 2006.

3. Conclusions: Planning Balance

- 3.1 This assessment has specifically detailed that the proposed amendments submitted under Regulation 25 under the 2017 Regulations will result in greater adverse impacts upon visual amenity which will relate to the operational phases of the development. These cumulative impacts will be long term in nature.
- 3.2 Furthermore, the Regulation 25 submission has not addressed the shortfalls within Biodiversity Net Gain which was identified in our December 2020 response; however, the Local Planning Authority's position remains as set out in our earlier consultation response.
- 3.3 Notwithstanding these disbenefits, several public benefits will arise from the development which are considered, on balance, to outweigh the identified benefits. These benefits comprise:

- Enabling the delivery of new homes in the District of Arun supporting around 11,400 new dwellings and 104,000 sqm of commercial development on permitted or planned development sites in this part of Arun;
 - Improvement of vehicular, pedestrian and bicycle connections;
 - Improvement and expansion of the Green Grid to promote strategic east/west and north/south links;
 - Encouragement of walking and cycling;
 - Supporting the delivery of the Strategic Economic Plan and the Local Plan by enabling the delivery of new homes and jobs; and
 - Improvement of journey times on the A29 by avoiding the Woodgate level crossing, Lidsey Bends and the A29/B2233 War Memorial Junction;
 - Creation of a sense of place for the strategic allocation;
 - Enabling the delivery of new jobs; and
 - Improvements to road safety
- 3.4 All planning applications are assessed against the Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires *any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.*
- 3.5 Whilst the development is less in accordance with the Development Plan, in so far as residential and visual amenity, it is considered that on the whole, and on balance, the proposals accord with the Development Plan.
- 3.6 The material considerations in this instance comprise biodiversity net gain, which is enshrined within the NPPF. However, it is not considered that this material consideration is of such weight at the this time as to warrant deviating from the Development Plan.
- 3.7 Therefore, Arun District Council provides the following comments for the determining authority to consider:
- 1) *Increased planting and green screening along the extent of the A29 to provide visual screening and better placemaking throughout the operational lifetime of the development; and*
 - 2) *Additional information being provided to clarify the correlation between the junction design at Fontwell Avenue and the effect on traffic flows/congestion at the A27 junction*

Kindest regards,



James Cross Msc, Bsc (Hons), LCGI TP.
Strategic Sites Project Officer, Planning

T: 01903 737500 ext 37784

E: james.cross@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk

