WEST SUSSEX COUNTY COUNCIL **DATE: 15/5/2009**
INFRASTRUCTURE CONSULTATION

FROM: **Liam Riddy** **TO: Adur District Council**
FAO: Hannah Barker

SUBJECT: **ADC/159/09**

51 Freshbrook Road, Lancing

CoU and enclosure of land on north side with 1.2m high feather edge fencing sited 1m from rear of pavement.

CONSULTATION DATE: 22/4/2009

RECOMMENDATION:

Advice	X	**Modification**		**More Information**	
Objection		**No Objection**		**Refusal**	

S106 contribution: £ N/A

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals which include up to 5 residential units or extensions to single units accessed from roads that do not form part of the Strategic Road Network (SRN). As such the comments provided by Local Development should be considered to be advice only, with respect to this planning application.

West Sussex County Council was consulted previously on Highway Matters for this location under planning application no. ADC/361/08 to which highway objections were raised due to the position of the fence within the publicly maintainable highway.

This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. A site visit can be arranged on request.

From inspection of the plans, it appears that the proposed fence still encroaches on the publicly maintainable highway, and also encloses highway land. As stated previously, highway land must not be enclosed prior to the successful completion of a Stopping Up Order. The effect of a Stopping Up Order would be to extinguish highway rights over this land, and the applicant is advised to contact the Government Office for the South East to obtain the necessary paperwork to enable the process to commence. If the land is enclosed before the Stopping Up Order is granted, the Highway Authority may undertake enforcement action to remove any permanent enclosures that may have been erected.

Liam Riddy
Local Development