WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Adur & Worthing Councils FAO: Jo Morin
FROM:	Highways, WSCC
DATE:	16/12/2024
LOCATION:	5 Teign Walk, Worthing, BN13 3LR
SUBJECT:	AWDM/1499/24 Proposed change of use of verge to the east (alongside footpath in Colne Close) to become residential garden space enclosed by a 1.8 metre high close boarded timber fence.
DATE OF SITE VISIT:	N/A
RECOMMENDATION:	Advice
S106 CONTRIBUTION TOTAL:	N/A

This application has been dealt with in accordance with the Development Control Scheme protocol for small scale proposals.

This application seeks the proposed change of use of verge to the east (alongside footpath in Colne Close) to become residential garden space enclosed by a 1.8 metre high close boarded timber fence.

The applicant is advised that the land proposed to be incorporated is currently maintained as public highway. For this land to be incorporated into the site, the highway rights need to be formally removed by way of a Stopping-Up Order. This is controlled by Section 247 of the Town and Country Planning Act and would be subject to a separate process administered by the Department for Transport's National Casework Team. The Highway Authority along with other statutory undertakers and interested parties would be consultees in this process.

In regards to the adjacent footpath, a minimum width of 2m would be required to be retained, to ensure sufficient space for two pedestrians to pass one another. A measure of the plans would suggest that a footway width of 2m is to be retained, although the LPA are requested to confirm this.

A new replacement dropped kerb is proposed to facilitate access to the site. From inspection of WSCC mapping, there does not appear to be any visibility issues with the proposed point of access on to the maintained highway. The proposed access works, including closure of the existing, would be subject to a licence obtained through the local WSCC Highway Area Office and constructed to a specification agreed with the local WSCC Highway Area Engineer.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following informatives should be applied:

Stopping Up Order
The applicant is advised that the existing public highway to be incorporated into the development must be the subject of a Stopping Up Order. This process must be successfully

completed prior to any highway land being enclosed within the development. The applicant should contact the Department for Transport's National Transport Casework Team in order to commence this process:

National Transport Casework Team
Tyneside House
Skinnerburn Road
Newcastle Business Park
Newcastle upon Tyne
NE4 7AR
https://www.gov.uk/government/publications/stopping-up-and-diversion-of-highways

Vehicle Crossover – Minor Highway Works
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

Additional information about the licence application process can be found at the following web page:
http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways-licence/

Kyran Schneider
West Sussex County Council – Planning Services