Expiry Date - 22/05/2024

Development Control – Delegated Officer Report

Application Number: AWDM/0546/24 Recommendation – APPROVE

Site: Sussex Police Authority Custody Suite Centenary House Durrington Lane Worthing

Proposal: Non material amendment to approved AWDM/0945/23 access to facilitate an enlarged traffic island.

Neighbour notifications: None undertaken

Site and Surroundings

The Sussex Police Custody Centre and Police Station are on the north side of Littlehampton Road, west of Durrington Lane. They sit on the same plot and to the west of Centenary House. There is an extensive car park between the buildings. Littlehampton Road (A2032) is a dual carriageway with the north lanes east bound only. Vehicle access to the site is currently shared with Centenary House and is off Durrington Lane.

On the Littlehampton Road frontage is a grass sward with many protected trees (92/00025/TPO refers). There are trees protected under the same TPO on the western site boundary. Pedestrian access to the custody suite exists from Littlehampton Road.

The site is not in a conservation area and is not listed. It is in an Air Quality Management Area and is a potential site of archaeological interest. Centenary House is identified in the new Local Plan as Site Allocation A3 which indicates it can provide for 10,000sqm of employment floorspace and indicatively 250 dwellings.

The site falls within Flood Zone 1 but reference to Site Allocation A3 Centenary House states that the wider site is within an area considered to be at high risk of groundwater flooding and likely to be at a higher risk from surface water flooding.

Approved scheme

An application by West Sussex County Council and Sussex Police for full planning permission to provide the Sussex Police Custody Centre with a separate vehicle access to the car park from Littlehampton Road was granted under AWDM/0945/23 in January this year.

The approved access will be sited 25m to the East of the Custody Centre and South of the Police Station (located in-between Centenary House and the Custody Centre) and involves the relocation of an existing brick-built gas meter building within the highway verge.

The approved new access layout shows an in/out arrangement with a 2.7m long splitter/refuge island across a bell-mouth junction with dropped kerbs and tactile paving connecting the existing shared footway/cycleway that runs alongside the edge of the Littlehampton Road carriageway.

Proposed Amendments

The current application seeks a Non Material Amendment to the layout design of the proposed access to create a wider splitter/refuge island, now with a nominal minimum length of 4.2m. The amendment is necessary to ensure that the island is suitably sized to be used by all types of cyclist in accordance with the design standards set out in LTN1/20 [Local Transport Note – Cycle Infrastructure Design] paragraph 10.4.7 which requires a minimum island length of 3m in the direction of travel of the cyclist.

The revised layout has been subject to a Stage 2 (Construction Phase) Road Safety Audit.

Consultations:

National Highways: No objection.

West Sussex County Council: The Local Highway Authority has not objection commenting that the minor change to the refuge island width [length] has been discussed and agreed between officers at WSCC Highways.

Representations: N/A

Relevant Planning Policies

Worthing Local Plan policies (WBC 2023): SP1, DM5, DM15, DM19
National Planning Policy Framework (DLUHC 2023)
National Planning Practice Guidance

Planning Assessment

Section 96A of the Act allows a non-material amendment to be made to an existing planning permission. There is no statutory definition of ‘non-material’. This is because it is so dependent on the context of a particular scheme – what may be non-material in one context may be material in another. In order to grant an application a local planning authority must be satisfied that the amendments sought are non-material.

In assessing applications for a non-material amendment the Government’s National Planning Practice Guidance states that the local planning authority must have regard to the effect of the change, together with any previous changes made under s.96A.

As this is not an application for planning permission s.38 (6) of the Planning Act 2004 does not apply. However, the extent to which the proposed amendments comply with the relevant Development Plan policies is a material consideration.

The key consideration relates to highway safety.

The proposal consists of a minor adjustment to the design of the new access, in particular the size of the 'splitter' island separating the 'in' and 'out' lanes. The approved layout was found to be sub-standard in relation to LTN 1/20 and the proposed amendment is necessary for the safety and convenience of cyclists using the shared footpath/cycleway in providing for a larger refuge area when crossing the new site access/egress. The length of the proposed splitter/refuge island will now exceed minimum requirements.

There are no other impacts arising from the proposed adjustment to the layout, for example, relating to trees or BNG.

Recommendation

APPROVE the non-material amendments in accordance with the application and accompanying plans. For the avoidance of doubt these plans comprise:-

XX-DR-LP-0100-101 P04
XX-DR-LP-0100-102 P03
XX-DR-LP-0100-103 P03

Which can be substituted for:-

183.0002.001 REV F
183.0002.002 REF F
183.0002.007 REV F

Informative

1. PROACTIVE NO AMENDMENT

Is recommendation contrary to letter(s) of representation? N

Case Officer: Jo Morin Date: 20.05.2024

Authorised by: Gary Peck Date: 20 May 2024