# WEST SUSSEX COUNTY COUNCIL CONSULTATION

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| **TO:** | Adur & Worthing Councils<br>FAO: Hannah Barker |
| **FROM:** | Highways, WSCC |
| **DATE:** | 19/07/2024 |
| **LOCATION:** | 7 Blackpatch Grove, Shoreham-By-Sea, BN43 5GT |
| **SUBJECT:** | AWDM/0530/24<br>Proposed two storey side extension with single storey rear extension. Retrospective consent for side and front fences and enclosure of land within garden area. |
| **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 erection of a two-storey side extension and single-storey rear extension, with retrospective consent for side and front fences and enclosure of land within garden area. Following an inspection of the submitted application documents, the proposed extensions would not be anticipated to give rise to a highway safety concern.

I note part of the land to the rear of the site that is to be enclosed is 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. There is no guarantee that this process would be successful.

The comments made here would not necessarily constitute the Highway Authority's formal position regarding any future stopping up. An informative note with additional information of this process is included at the bottom of this document.

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 115), and that there are no transport grounds to resist the proposal.

If the LPA are minded to approve the application, the following informative 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

**Kyran Schneider**
**West Sussex County Council – Planning Services**