



**WEST SUSSEX COUNTY COUNCIL**  
**(A284 LYMINSTER BYPASS (NORTH))**  
**COMPULSORY PURCHASE ORDER 2020**

**STATEMENT OF REASONS**

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## **1.0 INTRODUCTION**

- 1.1 This document is the Statement of Reasons of West Sussex County Council for the making of a Compulsory Purchase Order entitled 'West Sussex County Council (A284 Lyminster Bypass (North)) Compulsory Purchase Order 2020' ('Compulsory Purchase Order').
- 1.2 On 10 of July 2019, West Sussex County Council resolved to make the Compulsory Purchase Order to facilitate the construction of the A284 Lyminster Bypass (North).
- 1.3 The Compulsory Purchase Order, made by the County Council under sections 239, 240, 246 and 250 of the Highways Act 1980 and the Acquisition of Land Act 1981, would, if confirmed by the Secretary of State, facilitate compulsory acquisition of the land and new rights required that will be needed for the Bypass Scheme.

## **2.0 DESCRIPTION OF THE ORDER LANDS**

- 2.1 The Order Lands are shown on the Order Map and are located to the east of Lyminster village. South of the Order Lands lies the North Littlehampton development and to the north is the existing A284 and its junction with the A27 at Crossbush with Arundel beyond. The South Downs National Park lies approximately 1km from the northern end of the proposed scheme to the north of the A27.
- 2.2 Full details of the Order Lands appear in the Schedule to the Compulsory Purchase Order but in summary, they are comprised of predominantly arable and grazing land with a footprint of approximately 9.44ha which includes all land required temporarily for site compounds, access and working space in addition to the land required permanently for the A284 Lyminster Bypass Scheme. The topography across the Order Lands is generally level with gentle slopes falling to the low points of the two watercourses that traverse the land. Only in the south is there an abrupt change in level marking the limit of the existing floodplain.

The Order Lands are divided by the Black Ditch, a main river which flows east to west before outfalling into the tidal River Arun. The Black Ditch is affected by both tidal and fluvial flooding and much of the land to the south of this watercourse is located within its floodplain, classified as flood zone 3 by the Environment Agency.

To the north of Black Ditch lies arable land which is formed of two large fields bordered by mature hedgerows and trees and separated by Definitive Public Bridleway number 2163. A row of mature poplar trees marks the northern limit of the arable land beyond which are fields used for grazing cattle. Brookfield Stream, an ordinary watercourse which flows east to west before outfalling into the tidal River Arun forms the boundary between the cattle field and the private garden which is part of the Brookfield Estate. Brookfield Stream is also subject to flooding which predominantly affects land to the south.

South of Black Ditch is grazing land used by horses which is bisected by mature banks of hawthorn and bramble running north-south. To the south of the grazing land, the land rises

steeply marking the limit of the Black Ditch floodplain and the start of the North Littlehampton development area.

- 2.3 Details of the known interests and rights to be acquired are listed in the Schedule to the Compulsory Purchase Order. This Schedule has been prepared based upon the information gathered through a robust land referencing exercise comprising inspection of Land Registry title documents, site inspections and the responses to the requisition notices issued by the County Council.

### **3.0 USE OF ENABLING POWERS**

- 3.1 The Highways Act 1980 empowers West Sussex County Council (“the County Council”) to compulsorily acquire land and rights over land which it requires to construct and improve the highway;

- Section 239 of the Highways Act 1980 provides a general power for a highway authority to acquire land for the construction of a highway which is to be maintainable at the public expense or to acquire land for the improvement of a highway
- Section 240 of the Highways Act 1980 provides a further general power for a highway authority to acquire land for the purposes of carrying out works to stop up, divert or alter an existing highway that crosses or enters the route of the road and to construct a new highway for purposes concerned with such alteration as authorised under Section 14 of the Act.
- Section 246 of the Highways Act 1980 provides a power for a highway authority to acquire land for the purposes of mitigating any adverse effect the new highway has or will have on the surroundings of the highway.
- Section 250 of the Highways Act 1980 provides a highway authority land acquisition powers to extend to creation as well as acquisition of new rights

- 3.2 West Sussex County Council is using its powers under the Highways Act 1980 because it is not certain that it will be able to acquire all the land and new rights required by agreement although efforts are being and will continue to be made in parallel with the compulsory purchase order process.

- 3.3 The land to be acquired is shown coloured pink on the Compulsory Purchase Order map. The land over which new rights are required is shown coloured blue on the Compulsory Purchase Order map.

#### **4.0 REASON FOR THE PROPOSED ACQUISITION**

- 4.1 Arun District lies on a strategic coastal transport corridor; the A27 trunk road, A259, and A29 pass through the district, while the A284 and the A280 are important links between the A259 and the A27. The existing infrastructure deficit along the coast is widely considered by local businesses to contribute to poor economic performance in Arun.
- 4.2 Littlehampton, together with Rustington, East Preston, Kingston and Angmering make up the urban area east of the River Arun. The A284 provides north-south access to numerous residential, employment and retail sites within Littlehampton and the surrounding areas.
- 4.3 Traffic using the route often experiences congestion and delays, especially during peak times. This creates noise and poor air quality for residents. Businesses are also discouraged from locating to the Littlehampton area.
- 4.4 A new housing and commercial development is planned north of Littlehampton. The Arun Local Plan recognises that expected development will worsen the issues. If these issues are not addressed, the positive impacts of increased access to new homes and jobs may not be achieved.
- 4.5 The proposed Lyminster Bypass (North) forms the northern section of a new north-south road link between the A27 Crossbush Junction and the B2187 East Street / Fitzalan Road roundabout in Littlehampton intended to improve north – south access to and from Littlehampton. It is directly linked to the provision of 1,260 new homes and 700 new jobs. The new route will also provide safety benefits and reduce congestion through Lyminster village whilst improving journey time reliability due to avoidance of the Wick level crossing and the Lyminster bends which suffer from a poor accident record of 16 recorded injury accidents in 5 years to 31 December 2019 including 3 serious injuries and 1 fatality.
- 4.6 The case for the scheme is supported by a strong policy framework. East Arun is in a priority location in Coast to Capital’s Strategic Economic Plan and the scheme will contribute to achieving several objectives that align with the strategic aims of West Sussex County Council and Coast to Capital Local Enterprise Partnership (LEP).
- 4.7 The Compulsory Purchase Order will enable West Sussex County Council to acquire the land and rights in the land necessary for the construction and maintenance of the proposed A284 Lyminster Bypass Scheme. The wider extent of land acquisition allows scope to mitigate the impact of the proposed A284 Lyminster Bypass Scheme. This includes land required for landscaping, drainage and ecological habitat connectivity. Land shown as needing to be temporarily acquired is intended to facilitate construction works, site compounds and access.

## **5.0 STATEMENT OF JUSTIFICATION FOR COMPULSORY PURCHASE**

### **5.1 Human Rights Considerations**

- 5.1.1 Government guidance states that a compulsory purchase order should only be made where there is a compelling case in the public interest, and Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with rights protected by the European Convention on Human Rights (ECHR). Acquiring authorities therefore need to be sure that the purposes for which they are making such an order justify interfering with the human rights of those with an interest in the affected land.
- 5.1.2 In making this assessment, an acquiring authority should have regard, in particular, to the provisions of Article 1 of the First Protocol and Article 6 of the ECHR and, where appropriate, Article 8.
- 5.1.3 Article 1 of the First Protocol relates to the peaceful enjoyment of possessions, and states that “...no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law...” Whilst occupiers and owners in the Order Land may be deprived of parts of their property if the Order is confirmed, this would only be done in accordance with the statutory provisions of the Highways Act 1980 and Acquisition of Land Act 1981, which enable the acquisition of the land and interests, and compensation will be payable under the provisions of the Land Compensation Act 1973.
- 5.1.4 The European Court of Human Rights has stated in the context of Article 1 that “regard must be had to the fair balance that has to be struck between the competing interests of the individual and the community as a whole”. Both public and private interests would be taken into account in the exercise of the County Council’s powers and duties.
- 5.1.5 Article 6 of the European Court of Human Rights provides that in determining their civil rights and obligations everyone is entitled to a fair and public hearing. The proposals have been extensively publicised and consultation has taken place with the local community and interested parties. All those affected by the Order will be formally notified and will have the right to make representations and/or objections to the Secretary of State for Transport and to be heard at a public inquiry, subject to the Inquiry Procedure Rules. This statutory process and the associated rights for those affected to pursue remedies in the High Court or Upper Tribunal (where relevant) comply with Article 6.
- 5.1.6 Article 8 of the European Court of Human Rights relates to the right to respect for one’s private and family life and their home. However, where interference is in accordance with the law, pursuing a legitimate aim, fair and proportionate, as well as being necessary in a democratic society, it may be justified. For the reasons mentioned in Section 4 above, the County Council considers that any interference that may occur with the making and implementation of the Order are justified having regard to the public benefit that the scheme will bring and so will fall within these exemptions.
- 5.1.7 In pursuing the Order, the County Council has fully and carefully considered the balance to be struck between the effect of acquisition of land on individual rights and the wider public interest in the construction of the proposed bypass. Interference with rights, as set out in

the European Convention of Human Rights, have been considered by the County Council to be justified in order to secure the environmental and public benefits which the scheme will bring. The County Council has sought to minimise the amount of land being acquired through third parties and will only exercise its powers under the Order in the event that negotiations with them are not successful or cannot be achieved within the necessary timescales.

- 5.1.8 In conclusion, therefore, the County Council is confident that there is a clear public need for and benefits to providing the A284 Lyminster Bypass, which is supported by spatial planning and transport policy and evidence. The interference with the human rights of those parties with an interest in the Order Land is justified in the public interest and the use of compulsory purchase powers is proportionate. In the event that objections are made a public inquiry may be held and those whose interests are affected by the Order may, if confirmed, be entitled to compensation as provided by law.

## **5.2 Sources and timing of funding**

- 5.2.1 The estimated cost of the Bypass, being £21.634m will be met through contributions from the Coast to Capital Local Enterprise Partnership and secured local developers' contributions with the County Council being required to fund the remaining finance, unless further 3<sup>rd</sup> party funding can be obtained.

- 5.2.2 The budget identified in the County Council's Capital programme for the A284 is £21.634m as approved by the Full Council on 14<sup>th</sup> February 2020 the total scheme cost is made up of:

- £1.123m from developer S106 contributions which have been paid to the Council.
- £1.652m from developer S106 contributions which have been secured by agreement but the trigger for payment is yet to be reached,
- £0.986m from developer S106 contributions have been identified from future Local Plan development sites that are forecast to become available to spend on the scheme.
- The Council will allocate capital funding in advance of S106 receipts in the short term until all S106 monies are received.
- £3.000m is to be funded by the Coast to Capital Local Enterprise Partnership,
- £14.873m is being funded by The Council.

## **5.3 Impediments to the scheme**

- 5.3.1 There are no impediments to the scheme. Planning consent for this scheme has been granted and the decision published on 9<sup>th</sup> May 2019, as set out in Section 8 below.

- 5.3.2 The scheme will require traffic regulation orders and statutory consultations as set out in section 16 below, but the County Council is confident that no technical issues will arise that would impede delivery of the scheme

## **6.0 A STATEMENT JUSTIFYING THE EXTENT OF THE SCHEME TO BE DISREGARDED FOR THE PURPOSES OF ASSESSING COMPENSATION IN THE 'NO-SCHEME WORLD'**

- 6.1 The construction of Lyminster Bypass (South), to the south of the proposed scheme, is being delivered by a developer and has been approved under an Outline Planning Application (reference LU/47/11) followed by a Reserved Matters application (reference LU/278/17/RES). This section will be constructed prior to and at the same time as the A284 Lyminster Bypass (North). The 'no scheme' scenario is therefore the consented developer layout as opposed to the existing road layout at the time that the Order is made. The developer scheme includes the provision of a roundabout and associated 50m northern arm which forms the tie point to the A284 Lyminster Bypass (North).
- 6.2 The developer scheme is available to view on the Arun District Council planning website under reference LU/278/17/RES.
- 6.3 Consideration should also be given to the extent that traffic levels on the existing road would increase as a result of the development that is proposed, but does not form part of the scheme.

## **7.0 THE PROPOSED SCHEME**

- 7.1 The proposed bypass commences from a point approximately 600m south of the A27 Crossbush junction. The scheme comprises an improvement of the existing A284 through realignment and construction of a new highway. However, resurfacing is proposed for approximately 200m north of the commencement point as part of the noise mitigation proposals. The proposed bypass would then connect to the southern section of the bypass which is currently being constructed as part of the mixed use North Littlehampton development to the south.
- 7.2 The scheme would comprise a new 7.3m wide carriageway with 1.0m hard strips either side. A 3m wide shared cycleway / footway would run from the northern end of the scheme along the west side of the carriageway to reach a signalised Pegasus crossing. The Pegasus crossing would provide a safe crossing point for cyclists, pedestrians and equestrians in addition to ensuring the continuity of the existing bridleway number 2163 between Lyminster and Poling. From the crossing, the shared cycleway / footway would continue southwards down the east side of the proposed road to link to similar facilities further south and continuing on into Littlehampton. A 2.5m grassed verge would be provided on the opposite side of the carriageway apart from along the length of the viaduct (see paragraph 7.4 below) . A T-junction would link the existing A284 (to be downgraded) to the new road. The bypassed section of the existing A284 south of Brookfield Stream is intended to be downgraded to a B class road. The road will remain open as a through road in order to provide continued access to the bypassed parts of Lyminster Village.
- 7.3 The proposed bypass would have a speed limit of 50mph reducing to 40mph towards the northern end in order to match the existing 40mph speed limit in this location. At the southern end, the speed limit would reduce to 30mph on the approach to the roundabout



which is due to be constructed as part of the Lyminster Bypass (South) works. This change in speed limit would be just beyond the limit of the proposed scheme.

- 7.4 From the southern end, the proposed bypass would be built at approximately the existing ground level until it reached the southern limit of the Black Ditch flood plain. From this point, the bypass would be constructed on a 225m long viaduct which would span the entirety of the Black Ditch flood plain. At the northern extent of the flood plain, the road would continue on an embankment. The proposed road would be above the existing ground level until reaching the location of the Pegasus crossing where levels approximately match the existing. From the crossing heading north, the road would be in a slight cutting before reverting once more to an embankment as it passed the new junction with the existing A284 and crosses Brookfield Stream.
- 7.5 The proposed viaduct is a continuous structure which carries the new Bypass over Black Ditch, a watercourse subject to periodic flooding. This is a concrete beam and slab construction supported upon piers with piled foundations.
- 7.6 Black Ditch and its associated floodplain would therefore be spanned with a viaduct. Brookfield Stream would be crossed with a replacement enlarged and extended culvert. Surface water run-off from the proposed bypass would drain into these two watercourses with attenuation provided to restrict the rate of discharge of the surface water to Greenfield run-off rates. South of Black Ditch, cellular storage would be used as attenuation and prior to discharge into Black Ditch, this surface water run-off would pass through a wetland area located to the east of the viaduct. This feature would improve water quality both by removing suspended particulates and through microbial neutralisation of contaminants, with the added benefit of encouraging biodiversity. The section of road north of Black Ditch up to the Pegasus crossing would drain into a swale (a wide shallow ditch) running along the eastern side of the proposed road achieving both attenuation and water quality objectives. From the Pegasus crossing to Brookfield Stream, surface water would discharge to a swale and into a dry balancing pond located to the east of the road prior to draining into the watercourse. Surface water from the section of road north of Brookfield Stream would discharge directly into the watercourse as is the current situation.
- 7.7 Limited street lighting would be required for safety reasons in the vicinity of the junction with the existing A284 and the Pegasus crossing with further lighting along the southern section on the approach to the roundabout constructed as part of the North Littlehampton Development.
- 7.8 Ecological mitigation would form part of the scheme with badger crossings, additional water vole habitat, bat and bird boxes.
- 7.9 Noise mitigation measures are proposed. These would include a 2.5m high noise fence to be constructed from the existing Bridleway along the road to the new junction and back towards the boundary with Wolstanton House. It would also be the intention to surface the proposed road in a low noise surface along its entire length. This surfacing would continue beyond the extent of the new road up to the Brookfield Estate property.

- 7.10 The scheme would require the removal of some trees but a landscaping scheme would form part of the proposals with new trees planted where appropriate and over 2km of hedging used to delineate field boundaries.
- 7.11 The realignment of the existing A284 to connect to the proposed road would require the relocation of a bus stop which is presently situated outside Wolstanton House. The bus stop would be moved further into Lyminster Village approximately mid-way between the Lyminster Road bends.
- 7.12 Future maintenance access to the proposed structures will in the main be from the proposed bypass. However, it is also intended that access to the proposed structures and the wetlands area will be provided by an access route along Woodcote Lane which links to the A284 at the junction with Six Bells Public House.

## **8.0 PLANNING POSITION**

- 8.1 A Full Planning Application (reference WSCC/049/18/LY) was made under Regulation 3 of the Town and Country Planning Act for the A284 Lyminster Bypass (North) on 23<sup>rd</sup> November 2018. It was determined at the West Sussex Planning Committee on 26<sup>th</sup> March 2019 when approval to the scheme was granted. Following a request for call-in to the Secretary of State which was declined, the planning decision was published on 9<sup>th</sup> May 2019.
- 8.2 Under Part 2 Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, a Screening Opinion was requested as following an appraisal against Schedule 2 of the EIA regulations, the proposed scheme was considered to fall under Schedule 2, Part 10f (construction works). However, in this instance, the screening opinion determined that no Environmental Impact Assessment was required.

## **9.0 INFORMATION RELEVANT TO GOVERNMENT POLICY STATEMENTS**

### **9.1 National Planning Policy Framework (NPPF)**

This provides the planning policy framework within which local development plans are prepared. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and this is reflected in the policy approach within the Framework.

The NPPF sets out a range of core planning principles of which the following are particularly relevant to the A284 Lyminster Bypass scheme.

- Promoting Sustainable Transport – the NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health. The Lyminster Bypass is linked to the provision of 1260 houses and 700 new jobs. It also creates improvements to the existing road network,

reducing congestion through Lyminster village and improving safety together with enhancing non-motorised user facilities.

- Meeting the Challenge of Climate Change, Flooding and Coastal Change – the Flood Risk Assessment which supports the proposed bypass, demonstrates that with the inclusion of all design measures, the risk of flooding from all sources as a result of the scheme is negligible.

Conserving and enhancing the natural environment – The NPPF seeks to ensure that impacts on biodiversity are minimal and where possible net gains in biodiversity are achieved. The Ecological Impact Assessment for the proposed scheme concludes that with the identified ecological mitigations, there will be no significant adverse effects on habitats or protected species within the survey with the exception of barn owls which will be significantly but temporarily affected in the short term, although mitigation will limit the effects to the site scale as opposed to a wider area.

## **9.2 West Sussex Transport Plan 2011 – 2026**

The West Sussex Transport Plan 2011-26 guides the development of highways and transport infrastructure in the county identifying key transport issues including road congestion during peak hours, inadequate provision of pedestrian and cyclist facilities and more specifically, the level crossing at Wick which causes delay between the A27 and Littlehampton. It aims to improve the quality of life for West Sussex residents by: promoting economic growth; tackling climate change; providing access to services, employment and housing; improving safety, security and health. The A284 Lyminster bypass is identified in the Transport Plan as part of the Highways and Transport infrastructure to be included in West Sussex's investment strategy and would contribute to all aims of the plan.

## **9.3 Arun District Council Local Plan (2011 – 2031)**

The Arun District Local Plan was recently adopted in July 2018 after an extensive consultation period. The route of the Lyminster Bypass is safeguarded under Policy T SP3 (Safeguarding the Main Road Network). This policy seeks to ensure that schemes necessary to enhance the strategic and supporting road network within the district can be carried out, by protecting them from development. The route was also safeguarded in the previous Arun Local Plan 2003 – 2011 under Policy DEV15 and adopted by the County Council as an approved highway line on 11<sup>th</sup> September 1992 (Ref H+T Committee Minute No. 98 (3)).

## **9.4 Littlehampton Neighbourhood Plan**

Policy 19 the Littlehampton Neighbourhood Plan supports the long term commitment of the County Council to deliver a bypass for the village of Lyminster together with Arun District Council's safeguarding of the route.

## **10.0 SPECIAL CONSIDERATIONS**

Not Applicable

## 11.0 MINING CODE

Not included

## 12.0 DETAILS OF SCHEME IMPLEMENTATION CONSTRAINTS

- The scheme is dependent on the construction of Lyminster Bypass (South), to the south of the proposed scheme, being delivered by a developer. Construction for Lyminster Bypass South commenced construction on the 6th January 2020. Due to Covid-19 Pandemic restrictions the scheme stopped construction on the 25<sup>th</sup> March 2020 restarting on the 22<sup>nd</sup> June 2020. Work is now progressing well and as such the Lyminster Bypass (South) is not viewed as an impediment to this scheme.

As part of the Planning Consent (reference WSCC/049/18/LY) specific Pre-Commencement Conditions are required to be discharged before development shall be carried out.

- Condition 4. Construction Environmental Management Plan (CEMP) to be approved by Council Planning Authority. CEMP to include mitigation/enhancement measures set out in the Ecological Impact Assessment (Section 8, and Section 6 of Appendix J) and Arboricultural Method Statement (Appendix A to the Detailed Arboricultural Report) This is currently being drafted.
- Condition 5. Construction Management Plan (CMP) to be approved by Council Planning Authority. Council to consult with Highways England. This is currently being drafted.
- Condition 6. Archaeological Written Scheme of Investigation (WSI) to be approved by Council Planning Authority. This is currently being drafted.

Following the discharge of these conditions certain consents and licences will be required. A list of these is provided below.

- Environmental Permits are required from the Environment Agency for flood risk activities (previously known as A Flood Defence Consent) for works near Black Ditch (for works near a main river, on or near a flood defence structure, in a flood plain.) The modelling and design of the works have been undertaken in line with Environment Agency standards and advice. The application for the Environmental Permits has been discussed with the Environment Agency. One application has been submitted to the Environment Agency and approved, with two others due for submission. The Compulsory Purchase Order will not be confirmed by the Secretary of State for determination until final approval by the Environment Agency is given.
- Environmental Permit from the Environment Agency for Water Discharges for any temporary discharges of effluent to a watercourse or groundwater, that is likely to be contaminated. (Discharges into Black Ditch, if any, will not be contaminated but other

factors including duration could make this permit a requirement). Black Ditch is not a navigable watercourse and therefore a bridge order for the purposes of Section 106 (3) of the Highways Act 1980 is not necessary

- Natural England Licences for works affecting protected species
- Ordinary watercourse consents from West Sussex County Council and Arun District Council in relation to works impacting on Brookfield Stream (works impacting an ordinary watercourse)
- Section 61 of the Control of Pollution Act 1974 consent if requested by the local authority (to be confirmed following discharge of CEMP)

A side roads order under Sections 14 and 124 of the Highways Act 1980 is necessary to secure the removal of 2 private accesses (to be replaced by 1 new means of access combined with access rights on a freehold title) and the removal of 2 vehicular rights of way accesses along a public bridleway (to be replaced by the creation of 2 new means of access) in order to create the proposed Lyminster Bypass (North). The side roads order known as 'The West Sussex County Council (A284 Lyminster Bypass (North) Classified Road) (Side Roads) Order 2020' was advertised on XX and notifications to the relevant landowner (s) were sent on XX. A copy of the *SRO* and associated documentation as required under Sections 14 and 124 of the Highways Act 1980 has been submitted to the Secretary of State with the documentation for this Compulsory Purchase Order for the proposed Lyminster Bypass (North) for determination.

Discussions with the relevant bodies have been established and liaison is ongoing to ensure the relevant consents and licences are addressed and secured for the scheme to proceed. It is considered that there will be no impediment to gaining these consents and therefore to the scheme being delivered.

A search has been undertaken for historic, recent and extant planning permissions affecting the scheme. It can be concluded that there are no planning applications, including small householder applications that are considered to affect the ability for the scheme to be implemented.

It is confirmed that there is no land to be acquired for the purposes of the Compulsory Purchase Order as defined under Part 3 of, and schedule 3 to, the Acquisition of Land Act 1981 nor is there any consecrated land or special category land.

There are no existing tree preservation orders on any of the trees that will be removed as part of the construction of the proposed Lyminster Bypass (North)

### **13.0 VIEWS OF GOVERNMENT DEPARTMENTS**

13.1 The A284 Lyminster Bypass (North) accords with central government aspirations to promote economic regeneration as it is directly linked to the provision of 1,260 new homes and 700 new jobs. The scheme is identified in the Coast to Capital Strategic Economic Plan 2014 and is part funded by Local Growth Funding allocated by Coast to Capital Local Enterprise Partnership.

13.2 Throughout the design process, the County Council has actively engaged with the relevant government agencies to ensure compliance with relevant statutory provisions and to identify how the scheme can assist in delivering wider government objectives. During the planning process, consultation with these bodies has been formalised.

- **Environment Agency** – The Environment Agency has worked with the County Council on the proposed A284 Lyminster Bypass (North) to ensure that the modelling meets the revised climate change forecasting and the scheme meets the requirements of the NPPF. The Environment Agency has requested conditions to ensure that the work is carried out in accordance with the Flood Risk Assessment and that a Construction Environmental Management Plan is put in place.
- **Highways England** – Highways England has no objection to the proposed A284 Lyminster bypass and has recommended that a planning condition be applied requesting a Construction Management Plan.

### **14.0 DETAILS OF STEPS TAKEN TO ACQUIRE LAND BY AGREEMENT**

14.1 The development of the A284 Lyminster Bypass (North) has involved an ongoing process of consultation with the relevant landowners and it is intended that negotiations with these landowners for the acquisition of their land will continue whilst work on the Order is in progress, with the intention that compulsory acquisition is a last resort. However, due to the number of landowners, an Order is required to provide a greater degree of certainty over the scheme programme.

### **15.0 ADDITIONAL INFORMATION OF INTEREST TO THOSE AFFECTED BY THE ORDER**

15.1 Delivery of the proposed A284 Lyminster Bypass will provide new homes to meet the housing shortage in the south-east, boost the local economy, provide new infrastructure and improve travel and access to new employment opportunities. This is in addition to the more localised safety and congestion reduction benefits to the adjacent village of Lyminster.

### **16.0 RELATED ORDERS, APPLICATIONS OR APPEALS**

16.1 The scheme will require traffic regulation orders (TRO's) to ensure that the speed limits (as set out in 7.2) are enforceable, the closed section of the old road will require a prohibition of driving order, and turning bans are required at the farm track adjacent to the bridleway. There is a formal consultation process to follow for the implementation of the Pegasus Crossing. Although individual objections may be received as part of the TRO process they will be considered in line with protocol and the County Council is confident that no technical issues will arise that would impede delivery of the scheme.

#### **17.0 LIST OF DOCUMENTS IN THE EVENT OF AN INQUIRY**

- National Planning Policy Framework
- West Sussex Transport Plan 2011 – 2026
- Arun District Council Local Plan – July 2018
- Coast To Capital Strategic Economic Plan 2014
- A284 Lyminster Bypass Planning Committee Report
- A284 Lyminster bypass Planning Decision Notice and Planning Conditions (ref WSCC/049/18/LY)
- A284 Lyminster Bypass General Arrangement Drawings
- A284 Lyminster Bypass Transport Business Case