

Application No: **WSCC/077/11/BK**  
**COUNTY MATTER**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT**  
**PROCEDURE) (ENGLAND) ORDER 2010**

To Mrs S Wright  
c/o The D & M Planning Partnership  
Riverside Chambers  
20 Bridge Street  
Godalming  
Surrey  
GU7 1HY

In pursuance of their powers under the above mentioned Act and Orders, West Sussex County Council hereby notify you that they **PERMIT** the following development, that is to say:-

**Development of equine rehabilitation and physiotherapy centre comprising treatment block, horse walker, sand school, car park, grass paddocks, exercise track and engineering operation to form a bund adjacent to the A23 (resubmission of WSCC/001/10/BK) at Park Farm Cottage, Broxmead Lane, Bolney, West Sussex, RH17 5RJ**

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions if any) submitted to this Council on 20 December 2011 (and in accordance with the relevant correspondence a copy of which is attached \*) and subject to the conditions specified hereunder:-

**Commencement**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: To comply with Section 91 of the Town and Country Planning Act 1990.*

Date .....11/06/12..... Signed  
Strategic Planning Manager .....

**\*N.B.** The reasons for imposing the above conditions are as specified after the conditions.  
The words in brackets do not apply unless a copy of the relevant correspondence is attached.  
Your copy of the application, determined as above, is returned herewith for your records.



## Continuation Sheet

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### Approved Plans

2. The proposed development shall not take place other than in accordance with the approved information and plans, all received on 20 December 2011:
- Block Plan
  - Location Plan
  - Drawing 0738/06/2E Masterplan;
  - Drawing 0738/06/3B Cross-Sections;
  - Drawing 0738/06/4B Planting;
  - Drawing 0738/06/5 Site as existing and visual survey;
  - Drawing 0738/07/1A Ecology; and
  - Stable Plans, Sections and Elevations.
- and supporting information, save as varied by the conditions hereafter or any variation thereto that may be agreed in writing by the County Planning Authority.

*Reason: To secure a satisfactory development.*

### Timescales

3. Prior written notification of the commencement of the development shall be provided to the County Planning Authority no less than seven days before such commencement. All inert waste deposition required to create the bund shall cease within 24 months of the commencement of the development. Thereafter the bund shall be landscaped in accordance with schemes to be approved by Conditions 17 and 18.

*Reason: To ensure the development is carried out in accordance with the proposed timescales within the application in the interests of amenity.*

### Materials/Finishes

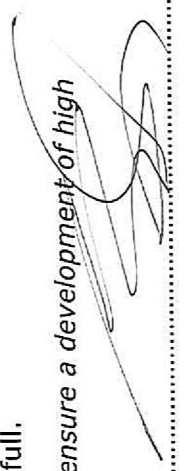
4. No development other than preparatory groundworks shall be carried out until a schedule of materials and finishes to be used for external walls and roof of the proposed treatment block, surfacing/surface edging (including sand school, horse walker, access routes, car park and exercise track) have been submitted to and approved in writing by the County Planning Authority. The approved scheme shall thereafter be implemented in full.

*Reason: In the interests of visual amenity and to ensure a development of high quality.*

5. No development other than preparatory groundworks shall be carried out until a plan detailing the proposed horse walker (including dimensions, materials and finishes) has been submitted to and approved in writing by the County Planning Authority. The approved plan shall thereafter be implemented in full.

*Reason: In the interests of visual amenity and to ensure a development of high quality.*

Date .....11/06/12.....  
Signed Strategic Planning Manager .....



**Continuation Sheet**

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6. Prior to the commencement of development a schedule of all new fencing and gates shall be submitted to and approved in writing by the County Planning Authority. The schedule shall include details of location, style, and finishes of the fences/gates to be used. The fencing and gates shall thereafter be implemented and maintained in accordance with the approved details.

*Reason: In the interests of the amenity.*

7. No temporary buildings, skips or static plant required during construction operations hereby approved shall be erected or placed on the site until the prior written agreement of the County Planning Authority has been given to their positioning, layout, design, colour and dimensions.

*Reason: In the interests of the visual amenities of the locality.*

**Operational requirements**

8. Bund materials shall constitute only inert, uncontaminated material and soils. Prior to the commencement of the development hereby approved a scheme detailing the storage and disposal measures to be taken in the event that contaminated or unsuitable material is brought to the site shall be submitted to and approved in writing by the County Planning Authority. The approved scheme shall thereafter be implemented throughout the course of the construction.

*Reason: To avoid unacceptable pollution.*

9. The site shall not be used as the operating base for other goods vehicles, plant or equipment not normally required for earthmoving, grading or deposition of fill material on the site. No vehicles, skips, containers or demountable lorry bodies shall be stored overnight on the site without the prior written approval of the County Planning Authority as to their type, number and location.

*Reason: In the interests of the general amenities of the locality.*

10. Unless otherwise approved in advance in writing by the County Planning Authority there shall be no mechanical processing of imported fill material on site.

*Reason: In the interests of amenity.*

11. Unless otherwise agreed in advance and in writing by the County Planning Authority no construction operations or deliveries of inert waste materials shall take place and no plant, machinery or vehicles associated with the construction of the development hereby permitted shall operate, outside the hours of:

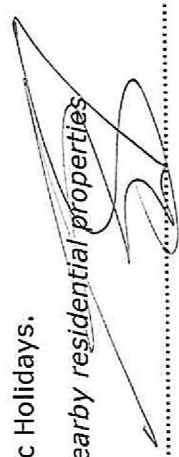
07.30 and 17.00 Monday to Friday,

07.30 to 13.00 Saturday,

and no work shall occur on Sundays, Bank or Public Holidays.

*Reason: To protect the amenities of occupiers of nearby residential properties*

Date .....  
Signed  
Strategic Planning Manager .....



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**Continuation Sheet**

12. No plant, equipment or vehicle shall be used on the site unless fitted and operated at all times with silencing measures to a standard not less than the manufacturer's UK standard specification for that equipment.

*Reason: In the interest of the amenity.*

13. A copy of this decision notice together with the approved plans and any schemes and/or details subsequently approved pursuant to this permission shall be kept at the site office at all times and the terms and contents thereof shall be made known to supervising staff on the site.

*Reason: To ensure the site operatives are conversant with the terms of the planning permission.*

14. A record shall be kept on site of the volumes of inert waste material deposited at the site for each working day during the construction period. The records shall detail the number of HGV loads, the volume of material for deposit within each HGV load and be a complete record from the first day of deposition. The record shall remain on site and be made available for inspection upon request of the County Planning Authority.

*Reason: To enable the County Planning Authority to monitor the progress of the development and ensure completion in the duration proposed in the application, in the interests of the general amenities of the locality.*

**Lighting**

15. Unless otherwise agreed in writing by the County Planning Authority there shall be no external artificial lighting installed on the site.

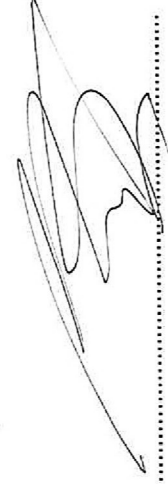
*Reason: In the interests of the visual amenities of the area and to protect highway safety.*

**Dust Suppression**

16. Prior to the commencement of the development hereby approved, a scheme detailing the measures to be taken for the suppression of dust shall be submitted to and approved in writing by the County Planning Authority. Thereafter, the approved scheme shall be implemented in full throughout the period of construction operations hereby approved.

*Reason: In the interests of the amenity and highway safety.*

Date .....11/06/12.....



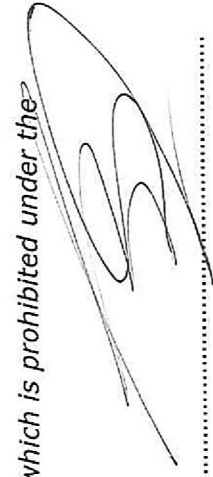
Signed  
Strategic Planning Manager .....

**Continuation Sheet**

**Landscape/phasing**

17. Prior to the construction of the bund a phasing plan detailing the progressive construction of the bund over the implementation period, volumes of material required, and the extent and height of the bund for each phase, shall be submitted to and approved in writing by the County Planning Authority. The bund shall thereafter be constructed in accordance with the approved phasing plan.
- Reason: To ensure the bund is landscaped in appropriate timescales in the interests of the general amenities of the locality.*
18. Prior to the commencement of development a revised landscaping scheme and planting/seeding schedule noting species plant sizes, seeding and proposed numbers, densities and phased implementation throughout construction shall be submitted and approved in writing by the County Planning Authority. Thereafter, the approved landscaping scheme shall be implemented in full. Any trees, shrubs or plants which within a period of 5 years from planting are removed or become seriously damaged, diseased or die shall be replaced in the next planting season with others of such size and species as may be agreed in writing with the County Planning Authority.
- Reason: In the interests of the amenity and of the environment of the development.*
19. Topsoil shall only be stripped when, as far as practicable, in a dry and friable condition. In addition all topsoil shall be used on site and shall be stored at a height of no more than 2m in location/s to be approved in writing by the County Planning Authority.
- Reason: To prevent damage to, and ensure the reuse of, existing soils on site.*
20. For the duration of construction activity hereby approved all retained trees are to be protected in accordance with BS5837:2005 'Trees in relation to construction'.
- Reason: In the interest of environmental amenity.*
21. Prior to the commencement of development, a detailed method statement for the removal or long-term management /eradication of Japanese Knotweed on the site shall be submitted to and approved in writing by the County Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese Knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

*Reason: To prevent the spread of invasive species, which is prohibited under the Wildlife and Countryside Act 1981.*



Date ..... 11/06/12 ..... Signed Strategic Planning Manager .....

## Continuation Sheet

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### Ecology

22. Large woody plants programmed for removal are only to be cleared outside the bird breeding season (March to August inclusive). The plants can be removed at any time if an ecologist confirms that there are no breeding birds using them (Ref: Breeding birds - Wildlife and Countryside Act 1981).

*Reason: In the interests of ecology.*

23. Prior to the commencement of the development hereby approved a scheme detailing the specification of the proposed pond as detailed in Drawing No. 0738/06/2 Rev D 'Masterplan' dated 11/06, including design measures to ensure a positive contribution to the nature conservation value of the site, shall be submitted to and approved in writing by the County Planning Authority. The approved scheme shall be implemented in full, with the pond constructed, within 6 months of the commencement of the development.

*Reason: In the interests of biodiversity.*

24. Prior to the commencement of the development hereby approved, details of proposed ecological enhancements, including enhancements to existing wet interests, shall be submitted to and approved in writing by the County Planning Authority. The approved scheme shall thereafter be implemented in full.

*Reason: To ensure biodiversity is enhanced.*

### Water

25. Prior to the commencement of the development hereby approved a scheme of surface water drainage (based on sustainable drainage principles, incorporating ecological enhancements where practicable, and including details of how the scheme will be maintained and managed during construction and upon completion, taking into account the provisions of the submitted Flood Risk Assessment) shall be submitted to and approved in writing by the County Planning Authority. The approved scheme shall thereafter be implemented in full.

*Reason: To ensure that the proposed development is satisfactorily drained.*

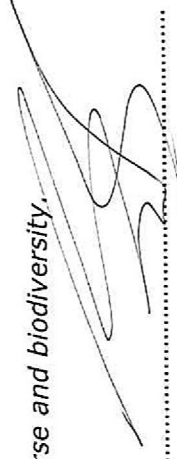
26. Prior to the commencement of the development hereby approved a scheme for the provision and management of a buffer zone alongside the watercourse and during the pond creation shall be submitted to and agreed in writing by the County Planning Authority. The scheme shall include plans showing the extent and layout of the buffer zone; and details demonstrating how the buffer zone will be protected during development and managed/maintained in the long term. The approved scheme shall thereafter be implemented in full.

*Reason: In the interests of protecting the watercourse and biodiversity.*

Date ..... 11/06/12.....

Signed

Strategic Planning Manager .....



## Continuation Sheet

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### Archaeology

27. Prior to the commencement of development the developer shall arrange for an archaeological organisation or appropriately qualified archaeologists to observe the excavations and record archaeological evidence that may be uncovered as a result of the development in accordance with a written scheme of investigation that shall be submitted to and approved in writing by the County Planning Authority.

*Reason: To ensure that potential buried archaeological remains on the site will be adequately recorded.*

### Highways

28. Prior to the commencement of development a Key Stage 2 Preliminary Assessment, including Preliminary Certification undertaken in accordance with the requirements of the Design Manual for Roads and Bridges Volume 4, Section 1, Part 2 HD22/08 shall be submitted to and approved by the County Planning Authority.

*Reason: to ensure the bund and drainage diversion is adequate to protect the A23.*

29. Prior to the commencement of the development hereby approved a Key Stage 3 Geotechnical Design and Construction, undertaken in accordance with the requirements of the Design Manual for Roads and Bridges Volume 4, Section 1, part 2 HD22/08, shall be submitted to and approved in writing by the County Planning Authority.

*Reason: To ensure the bund and drainage diversion are design and constructed in a way which protects the integrity of the A23 and its drainage.*

30. The bund and drainage diversion hereby approved shall be constructed in accordance with the Geotechnical Design Report approved under condition 29, unless otherwise agreed in writing by the County Planning Authority. Thereafter the bund and drainage diversion shall be maintained in good order in perpetuity.

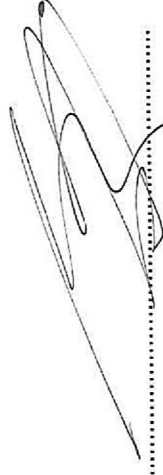
*Reason: To ensure the bund and drainage diversion are design and constructed in a way which protects the integrity of the A23 and its drainage.*

31. Prior to the commencement of the development hereby approved a scheme shall be submitted to and approved in writing by the County Planning Authority setting out measures to prevent vehicular access between the development and the A23 via the access adjacent to Dan Tree Farm after the bund has been completed.

*Reason: to prevent vehicles, particularly slow moving horseboxes, from the using the access to enter and leave the A23, to ensure road safety is protected.*

Date .....11/06/12.....

Signed  
Strategic Planning Manager .....



**Continuation Sheet**

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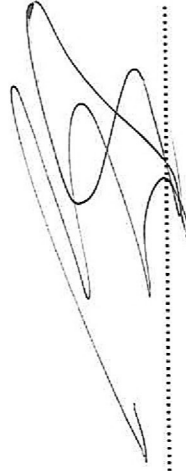
32. Prior to the commencement of the development hereby approved the measures approved in condition 31 shall be implemented in full. Thereafter the approved measures shall be maintained in perpetuity.
- Reason: to prevent vehicles, particularly slow moving horseboxes, from the using the access to enter and leave the A23, to ensure road safety is protected.*
33. The development hereby permitted shall not be brought into use until car parking spaces have been marked out as indicated on the approved Block Plan. Car parking provision shall thereafter be retained in full.
- Reason: To ensure adequate parking provision.*
34. Prior to the commencement of the development hereby approved the applicant shall submit a scheme to be approved in writing by the County Planning Authority detailing the measures to ensure that no vehicle shall leave the site in such a condition that earth and mud adhere to the wheels in a quantity which may introduce hazard or nuisance on the highway and actions to be taken in the event of mud or debris arising from the development being present on the highway. Thereafter, the approved scheme shall be implemented in full.
- Reason: In the interests of highway safety.*

**INFORMATIVES**

- A. The applicant is advised that should protected species be present work must stop and Natural England informed. A licence may be required from Natural England before works can re-commence, Natural England will advise.
- B. The applicant's attention is drawn to the comments of the Environment Agency (letter dated 26 January 2012) which identifies the need for an Environmental Permit and potentially Land Drainage Consent. Reference is also made to the buffer zone required by condition 26.
- C. With regard to Condition 18 the applicant's attention is drawn to the comments of the Local Development Division (dated 03 February 2010), which highlights the required minor amendments to submitted landscaping scheme and planting schedule.
- D. This decision should be read in conjunction with a 106 legal agreement.

Date .....11.10.6/12.....

Signed  
Strategic Planning Manager .....





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**Continuation Sheet**

E. The reasons for granting planning permission are that the proposal accords with National Policy Guidance and complies with Development Plan Policies requiring that the proposed development:

- meets an identified need;
- is acceptable in terms of highway safety;
- has an acceptable impact on local landscape (and the High Weald AONB), local ecology and the water environment; and
- has an acceptable impact on local amenity and environmental health.

F. **Reason for the grant of planning permission.**

In determining the application and in applying the planning conditions, the following planning guidance and policies have been considered:-

**National Planning Guidance**

National Planning Policy Framework (2012)

**Regional Planning Policy**

South-East Plan (2009)

Policies W5-W6, NRM4-NRM5 and NRM10.

**Local Planning Policy**

Mid-Sussex District Local Plan (2004)

Policies G1, C1, C4-6, B1, B4, B18, B23-B24, T4, R1, R6, R12, CS13 and CS22.

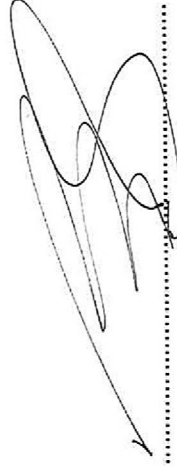
**West Sussex Waste Local Plan Revised Deposit Draft (2004)**

Policies G1-G8, G10 and U9.

This information is only intended as a summary of the reasons for the grant of planning permission. For further details on the decision please see the report by contacting County Planning, West Sussex County Council or visiting the website at <http://www.westsussex.gov.uk/ePlanning>

Date ..... 11/06/12.....

Signed  
Strategic Planning Manager .....



YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES.

THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT.

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**TOWN AND COUNTRY PLANNING ACT 1990**

**1 Appeals to the Secretary of State**

- (a) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- (b) If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get online at [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk) or by writing to the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.
- (c) The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (d) The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- (e) In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

**2**

- (a) If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- (b) In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

**3**

In certain circumstances a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and County Planning Act 1990.

**4**

Further correspondence about this application should quote the reference number at the top right hand corner of the form.

Our ref: TQ 264 244  
Your ref: WSCC/077/11/BK

Jane Moseley  
County Planning  
West Sussex County Council  
County Hall  
Chichester  
West Sussex  
PO19 1 RH

Andrew Oldland  
Business Manager  
1B  
Federated House  
London Road  
Dorking RH4 1SZ

Direct Line: 01306 878202  
Fax: 01306 878482

2 May 2012

Dear Ms Moseley

**PLANNING APPLICATION WSCC/077/11/BK**

I refer to Paul Harwood's email of 30 April to you, in which he set out the HA's proposed draft conditions relating to Planning Application WSCC/077/11/BK, Park Farm, Bolney, West Sussex.

I note that the applicant's consultant Jason Clemons (D&M Planning Ltd) has now informed you that the applicant is agreeable to the proposed wording of the conditions. A new HA form TR110 which directs these conditions is therefore attached. This supersedes the previous TR110 dated 8 March 2012.

Yours sincerely



Andrew Oldland

## TR110 (November 2011)

An Executive Agency of  
The Department for Transport

### Developments Affecting Trunk Roads and Special Roads Highways Agency Response to an Application for Planning Permission

From: Divisional Director, Network Delivery and Development, South East, Highways Agency.

To: District Council

Council's Reference: WSCC/077/11/BK

Referring to the notification of a planning application dated 20 December 2011, your reference WSCC/077/11/BK, Park Farm Cottage, Broxmead Lane, Bolney, West Sussex, RH17 5RJ, Development of equine rehabilitation and physiotherapy centre comprising treatment block, horse walker, sand school, car park, grass paddocks, exercise track and engineering operation to form a bund adjacent to the A23 (resubmission of WSCC/001/10/BK), notice is hereby given under the Town and Country Planning (Development Management Procedure) (England) Order 2010 that the Secretary of State for Transport:-

- a) offers no objection;
- b) advises that ~~planning permission should either be refused, or granted only subject to conditions~~
- c) directs conditions to be attached to any planning permission which may be granted;
- d) ~~directs that planning permission is not granted for an indefinite period of time;~~
- e) ~~directs that planning permission not be granted for a specified period (see Annex A);~~

*(delete as appropriate)*

**Signed by authority of the Secretary of State for Transport**

**Date:** 02 May 2012

**Signature:**



**Name:** Paul Harwood    **Position:** Kent and Sussex Asset Development Team Leader

**The Highways Agency:** Federated House, London Road, Dorking, Surrey, RH4 1SZ

**Condition(s) to be attached to any grant of planning permission:**

Condition 1: Production of Key stage 2

No part of the development hereby permitted shall commence until a Key Stage 2 Preliminary Assessment including Preliminary Certification which is undertaken in line with the requirements of the Design Manual for Roads and Bridges Volume 4, Section 1 part 2 HD22/08, has been submitted to and approved in writing by the Local Planning Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport).

Condition 2: Production of Key stage 3

No part of the development hereby permitted shall commence until Key Stage 3 Geotechnical Design and Construction Certification, which is undertaken in line with the requirements of the Design Manual for Roads and Bridges Volume 4, Section 1 part 2 HD22/08, has been submitted to and approved in writing by the Local Planning Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport).

Condition 3: Construction of Bund and Drainage Diversion

The bund and drainage diversion hereby permitted shall be constructed in accordance with the Geotechnical Design Report approved within the Key stage 3, unless otherwise agreed in writing by the Local Planning Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport). Once constructed the bund and drainage diversion shall, thereafter, be maintained in good order in perpetuity.

Condition 4: Details of Access from the A23

No part of the development hereby permitted shall be commenced until measures to prevent vehicular access between the development and the A23 Trunk Road after the bund has been completed by means of the access adjacent to Dan Tree Farm have been approved in writing by the Local Planning Authority (who shall consult with the Highways Agency on behalf of the Secretary of State for Transport).

Condition 5: Exclusion of Access from the A23

No part of the development hereby permitted shall be occupied until the approved measures to prevent vehicular access between the development and the A23 by means of the access adjacent to Dan Tree Farm have been put in place. Thereafter the approved measures shall be maintained in perpetuity.

**Reason(s) for the direction given at b), c) or d) overleaf and the period of time for a direction at e) when directing that the application is not granted for a specified period:**

Condition 1: Production of Key stage 2

Reason: To ensure that the bund and drainage diversion are designed and constructed in a way which protects the integrity of the A23 Trunk Road and its drainage, to ensure that the A23 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety

Condition 2: Production of Key stage 3

Reason: To ensure that the bund and drainage diversion are designed and constructed in a way which protects the integrity of the A23 Trunk Road and its drainage, to ensure that the A23 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Condition 3: Construction of Bund and Drainage Diversion

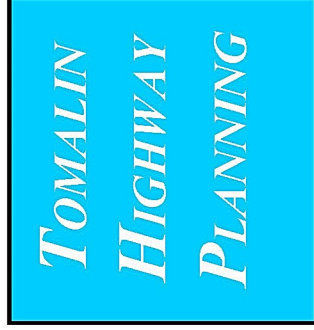
Reason: To ensure that the bund and drainage diversion are constructed in a way which protects the integrity of the A23 Trunk Road and its drainage, to ensure that the A23 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Condition 4: Details of Access from the A23

Reason: To prevent vehicles, particularly slow moving horseboxes from using the access to enter and leave the A23 Trunk Road, to ensure that the A23 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Condition 5: Exclusion of Access from the A23

Reason: To prevent vehicles, particularly slow moving horseboxes, from using the access to enter and leave the A23 Trunk Road, to ensure that the A23 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.



*HIGHWAY & TRANSPORT  
CONSULTANTS*

**Mrs. SARAH WRIGHT**

**PROPOSED EQUINE REHABILITATION &  
PHYSIOTHERAPY CENTRE AND THE FORMATION  
OF A BUND ADJACENT TO THE A23**

**PARK FARM COTTAGE  
BROXMEAD LANE,  
BOLNEY  
WEST SUSSEX RH17 5RJ**

**HIGHWAY STATEMENT**

JRT/1940  
November 2011

14 Kings Hill, Beech,  
Alton, Hampshire GU34 4AL  
Telephone: 01420 563496  
Facsimile: 01420 568 180  
e-mail: [John.Tomalin@btinternet.com](mailto:John.Tomalin@btinternet.com)

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**Images of A23 from the existing Farm Access**

**Traffic Survey Results: Broxmead Off-Slip Road March 2009**



## 1.00

### INTRODUCTION

1.01 Tomalin Highway Planning (THP) advises upon the highway, traffic and transport aspects of a wide variety of proposals including retail, office, housing, leisure, mineral extraction and waste disposal schemes. The Principal, John Tomalin, is a Member of the Chartered Institution of Highways & Transportation, and has been in private practice specialising in the highway and transport aspects of Planning matters for over 35 years.

## 1.02

The development to which this Highway Statement relates is a proposal for an equine rehabilitation and physiotherapy centre at Park Farm Cottage, Broxmead Lane, Bolney, West Sussex and an engineering operation to form a bund adjacent to the nearby A23. The requirement for the bund relates to noise reduction issues. P J Brown Construction Ltd. would be responsible for the construction of the bund and the associated movement of materials.

## 1.03

The proposed rehabilitation centre itself would be served by an existing access from Broxmead Lane. However, this access is not suitable for use by the heavy goods vehicles which would be involved in the construction of the bund.

## 1.04

The application therefore includes proposals for all vehicles associated with the construction of the bund to use an existing farm access on the A23. This access was constructed in or around 1992 at the time the adjacent section of the A23 was being up-graded to form a dual three-lane carriageway. These were major highway improvement works undertaken on behalf of the Highways Agency (HA), and it must therefore be assumed that the design of the farm access forming part of these works satisfied the design criteria applicable at the time.

## 1.05

Planning permission in respect of two earlier similar applications was refused by West Sussex County Council (WSSCC) for one reason only relating to highway safety on the A23 following a direction by the HA.

## 1.06

This Highway Statement should be read in conjunction with Plan No. 0738/06/2C which indicates the location of the application site in relation to Broxmead Lane and the A23 trunk road. The Statement also includes two images at the rear which show views along the A23 in each direction from the existing farm access.

## 2.00 HIGHWAY NETWORK

2.01 Broxmead Lane extends eastwards from the point at which it crosses the A23 by means of a flyover. The A23 is aligned approximately north-south, and there is an exit slip road between the A23 southbound and Broxmead Lane. The A23 comprises dual carriageways each 11 metres wide, with 1 metre wide margins on the nearside.

2.02 About 100 metres to the west of the A23, Broxmead Lane joins the original alignment of the trunk road prior to the up-grading in about 1992. To the south of this point, the former A23 continues southwards through the village of Bolney and then joins the A272 east-west route between Haywards Heath and Billingshurst. The A272 also forms a grade separated interchange with the present A23 at this point, where slip roads provide full access to and from the trunk road in both directions.

2.03 To the north of Broxmead Lane, the former A23 continues parallel to and immediately adjacent to the existing trunk road, and eventually rejoins the northbound carriageway of the A23 about 1.3 km to the north of Broxmead Lane. A further exit slip road from the A23 northbound joins the former A23 at a roundabout about 0.6 kilometres to the north of Broxmead Lane.

2.04 The grade separated Warninglid interchange between the B2115 and A23 is located about 2 kilometres to the north of Broxmead Lane overbridge. This interchange is of an older design but still provides access for all movements to and from the A23. The Warninglid interchange is due to be up-graded as part of the reconstruction of the A23 northwards towards Handcross and work is programmed to commence on this scheme in 2012.

2.05 The farm access which was provided on the eastern side of the southbound carriageway of the A23 at the time it was up-graded in or around 1992 is shown on drawing No. 738/06/2C and is located about 600 metres to the north of the Broxmead Lane overbridge. The access also serves an adjacent residential property known as "Dan Tree Farm". The access is about 350 metres to the north of the commencement of the off-slip road to Broxmead Lane. The exit from a layby on the southbound A23 is located a further 100 metres or so to the north of the farm access.

### 3.00

#### TRAFFIC GENERATION

3.01 The existing dwelling and stables at Park Farm Cottage has a private drive access from Broxmead Lane. The present use of the site generates a low level of traffic and it understood that the adjacent stables are used by members of the Applicant's family. The Applicant estimates that the family use of the existing stables generates in the order of four to six trips to and from the site per week. There is a further occasional visit to the site by a vet and farrier.

### 3.02

The proposed Equine Rehabilitation & Physiotherapy Centre would replace the existing stables. Specialised therapy would be provided for up to four injured horses, which it is understood, would remain on the site for periods of between one month and one year. The horse walker and sand school are required to exercise the injured horses.

### 3.03

The number of vehicular trips generated by the proposed development is difficult to assess precisely but would be low. Some new trips in the form of the delivery and collection of horses would occur, but these would be offset by a reduction in trips associated with the existing stables. The proposed development would be managed and staffed by the Applicant, which would assist in keeping additional vehicle trips to and from the site to a minimum. Overall, it is believed that there would be no material increase in traffic on Broxmead Lane as a result of the proposed development. The proposed use of Broxmead Lane to provide access to the Centre did not attract a highway objection from WSCC in relation to the previous two applications.

### 3.04

At the time the first of the two earlier planning applications was under consideration, the use of the farm access was estimated to be an average of 50 vehicles per day both entering and leaving, resulting in an additional 100 movements per day total two-way over a 5½ day week for a period of between 12 and 18 months. This level of traffic generation equated to an Annual Average Daily Traffic Flow (AADT) of 75 vehicles over a 50 week year, which allowed for public holidays.

### 3.05

However, further examination of this estimate of trip generation showed it to be incorrect. The formation of the bund would require 76,500 cubic metres of material, which would result in 7,650 vehicle deliveries during the 18 month period. As previously, these deliveries would be spread over a 5½ day week and a 50 week year over a period of up to 18 months. This equates mathematically to an average of 18.5 vehicle movements both entering and leaving the site per day, which is only about 37% of the number of vehicle movements considered previously. The AADT flow at the site access based on an average of 40 HGV movements per day total two-way would be 30.

#### 4.00

#### THE A23 FARM ACCESS

4.01 The A23 farm access would cater directly for HGVs arriving from the north, and also HGVs departing towards the south. HGVs leaving the site wishing to travel north would travel southwards along the A23 to the Broxmead slip road, turn right across the bridge and then use the former A23 northwards to rejoin the A23. HGVs wishing to access the site from the south would continue northwards along the A23 to the Warminglid interchange with the B2115 where they would execute a U-turn and then travel southwards to the farm access.

#### 4.02

At present, the farm access has a bellmouth about 30 metres wide, with a compound left-turn entry radius. The left-turn exit radius is about 15 metres. About 15 metres back from the edge of carriageway marking of the A23 the access is about 6 metres wide and the access bifurcates about 25 metres back to serve both the application site and "Dan Tree Farm". A substantial gate is provided across the access to the application site about 40 metres back from the A23.

#### 4.03

There are no specific diverging or merging lanes provided from and to the A23 and it must be assumed that these were not provided because, at the time the access was constructed, the Highways Agency did not consider they were either required or necessary. However, the kerbed corner radii do start and finish at a point about 2.5 metres in from the white edge of carriageway marking on the A23 itself. Before and after the commencement and termination of the kerb line radii respectively there are further areas of tarmac about 25 metres long which taper back towards the edge of the 1 metre margin on the eastern side of the carriageway. These features can be seen in the images of the access.

#### 4.04

In the past, as well as the access being used for farming purposes, between the years 2002 and 2005 it was used by HGVs in relation to the planning permission granted by Mid Sussex District Council under reference 01/01232/AGRDET for the importation of soil for the infilling of an old bomb crater. It is understood that this operation generated some 10,000 HGV movements and the HA did not object to the use of the access for this purpose. There were no personal injury accidents on the adjacent A23 southbound carriageway related to this use of the access, which involved

over 30% more HGV movements than those which would be generated by the formation of the bund.

4.05

In early 2008 when the HA first considered the first application which sought to make use of the farm access by all HGVs engaged on the engineering operation, they objected for three reasons.

1. A visibility splay to the right of 9 metres by 295 metres was required in accordance with Departments Standard TD42/95 (The Geometric Design of Major/Minor Priority Junctions). An “x” distance of only 4.5 metres was available, which the HA considered was a relaxation only acceptable in difficult circumstances, which did not apply in this case.

2. The existing corner radii did not meet the Standards set out in TD42/95, and a compound curve compliant with this Design Standard would be required

3. The farm access required merging and diverging tapers, the provision of which would not accord with the recommendations for junction spacing contained in Departmental Standard TD22/06 (Layout of Grade Separated Junctions).

4.06

The HA accepted subsequently that the geometric requirements applicable to the farm access were described in Departmental Standard TD41/95 (Vehicular Access to All-Purpose Trunk Roads). This Standard required an unobstructed visibility splay to the right of 4.5 metres by 295 metres. The HA accepted that an “x” distance of 4.5 metres was available.

4.07

TD41/95 recommends that a compound curve as described in TD42/95 shall be used to form the corner radius at a simple access where the through road has a one metre strip and HGVs comprise a significant proportion of the turning movements. A topographical site survey has now been carried out at the existing A23 access, onto which design radii can be superimposed.

4.08

From the above process, it is clear that the left-turn entry radius complies almost exactly with the geometry of a compound curve as shown in Figure 7/3 of TD42/95. Therefore, despite the earlier comments by the HA, the left-turn entry radius complies with their requirements.

- 4.09 In passing, although the design of the farm access was undertaken by the HA prior to the publication of TD42/95, it is interesting to note that the design of a compound curve shown in Figure 7/3 of TD42/95 was carried forward from the earlier Departmental Advice Note TA20/84 which contained advice applicable at the time to the design of the access. This is presumably the reason why a compound curve was provided.
- 4.10 With regard to the exit radius, the topographical survey has demonstrated that this is already a simple 15 metre radius throughout. The left-turn exit from the site access onto the A23 is less than 90°, and the provision of a compound radius in this instance in accordance with TD42/95 would result in the provision of a more onerous curve than that which exists at present. There would thus be no advantage to be gained from providing a compound radius for the left turn to replace that which exists at present.
- 4.11 In relation to the provision of merging and diverging tapers, the requirement or otherwise for these features to be provided is described in paragraphs 2.31 to 2.35 on page 2/7 of TD41/95. Of major significance in relation to these planning applications is the fact that TD41/95 states in terms at paragraph 2.31 and 2.34 that diverging tapers and merging tapers respectively shall be provided at direct accesses to trunk roads where the volume of left-turning traffic exceeds 450 vehicles AADT (Annual Average Daily Traffic).
- 4.12 As described at paragraph 3.05 of this Statement, the amended number of vehicle movements using the access would be about 40 per day total two-way which equates to an AADT flow of 30 vehicles compared with the earlier estimated AADT flow of 75 vehicles. An AADT flow of 30 vehicles is only about 7% of the threshold described in TD41/95 for providing diverging and merging tapers.
- 4.13 The HA have acknowledged that the volume of traffic using the access would be less than 450 vehicles AADT. However, because the traffic using the access would be almost entirely HGVs, the HA have expressed the opinion that diverging and merging tapers would be desirable to enable HGVs to enter the site and merge more safely into the existing traffic stream on the A23.

- 4.14 Diverging and merging tapers would need to be about 110 metres in length in order to comply with the advice given in TD41/95, and would need to be up to 3.5 metres wide at the commencement of the radius. There is insufficient land available within the highway boundary either to the north or the south of the farm access to enable these features to be provided. Even if sufficient land was available within the highway boundary to permit diverging and merging lanes, they would not satisfy the design criteria for weaving lengths at grade separated junctions described in TD22/06, which states at paragraph 4.36 on page 4/19 that the desirable minimum weaving length between the end of a merging taper and the commencement of a diverging taper must be 1 km.
- 4.15 It is interesting to note that the length of a diverging or merging taper of 110 metres described in TD41/95 is described as a one design speed step reduction from the figures given in TD42/95. TD41/95 adds that the length may be reduced as a relaxation by one further design step where there are difficult site constraints. Paragraph 2.35 of TD41/95 explains that the design speed step reduction has regard to the normally lower level of use of direct accesses compared with junctions.
- 4.16 Nevertheless, the initial objection raised by the HA to the further use of the A23 farm access was on the basis that they considered it to be a "junction". TD41/95 defines a junction as "*a meeting of two or more roads*" whilst it defines a direct access as "*a connection to an all-purpose trunk road for the use of road vehicles serving or intending to serve one or more properties and linking directly to the site*".
- 4.17 Clearly, different criteria apply to an access than to a junction, as was recognised subsequently by the HA when they agreed that the appropriate "x" visibility distance was 4.5 metres described in TD41/95 rather than 9 metres stated in TD42/95. On the same basis, it is considered that the use by the HA of TD22/06 dealing with grade separated junctions in relation to the A23 farm access is wholly inappropriate.



4.18

Paragraph 1.1 of TD22/06 states as follows:

*“This Standard sets out the layout and size requirements for new and improved grade separated junctions and interchanges on rural and urban trunk roads and motorways. It sets out requirements for the provision of weaving sections for traffic between junctions. It gives guidance on access to and egress from service areas.”*

As their name implies, grade separated junctions and interchanges refer to one highway crossing another at a different level. Slip roads provide links between the through roads and, at an interchange, these slip roads carry free-flowing traffic between one level and another. At a grade separated junction, one end of a slip road originates or terminates at an at-grade junction.

4.19

Many paragraphs in TD22/06 are devoted to the design of merges and diverges. The starting point for the design of each is abstracted from tables within the Design Standard, on which the merging or diverging flow on the slip road can be up to at least 3,000 vehicles per hour. Clearly, traffic flows of this magnitude far exceed anything which will ever use the farm access.

4.20

It is therefore considered abundantly clear that the weaving lengths described in paragraph 4.34 to 4.38 of TD22/06 refer to distances along a major route between slip roads forming part of grade separated interchanges or junctions, each of which are capable of carrying traffic flows considerably greater than those which would use the farm access. The fact that TD22/06 also includes reference to providing traffic signals on entry slip roads to assist vehicles entering the major road (“ramp metering”) demonstrates further that this Design Standard refers to slip roads carrying significant traffic flows.

4.21

The position is thus that, although the traffic flows using the farm access would be only a tiny proportion of the threshold described in TD41/95 for the provision of diverging and merging lanes, the HA have deemed these features to be desirable. The HA then directed refusal of planning permission of the earlier application because the minimum weaving lengths in relation to the layby on the A23 to the north and the Broxmead Lane off-slip to the south defined in a Design Standard applicable to grade separated junctions are not available.

4.22

It is also noteworthy that the TD22/06 was only introduced in 2006, some 14 years after the farm access was constructed, presumably in accordance with the design standards applicable at the time. There are innumerable locations

throughout the United Kingdom where road network does not comply with current design standards, but that does not necessarily render those roads to be potentially hazardous. As an example, the merging taper onto the A23 from the layby to the north of the farm access is only some 25 metres in length, compared with the recommended distance of at least 110 metres described in TD41/95. However, it does not appear that the HA are taking steps to amend the length of this merging taper, and thus apparently do not consider it gives rise to a potentially hazardous situation.

4.23 The daily volume of traffic using the layby to the north of the farm access is not known. However, this volume of traffic cannot be large, and must be less than the volume of traffic normally using a slip road at a grade separated junction on a trunk road.

4.24 The volume of traffic using the Broxmead Lane off-slip to the south of the farm access was recorded by means of an automatic traffic counter placed across the slip road between Thursday 12<sup>th</sup> March and Wednesday 18<sup>th</sup> March 2009. The full results of this survey on an hour-by-hour basis are attached to the rear of this Statement.

4.25 In summary, the average five-day 16-hour traffic flow using the slip road was 453 vehicles. The morning peak hour occurred unusually between the hours of 09.00 and 10.00 when the average five-day traffic flow was 30 vehicles per hour. The evening peak hour occurred between 18.00 and 19.00 hours when the average five-day traffic flow was 48 vehicles per hour. During the 168 hours of the seven day period included in the traffic survey, the hourly traffic flow on the slip road was only above 50 vehicles per hour on three 1-hour occasions, the highest of which was between 18.00 and 19.00 hours on Thursday 12<sup>th</sup> March 2009 when the traffic flow was 58 vehicles per hour.

4.26 The results of the traffic survey on the A23 off-slip road to the south of the farm access show that traffic flows were light. Moreover, during the periods of the heaviest traffic flows (in relative terms) during the evening peak hour from 18.00 hours onwards on a week day, there would be no HGV movements generated by the engineering operation.

## **5.00 SUMMARY & CONCLUSIONS**

5.01 The use of the direct farm access to and from the A23 was rejected by the HA in relation to the earlier two applications because of the lack of appropriate visibility and corner radii and the HA's interpretation of Departmental Standard TD41/95 to the effect that the provision of diverging and merging slip roads were desirable. It has now been established that visibility and radii in accordance with the Design Standard already exist. Diverging and merging tapers cannot be provided, but it is contended that these are not required for the access to be compliant with the requirements of TD41/95.

5.02 The A23 farm access is closer to the layby to the north than it is to the Broxmead off-slip to the south. Notwithstanding the Applicant's contention that a diverging lane is not required in order for the access to comply with the requirements of TD41/95, the volume of traffic leaving the layby to the north is small on an hour-by-hour basis, as too would be the volume of traffic entering the farm access from the A23.

5.03 The detailed investigation work which was carried out in relation to the first of the planning applications overcame a number of the initial objections raised by the Highways Agency. Although the precise requirements of Departmental Standard TD22/06 cannot be met, this document did not exist when the Farm access was first constructed, or when it was used intensively without incident between 2002 and 2005.

5.04 The Highways Agency are therefore asked to reconsider their earlier objections to the proposed development and not direct West Sussex County Council to refuse planning permission.



Channel: Southbound

TIME PERIOD	Thu 12/03/09	Fri 13/03/09	Sat 14/03/09	Sun 15/03/09	Mon 16/03/09	Tue 17/03/09
<b>Week Begin: 12-Mar-09</b>						
00:00	2	4	6	12	1	1
01:00	0	3	7	2	0	0
02:00	2	2	2	1	0	2
03:00	1	2	1	1	0	1
04:00	1	3	3	1	0	1
05:00	4	2	2	1	5	3
06:00	4	5	2	1	5	2
07:00	8	5	9	3	8	7
08:00	25	17	26	10	29	37
09:00	40	24	30	19	17	37
10:00	29	25	28	25	33	31
11:00	19	24	34	30	33	12
12:00	38	27	41	38	25	30
13:00	28	34	33	33	24	37
14:00	43	57	30	43	35	21
15:00	45	46	31	27	32	39
16:00	30	48	31	24	34	43
17:00	49	44	24	27	45	35
18:00	58	51	25	31	47	38
19:00	14	37	14	26	23	30
20:00	21	23	17	17	15	11
21:00	14	15	11	8	7	14
22:00	10	5	13	7	5	14
23:00	15	10	13	2	3	7
<b>12H,7-19</b>	<b>412</b>	<b>402</b>	<b>342</b>	<b>310</b>	<b>362</b>	<b>367</b>
<b>16H,6-22</b>	<b>465</b>	<b>482</b>	<b>386</b>	<b>362</b>	<b>412</b>	<b>424</b>
<b>18H,6-24</b>	<b>490</b>	<b>497</b>	<b>412</b>	<b>371</b>	<b>420</b>	<b>445</b>
<b>24H,0-24</b>	<b>500</b>	<b>513</b>	<b>433</b>	<b>389</b>	<b>426</b>	<b>453</b>
Am	09:00	10:00	11:00	11:00	11:00	09:00
Peak	40	25	34	30	33	37
Pm	18:00	14:00	12:00	14:00	18:00	16:00
Peak	58	57	41	43	47	43