

List of Contents for Appendix G

Appendix Number	Date	Sender	Recipient(s)
G-110-1	Atachment to Email S0014-JCE-CPO-00-SK-0003		
G-110-2	Atachment to Email - Included as Statement of Case Ssporting Document 104		

**From:** Mark Martin  
**Sent:** 19 February 2021 16:18  
**To:** Angela Juszczak <angelaj@roger-hannah.co.uk>; Godden, Nigel <Nigel.Godden@wsp.com>  
**Cc:** Gail Rowley <gail.rowley@westsussex.gov.uk>; Tanneth Melhuish <Tanneth.Melhuish@westsussex.gov.uk>; Chris Boulter <chris.boulter@cantiumdevelopments.com>; Michelle Spark <Michelle.Spark@dwf.law>; Helen Robinson <Helen.Robinson@dwf.law>  
**Subject:** RE: 20.12.09 CB to AJ re Littlehampton  
**Importance:** High

Dear Angela,

We are trying to narrow the issues you have raised but as you will see from our response the nature of the construction does not permit us to fundamentally change the scheme design as you have suggested. We will, of course, continue to work with you and your client to find workable solutions, in order that your client may consider withdrawing their objection.

Please see responses to inline text in black below (I've removed some of the extraneous emails for clarity) as well as the attachments found here.

Kind regards  
Mark

**From:** Angela Juszczak [<mailto:angelaj@roger-hannah.co.uk>]  
**Sent:** 09 December 2020 16:34  
**To:** Mark Martin; Godden, Nigel  
**Cc:** Gail Rowley; Tanneth Melhuish; Chris Boulter; Michelle Spark; Helen Robinson  
**Subject:** FW: 20.12.09 CB to AJ re Littlehampton

Dear Mark,

Thanks again for providing a copy of the Southern Access Compound Arrangements drawing (the drawing) on which is illustrated the extent of land parcels 10a & 10b. I note your comment that the extent & boundaries for each of those two parcels as shown are not totally accurate & hence this response to your email of the 2 December is similarly caveated.

See please my comments & observations in red below woven into the text of your email.

Kind regards

Angela

**Angela Juszczak** BA (Hons) MSc MRICS Registered Valuer   
Director



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**From:** Mark Martin <[Mark.Martin@westsussex.gov.uk](mailto:Mark.Martin@westsussex.gov.uk)>  
**Sent:** 02 December 2020 10:57  
**To:** 'Angela Juszczuk' <[angelaj@roger-hannah.co.uk](mailto:angelaj@roger-hannah.co.uk)>; Chris Boulter <[chris.boulter@cantiumdevelopments.com](mailto:chris.boulter@cantiumdevelopments.com)>; Godden, Nigel <[Nigel.Godden@wsp.com](mailto:Nigel.Godden@wsp.com)>  
**Cc:** Michelle Spark <[Michelle.Spark@dwf.law](mailto:Michelle.Spark@dwf.law)>; [helen.robinson@dwf.law](mailto:helen.robinson@dwf.law); Gail Rowley <[gail.rowley@westsussex.gov.uk](mailto:gail.rowley@westsussex.gov.uk)>; Tanneth Melhuish <[tanneth.melhuish@westsussex.gov.uk](mailto:tanneth.melhuish@westsussex.gov.uk)>  
**Subject:** RE: 20.11.06 CB to AJ/NG/GW/MM re Littlehampton - T&L Crawley No 2 LLP

Dear Angela and Chris,

Please be assured that we are still investigating whether your clients requests can be accommodated in our design, however, the design for the A284 Lyminster Bypass is based on access from the west with drainage to the east of the carriageway. This design was based around the situation that presented itself with the land at the time and is reflective of the specific ground conditions at these location.

**Noted, albeit the position "that presented itself with the land at the time" was one whereby under Arun D C planning reference LU/47/11 dated 23 January 2013 the land within T & L Crawley no 2 LLP's ownership that is negatively impacted by WSCC's proposal was subject to & benefitted from the grant of outline planning permission for B1 business use & an hotel. By inference you appear to be suggesting that at the time of the designs origination the affected land was assessed as being no more than a redundant horticultural facility having limited use or value. That was not the case then any more than it is now. The T & L land comprises part of a wider development of strategic importance & it should not be regarded by the council as if it were agricultural or amenity land. Its status is quite different to that of the largely agricultural & amenity land that is otherwise required to be acquired to facilitate the contract works, including in terms of its permitted use, its ability to accommodate alternative use & its imminence of readiness to be developed.**

We are aware of the planning history and the status of the land and recognise the importance the A284 Lyminster Bypass North will have on bringing the strategic development forward. The comments relating to design of the road is as much around the condition of the land as it is the use of the land at this location. (please see 'ground conditions' response below).

**As regards "ground conditions", I am unclear as to what precisely you are referring to but assume it may be the relationship of the contracts work area with the flood plain? If that assumption is correct, then I can see that the proposed use of parcel 10b might be one that is convenient. I do not however see it as being the only available option since solutions would be available to facilitate temporary operations such as a compound within the flood plain, as appears to have been recognised in**

## **the establishment of the proposed 20m wide haul road & the 30m wide crane pad.**

We have reviewed the options regarding moving the compound to the Flood Plain as shown in **S0014-JCE-CPO-00-SK-0003**. This has involved discussions with our contractor, ecologist, the Environment Agency, and the planning team at the Council. Regrettably, this is not feasible due to several factors which are outlined below.

One of these reasons is the magnitude of the construction - the complexity of the viaduct construction works envisaged to the south of Black Ditch mean that there are likely to be in the order of 2,900 heavy goods vehicle arrivals and departures to the compound/flood plain area during the course of the works, all needing to turn around. The scheme has been designed to ensure that this can be done in a safe manner.

The relocation of the compound also presented additional risks in flood conditions –

- The above ground materials, plant and cabins may inhibit flows if the water course overtops its usual water course.
- The hardstanding area would need to be extended to accommodate a compound, thus resulting in increased flood risk.
- If the fuel storage and concrete wash out areas become flooded, the water course may be polluted
- Silt and other fines from materials may contaminate the water course

The Environment Agency have confirmed that their advice is always to avoid putting a compound in a flood plain wherever possible.

The ecological impact from a secure compound and the requirements to offset habitats that would be impacted is not something that would be able to be catered for in our current scheme.

Therefore, the increased risks to the scheme from having the compound in the flood plain combined with additional requirements means it is not a feasible option.

The request to move our compound to the east in Area C requires that we adjust our vehicle access to the site. As I am sure you will appreciate we also have organised and planned the land to be purchased, used and accessed with all of the other landowners. Moving the compound will require a new location outside the CPO redline boundary, and whilst I'm sure we can come to an agreement with your client around this revision, we would need to consider whether there is a wider impact to other landowners, where agreement may be less forthcoming. We are also restricted in terms of available land to the east of the new road.

**None of the issues to which you refer here present an insuperable hurdle. T & L will extend its cooperation in respect of its land holding & in the event that any third-party landowners require to be involved also then matters ought to be capable of being concluded by you negotiating with them. In the alternative they can be addressed within the Inquiry.**

As outlined above we have taken time to extensively investigate the design and the floodplain is not a suitable alternative for the compound site.

We are still reviewing and there are several issues to overcome, and we will provide a full response to your objection as soon as we can. However I did want to make sure we continue to work collaboratively with you to hopefully resolve these issues. The main issues that have been highlighted so far are

Please refer to attachment **S0014-JCE-CPO-00-SK-0001 - Southern Site Compound Arrangements**

1. In order to build the permanent works embankment alongside Plot B we require a minimum of 25m width from the edge of the carriageway. The footprint of the embankment is approximately 15m at its widest point, and we need an area beyond its edge of 10m at the lower level for a track machine to access to complete and grade to the slope. Without this area we cannot build this section of the road.

**Whilst accepting the limitations of the drawing, it would seem to me that the required 10m working area for a tracked machine can be achieved without any encroachment in to parcel 10b. A pinch point may arise as between the north east extremity of 10b & the toe of the embankment at that point, but that dimension appears little different to the similarly narrow point a little to the north at which the embankment is at its 15m maximum width.**

This 10m width strip beyond the bottom of the proposed embankment is required in all places for two reasons –

1. To provide a suitable and safe access route 10 m wide to the flood plain area to allow us to construct the viaduct
2. To provide a safe working area for the excavators during installation of the haul road. This strip will also be required whilst maintaining and removing the haul road and completing the embankment construction. This is a Health and Safety requirement to ensure that all persons remain safe whilst the excavator is working – see attached sketch **S0014-JCE-CPO-00-SK-0004** which shows the minimum safety zones our contractor must adhere to at all times (This is one of the contractors company procedures). This therefore precludes the narrowing of the area required by fencing, demarcation, or other barriers as they could become potential crushing zones.

As confirmed in email on 7<sup>th</sup> December 2020 the previous drawing showed an idealised line denoting the edge of the blue area (the details were approximate), where the embankment is 15 m wide. The intention is to have use of a sufficient width alongside it, in order to have the appropriate width for the excavators to safety work.

2. A haul road is due to be installed to the west of the working area strip of land above in order to build a substantial working platform for piling rigs and cranes and allow numerous vehicles to gain access to the lower level to deliver materials, concrete etc for the viaduct construction. There is no available space on the eastern side of the new road for this haul route as this area now includes permanent works drainage and basin.

**The haul road does not directly impact upon the T & L land & if you adopt the approach that I am suggesting below it will not be necessary to bring it on to the east side of the line of the bypass.**

As outlined above, the solution you are suggesting is not one we are able to make work suitable due to the health and safety, construction, environmental and flood risk, and ecological impact it incurs.

3. Our compound must be situated on the same side of the new road as the haul road to the lower level. This will ensure the safe management of delivery vehicles as most will have to manoeuvre within the compound to turn around and reverse down the haul road, this is a significant H&S hazard which is best controlled and mitigated within a safe enclosed environment (our compound). We also have a planning condition stating that all vehicles must pass through a wheel wash before leaving the site, therefore having the compound on the same side as the haul road is paramount.

Neither safe reversing of vehicles nor suitable and compliant wheel wash facilities can be accommodated if the compound is on the opposite side of the road to the haul road.

**Based on what you say it appears to me that consideration should be given to extending the depth of the proposed haul road (shaded yellow) such that it would be suited to acting both as a haul road & a secure vehicle compound. This would enable delivery vehicles, mobile plant & such like to enter the haul road & works area in a safe forward direction, make their delivery/perform their function, undertake a three-point turn & then exit also in a forward direction. A wheel wash facility could be incorporated at any suitable point during exit from the site. Taken with what I say at 1 this would avoid the need for any use of parcel 10b & it would overcome what you assess as being issues with relocating the vehicle compound within the T & L land on the east side of the bypass.**

Please see our answer above regarding moving the site compound in the flood plain.

As detailed given the magnitude of that work it is imperative that we have safe, spacious, suitably developed and well managed accesses and logistics areas.

4. On the eastern side of the road our permanent works adjacent to plot C comprise of attenuation storage, swale and new wetland pond area and outfall for the surface water run-off from the entire viaduct and a short section of carriageway. Moving the site compound and haul road to this side means a delay in installing these features. This would mean run off from the viaduct and road area would not have an outfall system in place soon enough leading to local flooding issues and additional risk to the project.

Please see the eastern side attenuation and drainage proposals attached.

**Incorporating the compound with the haul road, as per 3, extinguishes a need to move the compound on to the east side of the bypass.**

**From the drawing it appears that the only work to be undertaken adjacent to T & L's land/parcel 10a is the construction/installation of sub-surface drainage attenuation. The works of constructing the swale, wetland pond & s/w outfall appear only to affect parcels 8a & 9a which are outside of T & L's ownership. Whilst I can see that it is convenient to utilise parcel 10a in connection**

**with the attenuation works, there is no evident or obvious reason as to why those works cannot be undertaken from the bypass works area, thereby avoiding any need to use any part of the T & L land.**

The drainage is being installed to the north of 10a along the eastern side of the Scheme. This location was chosen because the ground conditions along the western side were not conducive to a satisfactory solution. In this context the ground conditions refer to the levels and topography of the ground and the relationship between the contract working area and the flood plain, combined with the extremely poor ground conditions and the potential to flood in the winter. As noted, the attenuation features and associated drainage is not in 10a but alongside. To install it, we would require working space to the east of the attenuation tank. This needs to be sufficient for a tracked excavator to allow us to safely excavate, ensure edge stability and build the tank. We are reviewing this working space location, looking to reduce the land requirement. We will respond with our findings.

As you will appreciate, these are fundamental issues that would need to be overcome in order to accommodate your clients new requirements.

It would be very useful if you were able to send over some information on your client's design, anticipated timing, and access plans for the housing development which would also allow us to identify any further logistical implications. We are keen to explore options to reduce impact to your clients and mitigate compensation costs. Once I have more information in this respect, I will be contact with you again.

**The attached drawing reference 4817(22)01 prepared by Kay Elliott Architects provides illustrative guidance as to how T & L areas A & B might be developed for residential use. A scheme revision is currently in hand but my expectation is that the fundamental design principles & broad utilisation of the two sites will not alter substantially. The points of vehicular access from the west arm of the roundabout represent the ADC/WSCC approved means of access & they form part of the southern bypass contract works that are currently being undertaken by Breheny. The hotel/restaurant layout shown on area C is illustrative also, albeit we are now in a substantive dialogue with a mainstream hotel operator who has expressed interest in the opportunity.**

**Persimmon are scheduled to complete the enabling works to the T & L land during Q3 2020. Those works include the provision of all services/utilities, soil remediation (& independent certification thereof), grading & the erection of perimeter fencing. Each of the four parcels within T & L's ownership will then be enabled for development which, on current estimates, will likely commence early in 2022.**

The Council is aware that T&L Crawley No.2 and Persimmon Homes have a deed in place regarding land that incorporates Plots 10a and 10b. We would like to discuss further the dates and the plans for perimeter fencing and other works that Persimmon are leaving completed for when the land is returned.

# G-110

Kind Regards  
Mark



NOTES:

1. ALL DIMENSIONS IN METRES UNLESS OTHERWISE STATED.
2. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT DRAWINGS AND SPECIFICATION APPENDICES 500 AND 1100 SERIES.



Drawing Identifier	BS1192 Compliant
Project - Originator - Zone - Level - File Type - Role - Number	Revision
S0014-JCE-CPO-00-SK-0003	P01

