Highway Development Control Consultation Response

Planning Application Ref: PL/2023/05353

Site Address: Land at Sutton Lane, Sutton Benger, SN15 4PR.

Proposal: Discharge of condition 13 (Footway) of 20/03487/FUL.

Date of Consultation Response: 19/07/2023

I refer to the above planning application dated 22/06/2023 seeking permission for the discharge of condition 13 of permission 20/03487/FUL which states:

No part of the development shall be first occupied until details of a new footway have been submitted and approved in writing by the Local Planning Authority. No part of the development shall be occupied until a footway has been provided in accordance with the approved details.

Plans have been submitted which detail the extent of the required works, however these have not been through the technical approval process for the required Section 278 highway agreement. Therefore, I can recommend discharging the initial part of the condition, however through technical approval these plans may be altered which would result in Non-Material Amendment applications being required for any changes to the plans through the technical approval process. The plans submitted for the DOC should be included within the S278 design for technical approval.

The second part of the condition requires the footway to be provided in accordance with approved plans, this part cannot be discharged.

Therefore, I acknowledge that the plans have been submitted and urge the applicant to enter into a S278 highways agreement at the earliest opportunity in order to receive approval and allow for provision, and would recommend the following informative:

APPLICANT TO ENTER INTO A S278 AGREEMENT
The developer/applicant will be expected to enter into a S278 Agreement with the Highway Authority before commencement of works hereby approved.

If you have any queries regarding the above advice, please contact:
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