



Department for Transport

Jeremy Bushell
Principal Planning Officer
Development Management
Chichester District Council

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24th October 2016

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Dear Mr Bushell

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

Ref: **O/16/01785/FUL**

Referral to Secretary of State under the Town and Country Planning (Development Affecting Trunk Roads) Direction 2015.

1. I am directed by the Secretary of State to refer to the planning application by Oving Parish Council for removal of conditions 9 and 11 on planning permission O/11/05283/OUT which require the closure of the Oving Traffic Lights and to retain the junction as it currently functions. Land at the junction of Oving Road with the A27, Chichester.

2. In exercise of his powers under Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and upon reading the material provided in accordance with paragraph 4 of the Town and Country Planning (Development Affecting Trunk Roads) Direction 2015, the Secretary of State hereby directs an indefinite non approval for the application for the reasons set out below:

- a. It would go against transport policy, which is laid out in DfT Circular 02/13 Development on the Strategic Road Network which explains the practices of Highways England for maintaining, managing and operating a safe and efficient strategic road network;
- b. It would go against planning policy which is explained in the *National Planning Policy Framework* issued by the Department of Communities and Local Government. It states that planning permission should not be refused on transport grounds unless the residual and cumulative impacts are severe. In this case the conditions were applied to mitigate the severe impacts of the

development on the Strategic Road Network;

- c. the developer does not support the removal of the conditions;
- d. the applicant has had opportunities to substantiate their case for the application to remove the conditions but has not provided robust evidence to support their application.

Signed by

A handwritten signature in black ink, appearing to be 'C. Hill'.

A Senior Civil Servant in the Department for Transport
For and On Behalf of the Secretary of State

24th October 2016