



BellamyRoberts

# Technical Note

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**SITE:** Proposed Solar Farm Development  
Highway Comments on Behalf of:  
North Mundham Parish Council

**OUR REF:** GDB/6270/TN.3

**PLANNING REF:** 24/01859/FUL

**DATE:** 26<sup>th</sup> March 2025

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1. The Officers' report in relation to Planning Application Ref 24/01859/FUL recommends that planning permission be granted subject to a number of Conditions. Condition 6 refers to the need for a Construction Environmental Management Plan (CEMP) to be agreed prior to commencement of development, and the need for this Plan to deal with traffic management measures, including HGV traffic movement hours, routeing, and provision of suitable passing places. The Condition refers to the outline CEMP which has been submitted.
2. Detailed examination of the access routes, by walking them and taking key measurements, demonstrates that the outline CEMP is wholly inadequate and does not provide a suitable starting point. As a result, it is far from clear that a satisfactory CEMP can be achieved from a highway safety viewpoint. As this is considered to be a fundamental requirement which goes to the heart of the planning permission (not least because it is proposed as a pre-commencement condition) it is reckless to grant planning permission until such time as it has been demonstrated that an acceptable scheme of mitigation measures can be achieved.



3. West Sussex County Council (WSCC) highways consultation response appears to accept the applicant's outline CEMP at face value, without a detailed check on aspects of it.
4. Our own walk-through has shown that many of the suggested passing places are totally impractical, for a variety of reasons, including being too short to accommodate an HGV (articulated HGVs are 16.5m long plus the swept path lengths to manoeuvre into such passing place), being too close to ditches to prevent the vehicle loadings causing the banks to collapse, and the lack of intervisibility and the distance between passing places. Few, if any, of the suggested possible passing places offer the opportunity for two HGVs to pass. One of the passing places proposed involves the need to remove the traffic island at the junction of Church Road and Fisher Lane. This was installed originally in response to safety problems arising from drivers cutting the corners at this 3-way junction, when there is very limited forward visibility for such manoeuvres. The need to remove the island will therefore re-introduce that safety issue.
5. The need for traffic control through the heart of North Mundham village is recognised by WSCC but problems due to the required length to be controlled, and the impact of access to and from private dwellings, side road junctions, etc is not recognised and these are very real, practical concerns which become self-evident on careful inspection. The controlled length of single line operation through the centre of the village will need to extend from Fletcher Place to somewhere in the vicinity of the Cemetery Car Park (a length of some 300m). Within that length there is the junction with Post Office Lane, together with approximately ten individual dwellings and Fletcher House which contains 16 managed retirement apartments. Given the volumes of traffic, there will be many occasions where residents wishing to leave their dwelling will not be able to know which direction has priority at that time. Three-way traffic lights could be used to include control of Post Office Lane and Hermitage Close (a cul-de-sac served off it) but that would lead to even longer 'dead' periods south of the junction.
6. Horse riding is a daily occurrence in these quiet lanes, as is cycling. National Cycle Routes 2 and 288 run along the length of Fisher Lane, and along Church Road through North Mundham to join the B2166. In addition, Route 2 passes along



Bowley Lane past the main site access. The whole of the proposed HGV route is therefore on parts of the National Cycle Network.

7. All of these measures demonstrate the lack of thought given to the suggested remedial measures, and/or the difficulty in finding effective and practical solutions.
8. The WSCC consultation response states that construction traffic issues are not considered grounds upon which this development could be objected to. Whilst recognising that there will be locally significant impacts, WSCC suggest that these will be temporary and will require suitable mitigation. Firstly, the temporary nature will extend over a period of at least six to eight months and will also repeat at the end of the development's life span (approximately 40 years) when it is decommissioned and the equipment removed. There will also be similar disruption during its life span when solar panels, inverters, etc need to be replaced. Secondly, and for the reasons set out above, it has not yet been demonstrated that suitable mitigation can be achieved.
9. Having recognised that there will be locally significant impacts and that there will be a need for mitigation, it is essential that the Highway Authority takes proper steps to satisfy itself that the suggested mitigation measures are feasible, will be effective, and will be sufficient. It is not satisfactory for the Highway Authority to simply rely on the applicants' deeply flawed outline proposals at face value.
10. The narrow country lanes which the applicants propose to use for access to the solar farm are clearly inappropriate for that purpose. The applicants have been unable, to date, to demonstrate a package of workable measures to overcome the problems. The size and weight of the HGV traffic associated with the development will undoubtedly result in substantial damage to the edges of the carriageways and to the grass verges. Whilst the proposal for an agreement under Section 59 of the Highways Act, would require the applicant to fund the repairs to such damage, the local residents will be faced with having to use these lanes in cars, on bicycles, and on foot, throughout a period of many months when the lanes are in a damaged state, until the site construction works are completed, the damage to the highways is agreed, and repair works have been carried out. The damage to the roads creates the potential for damage to peoples' vehicles and their tyres, and to the carriageways becoming covered in mud, spread from the verges by over-running



HGVs. This is particularly unacceptable for pedestrians and cyclists. All of these issues would be repeated upon decommissioning of the site when a further Section 59 Agreement would be required.

- 11.** The fact that virtually all of the 2.5km length of the route from the B2166 at North Mundham to the site is of insufficient width to allow an HGV to pass a car, let alone two HGVs to pass each other, demonstrates how unacceptable it is to use these country lanes as the sole means of access. Section 59 of the Highways Act uses the phrases 'excessive weight' and 'extraordinary traffic'. That the Highway Authority and the applicant indicate that they accept the need for an agreement under that Clause, demonstrates that what is proposed is traffic outwith what is normal on these country lanes.
- 12.** An alternative means of access needs to be secured, with more direct connection to a higher standard road. If that is not possible using land currently under the applicants' control, then the applicants need to secure such land. Failure to control land required to facilitate an acceptable form of development is commonly used as justification for refusing planning permission.
- 13.** In summary, the proposals are unacceptable in relation to the impact on highway safety for existing users. The applicants' suggested mitigation measures are revealed to be deeply flawed and unrealistic when subjected to a detailed examination, yet the Highway Authority appears to have accepted their feasibility at face value as presented. It is reckless for the LPA to grant planning permission on the basis of that acceptance, and the imposition of a Condition requiring the preparation of a CEMP with effective measures. That CEMP goes to the heart of the permission, but there is no evidence to date that effective measures to create a safe and viable route can be developed. Any planning permission should therefore be deferred until such time as a detailed and effective CEMP has been developed and subjected to consultation.

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26<sup>th</sup> March 2025