



Sarah Lade
East Sussex County Council
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Date:
5th April 2013

please contact
Paul Carnell
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our ref
RR/2474/CC(EIA)
GM/PC

your ref

Dear Ms Lade

RR/2474/CC(EIA) – Construction of a new road, including environmental treatment with earthworks, planting, flood and noise attenuation, wildlife compensation, and facilities for non-motorised users. A259 Belle Hill, Bexhill-on-Sea to B2092 Queensway, St Leonards-on-Sea.

Section 106 Legal Undertaking: Complementary Highway Improvement Plan

I refer to your email dated 30th November 2012 concerning the above development.

The email contained the submission of the Complementary Highway Improvement Plan (CHIP) required by paragraph 3.3.1 and Schedule 4 of the Section 106 Legal Undertaking dated 28 July 2009, between East Sussex County Council, Hastings Borough Council and Rother District Council.

Schedule 4 of the undertaking states:

The Complementary Highway Improvement Plan shall include proposals for an appropriate package of offsite road works and public transport improvements to be implemented within an agreed timetable. It shall:

1 mitigate the effects of traffic impacts from the Development and secure related improvements in bus services particularly along the A259, taking into consideration:

(a) the emerging Hastings and Bexhill Local Area Transportation Strategy (HBLATS); and

(b) the Highway Agency notification of an improved Baldslow junction to the A21.

2 aim to improve the management of traffic along The Ridge and secure improvements across the wider highway network comprising of, as appropriate:

- (a) the signalisation of junctions;
- (b) junction improvements;
- (c) traffic calming measures;
- (d) enhanced arrangements for pedestrians cyclists and public transport.

As you are aware by paragraph 3.3.3 of the Section 106 Legal Undertaking, development may not commence until the CHIP has been approved in writing by the Head of Planning, and the measures identified in the CHIP must be implemented in accordance with the timetable set out in the CHIP.

The CHIP as submitted contains proposals to mitigate the impact of increased traffic along The Ridge through improvements to junctions at key stress points identified on the Highway Network and the introduction of parking restrictions. It also seeks to lock in the benefits of reduced traffic along the A259 through the introduction of bus priority measures. A delivery programme has been included outlining when the proposed measures will be designed, consulted on (where appropriate) and delivered.

It is recognised that some of the proposed measures are at a feasibility stage and will require further design and, in some cases, consultation. Paragraph 3.3.3 of The Undertaking requires you *“To implement and observe the CHIP from the date of approval in writing by the Head of Planning of the CHIP and to implement the provisions of the CHIP in accordance with the timetable set out in the CHIP unless otherwise agreed in writing by the Head of Planning.”*

The CHIP should therefore be implemented in accordance with the timetable included in Appendix 3. Any deviation from this timetable will need to be agreed in writing by the Head of Planning. The County Planning Authority should also be kept up-to-date on the progression and implementation of the CHIP. Any changes to the CHIP to mitigate the effects of traffic impacts from the Development (BHLR) should be submitted to and approved in writing by the Head of Planning.

Upon approval of the CHIP, a copy of the Plan will be supplied to Rother District Council and Hastings Borough Council in accordance with paragraph 4.4 of the Section 106 Legal Undertaking.

In relation to paragraphs 3.3.1, 3.3.2 and 3.3.3 and Schedule 4 of the S106 Legal Undertaking, I hereby approve the submitted CHIP subject to:

- i. the implementation and review of the effectiveness of each scheme in the CHIP being reported to Head of Planning; and**
- ii. the provisions of the CHIP being undertaken in accordance with the timetable set out in the CHIP. Any deviation from the timetables set out in the CHIP should be agreed in writing with the Head of Planning.**

Please note that under the terms of the Section 106 Legal Undertaking there remain outstanding items required by the Section 106 Legal Undertaking to be approved, prior to development commencing.

Yours sincerely



Tony Cook
Head of Planning

Copy to: Hugh Coakley – East Sussex County Council
Head of Planning – Rother District Council
Head of Planning – Hastings Borough Council

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