

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO: David Easton
FROM:	WSCC Highways - Public Rights of Way
DATE:	5 March 2024
LOCATION:	Land East of Westergate Westergate
SUBJECT:	AL/11/24/OUT Hybrid application consisting of: 1) Outline permission for all matters reserved (except access) for up to 400 No dwellings and associated works and 2) Full planning permission for alterations to site access off Westergate Street and through Pine Close and east-west link road including a bridge over the Lidsey Rife. This application also lies within the parish of Barnham, falls within Strategic Site SD5, CIL Zone 1 (Zero Rated), affects the setting of listed buildings, affects the character and appearance of the Eastergate Church Lane Conservation Area, affects public rights of way. This application is the subject of an Environmental Statement.
DATE OF SITE VISIT:	n/a
RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):	Footpaths 296, 297, 298, 300, 317
RECOMMENDATION:	Objection
S106 CONTRIBUTION TOTAL:	TBC

Thank you for the opportunity to comment on the above numbered planning application. This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. In respect to the above planning application I would provide the following comments.

As stated in the NPPF, para 104, Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

Defra Rights of Way Circular (1/09) states The effect that a proposed development will have on Public Rights of Way is a material consideration for planning authorities when deciding whether or not to approve a planning application. The potential consequences on Public Rights of Way must be taken into account. Information supplied by an applicant should therefore explain how the potential development will impinge on Public Rights of Way.

Bearing the above in mind, my comments are as follows:

The Public Rights of Way (PRoW) this site affects are identified but not always shown on their definitive lines, it is unclear if some fall within or just outside the site's boundary, there appear to be diversions but no mention is made of these and there are contradictions across different plans and

documents as to what is proposed. Without clear details, I have to object and request more information.

Footpath (FP)296

I cannot see any indication of the route of this footpath in the Overall Sketch Layout however the Framework Travel Plan states FP296 will be upgraded. What route will the footpath follow? Do you plan to divert it? What upgrade is sought? Is it intended to allow cycling on a permissive basis over the footpath or upgraded to a Bridleway that will cater for cycling and equestrian use as well as pedestrian?

Will the path cross the main east-west road? If so, what crossing facilities are proposed?

The Transport Assessment states that where FP296 runs along the southern and eastern boundary of Eastergate Church of England Primary School it is unlikely to provide a suitable all-weather route for journeys to school. For information, this section is also a Highway-maintainable E-path and S106 funds are being sought to upgrade it via BN/11/22/OUT. Should they not be forthcoming under that application however, an obligation should be placed via a S106 contribution on this application to achieve the same.

Footpath (FP)297

FP297 carries the higher status of a Highway maintainable E-path through the site and will require Highways input therefore.

I note however that;

- it appears necessary to divert FP297 to accommodate the planned access arrangements,
- a north-west corner appears to be cut off,
- the FP may be upgraded as a proposed cycle and pedestrian route.

Footpath (FP)298

Again it appears this footpath will be diverted and upgraded but without any details provided.

Footpath (FP)300

This path appears to remain on its current definitive line but is extended. Is it intended that this extension will be offered up for adoption to secure it in perpetuity?

The Framework Travel Plan states FP300 will be upgraded. The Access and Movement illustration on page 33 of the Planning Statement shows it as a proposed cycle and pedestrian route.

Footpath (FP)317

It is unclear from the Overall Sketch Layout and the Planning Statement if the whole of this FP falls within the site's boundary. The Framework Travel Plan states this FP will be upgraded but no further details are given.

Please submit details and plans clearly indicating;

- where the definitive lines of existing PROW lie within and outside of the site,
- where diversions are sought and what routes these will follow,
- if extensions are to be offered for formal adoption, and
- what upgrades are planned.

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Please could the attached response be distributed to the relevant case officer.

Regards

Donna Trethewey

Please do not reply directly to this email.

Any formal reconsultation on the application should be directed to [REDACTED] but the responding officer can be contacted directly via email if there are any questions relating to this response.

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