

## WEST SUSSEX COUNTY COUNCIL CONSULTATION

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|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>TO:</b>                                      | Arun District Council<br>FAO: Anita Gardner                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>FROM:</b>                                    | WSCC - Public Rights of Way                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>DATE:</b>                                    | 9 June 2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>LOCATION:</b>                                | Land west of Brook Lane and South of A259<br>Angmering BN16 3JL                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>SUBJECT:</b>                                 | A/26/21/RES<br><br>Approval of reserved matters following outline consent A/44/17/OUT for appearance, landscaping, layout & scale for the demolition of existing buildings on site & erection of a mixed use development comprising of 90 No. residential dwellings & a care home & ancillary facilities including railway crossing together with associated access, car parking & landscaping. This application also lies within the parishes of Rustington & Littlehampton.<br><br>More information received. |
| <b>DATE OF SITE VISIT:</b>                      | n/a                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):</b> | Footpaths 2159 / 2160                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>RECOMMENDATION:</b>                          | Advice                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>S106 CONTRIBUTION TOTAL:</b>                 | n/a                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

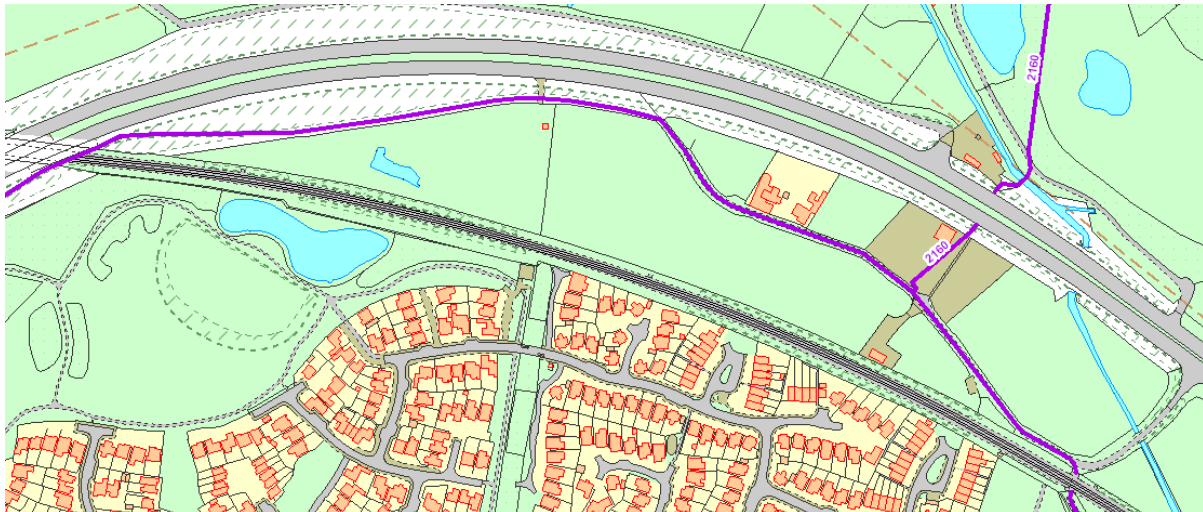
Thank you for the opportunity to comment on the above numbered planning application. This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. In respect to the above planning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

### Railway Bridge

We welcome a grade separated crossing over the railway and note the developer will be working with Network Rail on this. As this bridge connects Footpath 2159 north and south of the railway line we will also need to be involved in the discussions over the design of the bridge to ensure it is suitable for lawful pedestrian users.

### Footpath 2160

We note that the line of PRow Footpath 2160 on the developer's plans does not follow the legal line as shown on the Definitive map.



*WSCC Local View showing legal line of Footpaths 2160 and 2159*

Existing and proposed landscape buffers help to define plot boundaries to the north and south with a mixture of soft and hard landscape treatments forming the linear plot divisions.

The road layout has been largely defined by the retained PRow. The PRow forms the basis for a series of nodal community spaces that provide a variety of environments for residents to use. Dedicated LEAP & LAP spaces are provided in accordance with the outline consent and benefit from enhanced areas of landscaping.

The layout steps across the site and creates different communal spaces. The orientation of houses varies and helps to define spaces and create a sense of place. In addition to this the varied distances between the houses add variety to the density across the site.

-  Gateway Building
-  Fronts
-  Backs
-  Noise from Trains
-  Level Change
-  Wildlife Corridor
-  Pedestrian Right of Way



### *Developer's Plan*

Any change to the legal line is subject to an application by the developer to Arun District Council to divert it via a Public Path Order (PPO) under Section 257 of the Town & Country Planning Act 1990 before works start. There are two stages, the 'making' and the 'confirmation'. Application for a PPO can begin prior to the granting of planning permission however the PPO will only progress to the 'making' stage. The 'confirmation' of the diversion can only proceed once planning permission has been granted.

The WSCC PROW Team will be a formal consultee as part of this diversion Order application process and its prior agreement to a specification will be required before lending formal support to any diversion proposal.

A temporary closure of FP2160 will be necessary during development. Any temporary closure application for FP160 cannot be granted if development is planned over the current legal line as recorded on the Definitive Map unless the diversion has been legally confirmed first.

Development affecting the currently recorded legal lines of the footpaths must not begin until and unless the path has been formally accommodated else an offence is being committed and may invalidate any diversion Order procedure.

### **Footpaths 2159 and 2160**

Neither Footpath 2159 or 2160 must be blocked, restricted, obstructed by vehicles, plant, scaffolding, the storage of materials, be made difficult to pass over or along or be unavailable at any stage to lawful path users without [Temporary Closure Orders \(TTRO\)](#) being applied for and approved. There is a cost associated with this, a 6 – 8 week lead time and advice on the process can be sought from WSCC's PROW Team. Please note that should closures be requested, the County Council will expect an alternative provision for members of the public to pass safely through the site given its size and location within the Rights of Way network.

Any damage to the footpaths needs to be rectified to the same or better standard than it was prior to any damage done during the development activity, to a specification agreed by West Sussex County Council as the Highway authority

No new structures, such as gates and stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980.

Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.

Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.

Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.

(Mapping reproduced from or based upon 2021 Ordnance Survey material, WSCC licence 100023447. Rights of Way information is not definitive).

**Donna Trethewey**  
**Planning and Communities Officer**  
**Public Rights of Way**  
**West Sussex County Council**