[redacted]

From: Kevin Dewitt [redacted]
Sent: 16 August 2021 11:23
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Cc: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: RE: Planning Consultation on: BE/110/21/DOC

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Good morning Michael

In regards to the request for consultation on discharge of conditions 23 relating to planning application BE/110/21/DOC, it is not clear what you are requiring from WSCC Public Rights of Way.

As discussed during our telephone conversation at the end of May and as confirmed on the attached email. The only documents I can see referring to condition 23 are a specification for surfacing a path between Shripney road and Bersted Brooks Nature Reserve, however this route is not a public right of way (PROW) and is not connecting to a PROW, therefore I am unable to comment on this specification as it refers to private land.

There is no indication from the applicant that it is intended to dedicate this route as a PROW. If the applicant does wish to dedicate this route as a PROW then they can enter an agreement under **Section 25 of the 1980 Highways Act** to do so.

However, as any new PROW would have an extra maintenance burden associated with it, then WSCC would need to be consulted first and a proposed dedication would need be considered and agreed by the WSCC Principal Rights of Way Officer and possibly the Rights of Way Committee, to decide whether the creation was in the public interest.

Alternatively, a landowner may consider making public access available through a permissive path agreement. Permissive paths are not legally recorded Public Rights of Way and are not defined by statute. They may provide new permissive footpaths or bridleway routes, or allow existing footpaths to be upgraded to a bridleway.

A permissive path agreement can provide a very worthwhile addition to the path network for the benefit of path users, whilst not committing the landowner to a permanent public path on his land.

There are 2 types of permissive path:

1. Through agreement - A formal agreement with the County Council can be entered into to allow use by the public for an initial specified period. Approval from the Planning and Rights of Way Committee or through delegated powers is required to set up such an agreement. The County Council, as Highway Authority, would be liable, subject to agreed terms, for the maintenance of a permissive path where there is a formal agreement in place, and for the term of the agreement.
2. Through informal consent - An owner may simply allow the public to use a route on his or her land and this consent may be withdrawn at any time. The County Council would have no obligation in terms of maintenance or liability for such routes.

It would be helpful if you could confirm please what is the proposal in regards to this new route. If you have any queries regarding the above please do let me know.

Kind regards

Kevin

Kevin Dewitt
Access Ranger – Area 3
Rights of Way, Highways Operations
West Sussex County Council, 1st floor Northleigh, Tower Street, Chichester, West Sussex, PO19 1RH

[redacted]

To ensure any PROW enquiries are dealt with efficiently please report them via our on- line form: Report a problem with a Public Right of Way

Landowners please be aware that you are responsible for trees on your land and have a legal duty of care and must maintain your trees in a reasonably safe condition. View ash dieback here; https://www.westsussex.gov.uk/land-waste-and-housing/public-paths-and-the-countryside/ash-dieback/

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From: planning.responses@arun.gov.uk <planning.responses@arun.gov.uk>
Sent: 11 August 2021 23:04
To: SU Local Development
Subject: Planning Consultation on: BE/110/21/DOC

To: **WSCC Public Rights Of Way**

NOTIFICATION FROM ARUN DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

Application No:	**BE/110/21/DOC**
Registered:	1st July 2021
Site Address:	Land At Salt Box West Of Shripney Road Bognor Regis PO22 9NW
Description of Works:	Approval of details reserved by condition imposed under hybrid application BE/135/18/PL relating to Full Condition Nos 4 - external lighting, 7 - vehicular access link, 8 - car park & covered and secure cycle parking, 10 - hard & soft landscaping, 12 - surface water drainage, 13 - discharge flows to watercourses, 14 - maintenance & management of surface water drainage, 15 as-built drawings of the implemented scheme, 16 - foul drainage, 21 - CCTV strategy (Units 4-9), 23 footpath connections, 30 security fencing (Units 6,7,8 & 9), and 45 - levels.

The Council have received the above application to discharge conditions. I shall be pleased to receive any observations you may wish to make in respect of those conditions relating to your field of expertise.

Click here to view the Discharge of Condition application

Should you wish to make any comments click on the link www.arun.gov.uk/planning and click into ?Enter Comment? or if this is not possible email your response to planning.responses@arun.gov.uk by **2nd September 2021.**

Please be aware that any comments you may make will be available on our website so please do not insert personal details or signatures on your reply.

In the absence of a reply within the period stated, I shall assume that you have no observations to make.

Yours sincerely

Michael Eastham

Planning Case Officer- Arun District Council

Telephone: 01903 737772

Email: michael.eastham@arun.gov.uk

PLCONDOC (ODB) 2020

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[redacted]

From: Kevin Dewitt [redacted]
Sent: 27 May 2021 13:55
To: Michael Eastham
Subject: RE: Discharge of condition application BE/61/21/DOC - Land At Salt Box West Of Shripney Road
Attachments: image001.jpg; image010.jpg; image012.jpg; image015.jpg

Good afternoon Michael

My colleague Darryl has forwarded your email regarding the application BE/61/21/DOC to me as I am the Access Ranger responsible for the public rights of way (PROWs) in that area.

Before I can give a formal consultation, please can I discuss this with you as I'm unsure of PROWs involvement here. The proposed path is not currently a PROW and is not connecting to any PROWs. Is Arun DC planning to create a new PROW under Section 25 of the 1980 Highways Act? And if so, have you consulted with anyone else in WSCC regarding this please?

[redacted]

Kind regards

Kevin

Kevin Dewitt
Access Ranger – Area 3
Rights of Way, Highways Operations
West Sussex County Council, 1st floor Northleigh, Tower Street, Chichester, West Sussex, PO19 1RH

[redacted]

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From: Darryl Hobden [redacted]
Sent: 26 May 2021 08:30
To: Kevin Dewitt [redacted]
Subject: FW: Discharge of condition application BE/61/21/DOC - Land At Salt Box West Of Shripney Road

From: Michael Eastham <Michael.Eastham@arun.gov.uk>
Sent: 26 May 2021 07:59
To: Darryl Hobden [redacted]; SU Local Development [redacted]
Subject: FW: Discharge of condition application BE/61/21/DOC - Land At Salt Box West Of Shripney Road

Hi Darryl,

Please could you look at **Condition 23** of discharge of condition application **BE/61/21/DOC** - Land At Salt Box West Of Shripney Road and submit a consultation response.

Condition 23 relates to footpath connections between Salt Box and Bersted Brooks Local Nature Reserve and Rowan Park Caravan Park.

Regards,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772
E: michael.eastham@arun.gov.uk

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