

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO:
FROM:	WSCC Highways - Public Rights of Way
DATE:	7 November 2025
LOCATION:	Land off Church Lane Barnham
SUBJECT:	BN/97/25/PL Change of use of land from agricultural use to residential use, creating 4 No permanent private gypsy plots with associated parking, landscaping and facilities. This application affects a Public Right of Way, may affect the setting of a listed building, affects the character and appearance of the Church Lane, Barnham Conservation Area and is in CIL Zone 3 (Zero Rated) as other development.
DATE OF SITE VISIT:	7 November 2025
RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):	Public Footpath 323
RECOMMENDATION:	Objection
S106 CONTRIBUTION TOTAL:	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.

Since the previous planning application, I note that the applicant no recognises the need to formally divert the public right of way, likely under Town & Country Planning Act 1990 s257, onto what has long been the used route. I have undertaken a site visit following the receipt of reports about the path. I found the path to be fenced in and closely planted with laurel on the far side of each fence. The available width was approximately 1.4m, significantly reduced by a tree within the path and also at the entry point from Church Lane.

When fencing in a path, we require a minimum 2m available width to off-set the inevitable vegetation overgrowth and increased wear of the surface with users confined to a narrow path. The choice of laurel, which is a fast growing, evergreen shrub, will make this path increasingly uninviting, with it being dark and overgrown. The vegetation will grow tall and dense reducing the light and airflow to the path, adversely affecting the surface, which I already found to be muddy and slippery.

I need to object on the basis that this work was undertaken with no reference to ourselves as to what is required and I must ask that the Planning Authority insist that work is done to provide a greater width for the public footpath.

In addition, the plans present an opportunity to resolve an existing issue on the path where a wall and a gate post have created a narrow squeeze gap that is not acceptable

in terms of accessibility. The applicant is requested to contact West Sussex Rights of Way Team [REDACTED] to determine what is needed.

If the applicant does now, or in future, propose any alteration to the public rights of way then they must first consult directly with West Sussex County Council, Public Rights of Way team [REDACTED]

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Rights of Way information is not definitive.

Lysiane Dallen
Public Rights of Way Officer
Public Rights of Way
West Sussex County Council

Regards

Lysiane Dallen

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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