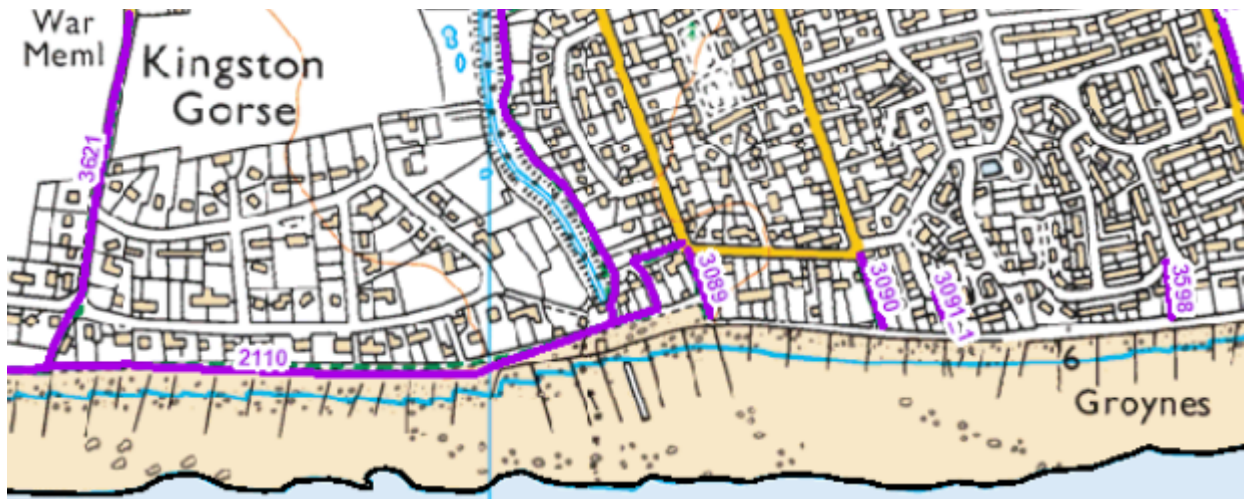


WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO:Mr Z Denton
FROM:	WSCC -Public Rights of Way
DATE:	25 June 2019
LOCATION:	East Of The Bluebird Cafe South Drive Ferring BN12 5QU
SUBJECT:	FG/46/19/PL Refurbishment of existing car park. Providing a permeable SuDS ground reinforcement grid paving system. Providing a level allocated car parking spaces.
DATE OF SITE VISIT:	N/A
RECOMMENDATION:	Holding Objection

The existence of a Public Right of Way (PROW) is a material consideration. Should planning consent be considered, the impact of development upon the public use, enjoyment and amenity of a PROW must be considered by the planning authority.

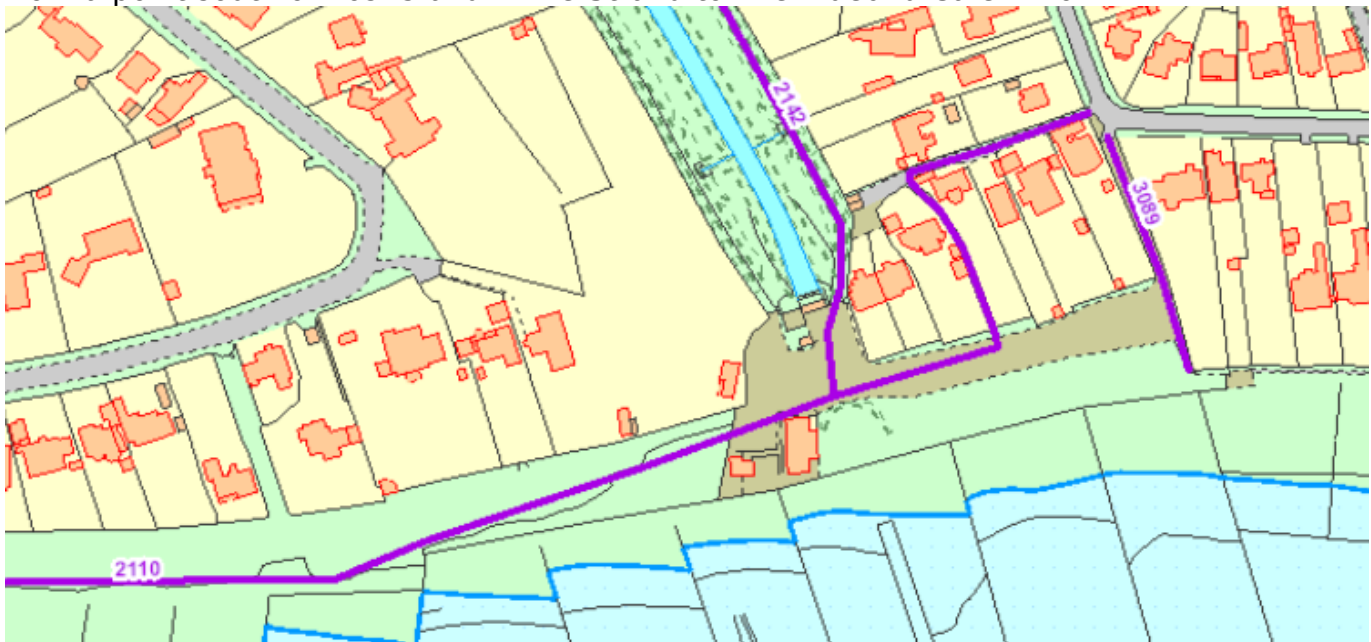
Public Footpath 2110 is recorded through the application site – from the junction of South Drive and West Drive, the footpath runs west along The Strand before turning south to run between nos. 3 and 4 The Strand to enter into the applicant's car park, where the path turns westwards and passes in close proximity to The Bluebird Café before continuing towards Kingston Gorse. It should be noted that two additional public footpaths are recorded in close proximity – footpath 2142, which runs north from a point just north-east of The Bluebird Café to run on the eastern bank of the Ferring Rife; and footpath 3089, which runs at the eastern end of the car park on the vehicle entry/ exit route onto South Drive. For ease I have copied below some map extracts – please note the Definitive Map, the legal record of PROW, is held at 1:10,000 scale but given the small size of the site I have included a representation (which is not the legal record) at 1:2,500 scale.



1:10,000

1:2,500

The proposal to refurbish the car park and provide level allocated car parking spaces will affect part of public footpath 2110, being the section running west from a point south of nos. 3 and 4 The Strand to The Bluebird Café. From



looking at the applicant's plans I consider two or more of bays 29-31 will lie on the legally recorded line of the footpath. Should these bays be occupied by vehicles, these vehicles would be considered an obstruction of the public highway (a PROW is as much a public highway as a publically maintained publicly. Formalising obstruction of the footpath could not be supported by WSCC PROW Service and the applicant, if still intending to proceed, is encouraged to either redesign the intended parking bays to accommodate the footpath; or to seek to formally divert the footpath – further details on the latter can be supplied on request.

It must also be noted it is an offence to undertake works to the surface of a PROW without the prior consent of the WSCC PROW Service; this consent is separate to the grant of any planning consent. WSCC PROW Service is not

certain what, if any, slip hazard could be introduced by the proposed 'Gridforce' material, particularly if after installation the aggregate/ shingle fill reduces to less than the height of the grid. Further details will need to be supplied if the applicant intends to continue with the proposal.

WSCC, as local highway authority, has a duty to protect the legally recorded line of the footpath for public use and therefore must raise objection to the proposal as made.

Jon Perks

Principal Rights of Way Officer