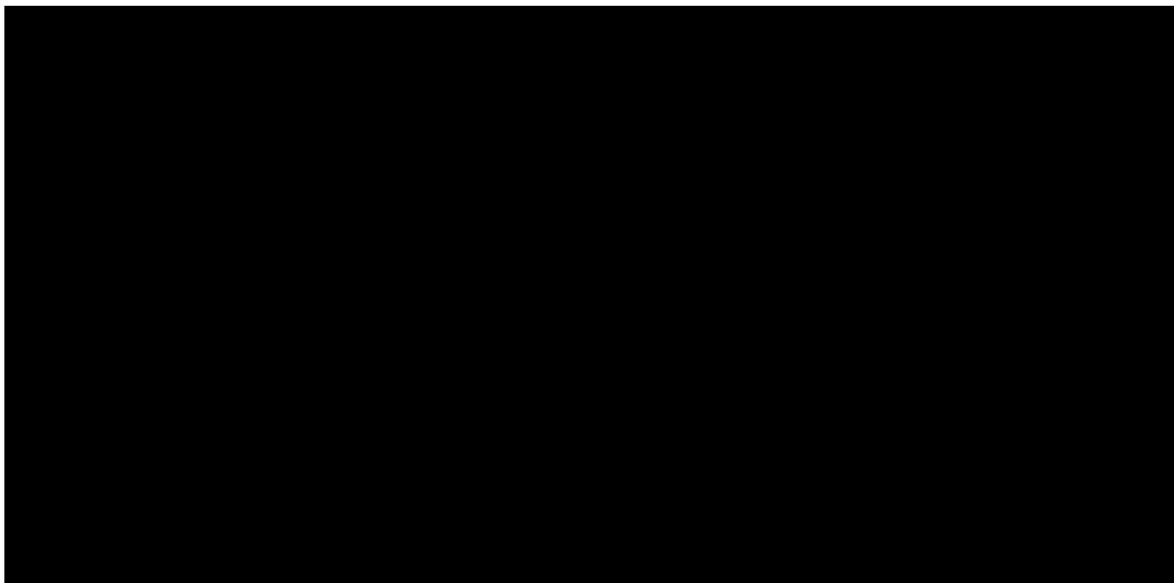
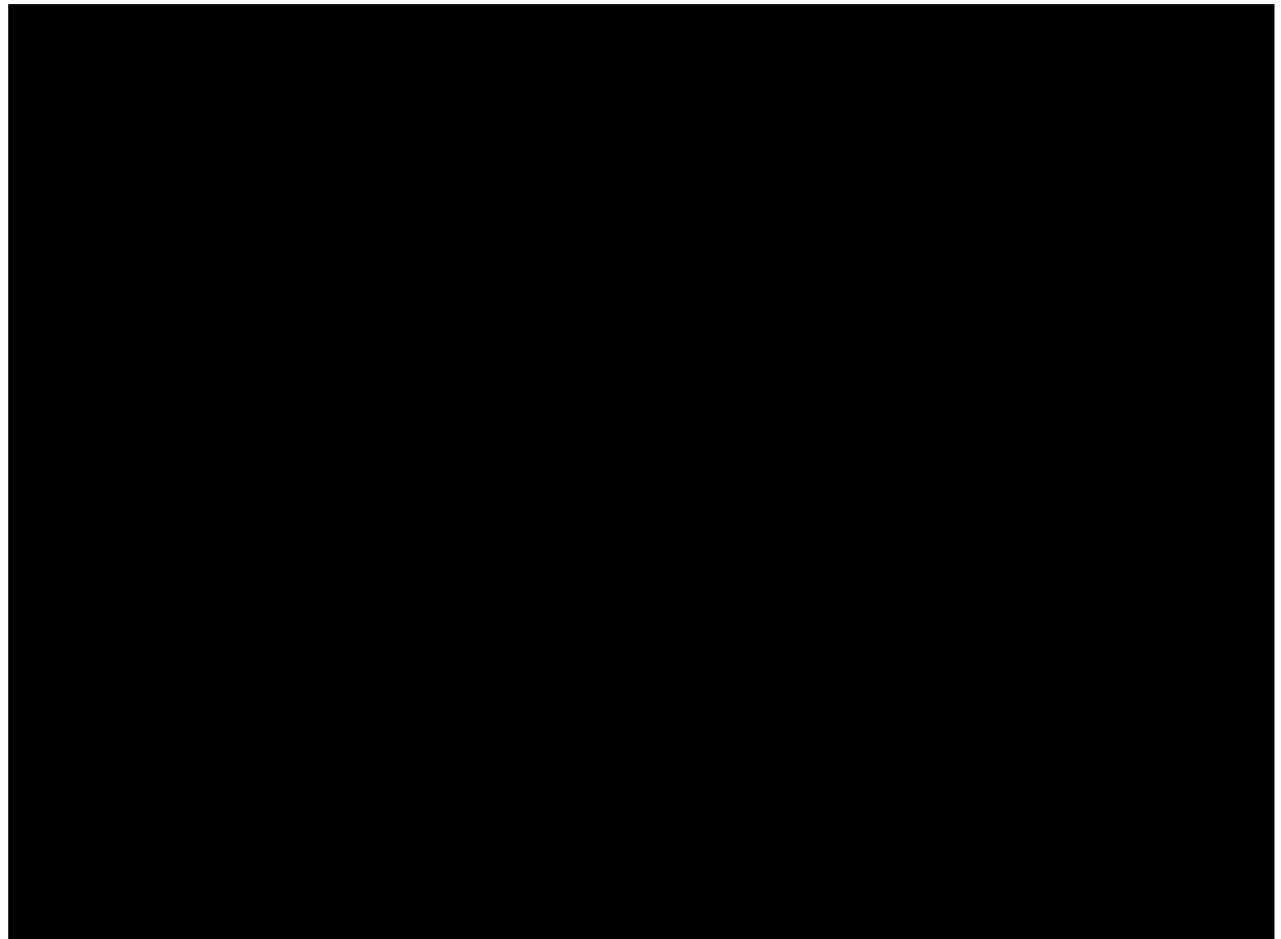




From: Donna Trethewey [REDACTED]
Sent: 22 March 2022 10:25
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Cc: Nicholas Scott [REDACTED]
Subject: FW: Littlehampton Phase 5 - PROW 3096 Diversion - LU/206/21/RES

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Hello Michael,

I'm replying as Nick has unfortunately been hit by Covid.

It's good to hear the routes running east and west along the north of the site from the top of FP3096 (within the site boundary) will be formally dedicated.

I'm happy to note the diverted footpath, as shown in dashed pink on the diagram below will remain legally as a dedicated pedestrian footpath and not require any status upgrade.

Forgive me if I've missed something, but that leaves us still needing to know what legal mechanism is being used to allow FP3096 to be used as a combined pedestrian / cycle way to the north of Phase 5, as marked in dashed green on the diagram below. Will it be adopted by Highways under a Section 38 agreement? Is the intention to upgrade it to Bridleway under a Section 25 agreement?



The diversion cannot be confirmed until this is clarified.

On a final note, please be aware that the developer cannot apply for a temporary closure of the footpath until the diversion is agreed.

Best regards,

Donna

Donna Trethewey

Planning & Communities Officer, Public Rights of Way

Highways & Transp

West Sussex County Council

Location: First Floor Northleigh, Chichester, West Sussex, PO19 1RH

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From: Michael Eastham <Michael.Eastham@arun.gov.uk>

Sent: 16 March 2022 14:50

To: Nicholas Scott [REDACTED]

Cc: Ami Dye [REDACTED] Donna Trethewey

[REDACTED] Tim Townsend [REDACTED]

Subject: RE: Littlehampton Phase 5 - PROW 3096 Diversion - LU/206/21/RES

****EXTERNAL****

Dear Nick,

The status of the path on the eastern side of the Central Spine Road will remain as a footpath on the Definitive Map; it will not be a bridleway.

The paths east and west at the northern boundary of the development are due to be dedicated as public access routes.

There is no intention to dedicate the section between the road as a bridleway but to keep it to pedestrian and cycle use.

Kind regards,

Michael

From: Nicholas Scott [REDACTED]
Sent: 16 March 2022 11:19
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Cc: Ami Dye [REDACTED]; Donna Trethewey
[REDACTED]; Tim Townsend [REDACTED]
Subject: RE: Littlehampton Phase 5 - PROW 3096 Diversion - LU/206/21/RES

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Dear Michael,

Many thanks for the two emails you replied with yesterday but I think there has been a number of points of confusion with this application and the comments Donna has made. I have now discussed this with Donna and can confirm she did not object to this application simply requested more information which I eluded to in my previous email and still hasn't been clarified in full.

Firstly I think the issue of the diversion of the southern section alongside the new spine road has been clarified and as I explained in my email that this would be an LPA led process under the Town and Country Planning Act which you have confirmed is the plan and at no stage did I mention the Highways Act as a way to progress this. As the southern section of the footpath is part of a S.38 adoption agreement then this will fall within Highways remit to maintain in the future. Having said that I am a little confused as to what provision will be available along this line. In your first email at 11:43 yesterday you said this will not be upgraded to a shared footway/cycleway but in your email at 12:12 yesterday you referred to the footway being upgraded to a footway/cycleway at officers request. Can you please clarify this point and confirm what the proposed status of the path on the eastern side of the spine road will be? As you have confirmed that it is part of the proposed adoption then it will not need to be a bridleway and will remain as a footpath on the Definitive Map (the legal record of public rights of way) however will be a highways asset and increased in status to allow walkers and cyclists to use it if indeed this is the case which I shall await your confirmation on.

As explained in my previous email however the bigger issue is the continuity with the public access network at the red line boundary of the development. As I explained I understand the developer cannot dedicate land outside their red line boundary and they have no obligation to do so and whilst I note your comments about users being able to go east and west at the northern boundary of the development are these due to be dedicated as public access routes? Without this formal dedication, or at least a permissive agreement being in place to a bridleway status or cycle track, then there is no formal continuity because the east west routes would remain unofficial so to speak.

Donna was keen to get clarity on this point which is why more information was requested and not the objection lodged which you have suggested. If there is no intention to dedication the section between the road as a bridleway and just keep it to pedestrian and cycle use then the route should either be adopted by highways as a cycle track or a permissive cycle route agreement entered into with PROW. However if the east west routes remain “unofficial” then they could be closed at any time without any action being able to be taken by the highway authority to re-open and this could create the dead end route to which I refer. Entering into a dedication or permissive agreement for the existing footpath and the east west route would secure the status upgrade on the existing public footpath and east west route at the top of the development satisfying the requirement to secure continuity formally.

I would welcome your consideration of these points and please clarify how you wish to progress this matter. I hope this is all clear but if you have any further questions then do please get in touch.

Kind regards,

Nick Scott

Principal Rights of Way Officer

Highways & Transport

West Sussex County Council

Location: First Floor Northleigh, Chichester, West Sussex, PO19 1RH

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From: Michael Eastham <Michael.Eastham@arun.gov.uk>

Sent: 15 March 2022 12:12

To: Nicholas Scott [REDACTED]

Cc: Ami Dye [REDACTED] Donna Trethewey

[REDACTED] Tim Townsend [REDACTED]

Subject: RE: Littlehampton Phase 5 - PROW 3096 Diversion - LU/206/21/RES

****EXTERNAL****

Dear Nick,

CLARIFICATION

The developer, Persimmon Homes can only upgrade the footpath up to the red line boundary; and is not obliged to upgrade the footway that runs through the Black Ditch. The cycle route is not

required to link up and cross the Black Ditch but rather the perimeter foot / cycle way of the development site, so it would not create a dead end. Cyclists would be able to go either left or right and continue on the foot/cycleway within Hampton Park. PROW footway users looking to travel north across the Black Ditch can access the existing PROW outside the red line boundary.

If, on a technicality the developer needs to upgrade a small section of the PROW as it goes through the site to be a bridleway (because at officers request it was upgraded to a footway/cycle way) then the developer will have to do so. If it is not possible to upgrade the footpath within the site easily or would if WSCC continue to consider that it would cause issues with the link to Black Ditch part of the PROW, then the footway/cycleway in this area needs to be downgraded back to the footpath – there are other links just a few metres away through the SUDs features which provide the link to the perimeter footway /cycleway.

Once reserved matters have been approved for Phase 5, the developer will look to apply to either temporarily divert or close the footpath that is affected by the development. At the same time the developer will be apply under Section 257 of the Town and Country Planning 1990 (as amended) to permanently alter the route of the PROW; the developer will not apply under the Highways Act as it is not relevant. The diversion/amendment is required because of development, therefore the appropriate route to seek this is the Town and Country Planning Act.

Regards,

Michael

From: Nicholas Scott [REDACTED]
Sent: 15 March 2022 09:59
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Cc: Ami Dye [REDACTED] Donna Trethewey
[REDACTED] Tim Townsend [REDACTED]
Subject: RE: Littlehampton Phase 5 - PROW 3096 Diversion - LU/206/21/RES

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Dear Michael,

I hope this finds you well and as you can see below Ami has passed on your message to me. Unfortunately we do not have anyone available to attend the meeting this afternoon at such short

notice. I appreciate that this may be inconvenient to you but we are a small team and existing commitments prevent anyone attending in Donna's absence.

From what I can see from Donna's response she is not necessarily objecting to the proposals just requesting more information. Firstly it seems that you have clarified the position with regard to a diversion and that this will be taken forward through the necessary legal mechanism (s.257 of the TCPA). Secondly as Donna has pointed out there would be a need for a path upgrade to accommodate cycling over what is currently a Definitive footpath (for pedestrian use only). From my limited information on this matter it seems that the proposed diverted footpath and upgrade to allow cycling appears to be alongside a road. Is it a case that this road is planned on being adopted and if so would this be a shared use footway? If that is the case then it could remain as a public footpath on the Definitive Map (the legal record of PROW) but would also carry higher highway rights as a shared footway but would be managed primarily by Highways.

The bigger issue from a PROW perspective appears to be the proposal to upgrade the northern section beyond the road in your proposed plans. If I have understood this correctly this appears to create a dead end route for public access rights for cycling (ideally horse riding as well by upgrading to Bridleway) at the red line boundary of the development. With an east west bridleway already existing north of this site there is definitely value in upgrading this section north and beyond the red line boundary but appreciate this is not within the developers gift to give. Having said that the lack of continuity is a concern for us because creating a dead end route is not supported but what may be a possible way forward here would be the future proofing of this section of route so it is suitable for Bridleway use (appropriate widths and surfacing) however it is not legally upgraded at this point but gives us an opportunity to try to pursue the upgrade outside the red line boundary to create the link to the Bridleway to the north. As part of this we would like a commitment from the developer that when this time came they would still be willing to upgrade this route between the road and the red line boundary?

I hope I have understood this all correctly and apologies again we cannot be represented at the meeting this afternoon but I think I need to discuss this with Donna directly (particularly the future proofing issue) before we respond further but if you can clarify the points I have raised above in the meantime that would be appreciated.

Regards,

Nick Scott

Principal Rights of Way Officer

Highways & Transport

West Sussex County Council

Location: First Floor Northleigh, Chichester, West Sussex, PO19 1PH



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From: Ami Dye 
Sent: 15 March 2022 09:14
To: Nicholas Scott 
Subject: FW: Littlehampton Phase 5 - PROW 3096 Diversion - LU/206/21/RES

Hi Nick

I have just spoken with Michael at ADC and he has asked if there is anyone available from PROW to attend the meeting today at 2pm. All other parties are attending today so it is not possible to reschedule. He would like to overcome Donna's comments at the meeting. I attach a copy of her consultation response - which I don't really consider to be an objection, more a request for further information. He was keen for someone to attend so I said that I would enquire as to whether you were available. I will forward you the invite in case you are.

Ami

Ami Dye
Senior Rights of Way Officer

Rights of Way, Local Highway Operations

West Sussex County Council, 1st floor Northleigh, Tower Street, Chichester, West Sussex,
PO19 1RH

[REDACTED]

ADVANCE NOTICE OF LEAVE 11- 26 APRIL

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From: Michael Eastham <Michael.Eastham@arun.gov.uk>

Sent: 14 March 2022 15:49

To: Ami Dye [REDACTED]

Cc: Tim Townsend [REDACTED]

Subject: FW: Littlehampton Phase 5 - PROW 3096 Diversion - LU/206/21/RES

****EXTERNAL****

Hi Ami,

The WSCC Public Rights of Way Team submitted the following consultation response to
LU/206/21/RES:

"WSCC PUBLIC RIGHTS OF WAY TEAM:

Further information is required to be submitted.

The Movement and Hierarchy plan in combination with the plan showing the diverted Public Right of Way Footpath 3096 suggest that the footpath is to be a combined pedestrian / cycleway at its northern end and dedicated cycle path after the junction with the Central Spine Road. Is that correct or is the intention for the footpath to continue as the Designated Pedestrian Footpath and is incorrectly indicated on the plans?"

It would be good if you could withdraw your objection; the developer intends to apply for the necessary diversions / upgrade applications once LU/206/21/RES has been approved. The developer would apply under Section 257 of the Town and Country Planning 1990 (as amended) to permanently alter the route of the PROW. The developer would only be able to upgrade the footpath up to the red line title boundary. The cycle route is not required to link-up and cross the Black Ditch but rather the perimeter footway / cycle way of the development site. If it is not possible to upgrade the footpath within the site easily or would cause issues with the link to the Black Ditch footway, then the footway/cycleway in this area needs to be downgraded back to the footpath – there are other links just a few metres away through the SUDs features which provide the link to the perimeter footway /cycleway.

Hopefully we can resolve this with you in the meeting tomorrow at 2.00pm.

Kind regards,

Michael

From: Ami Dye [REDACTED]
Sent: 02 March 2022 14:45
To: Harris, Aimee [REDACTED]
Cc: Donna Trethewey [REDACTED]
Subject: RE: Littlehampton Phase 5 - PROW 3096 Diversion

Hi Aimee

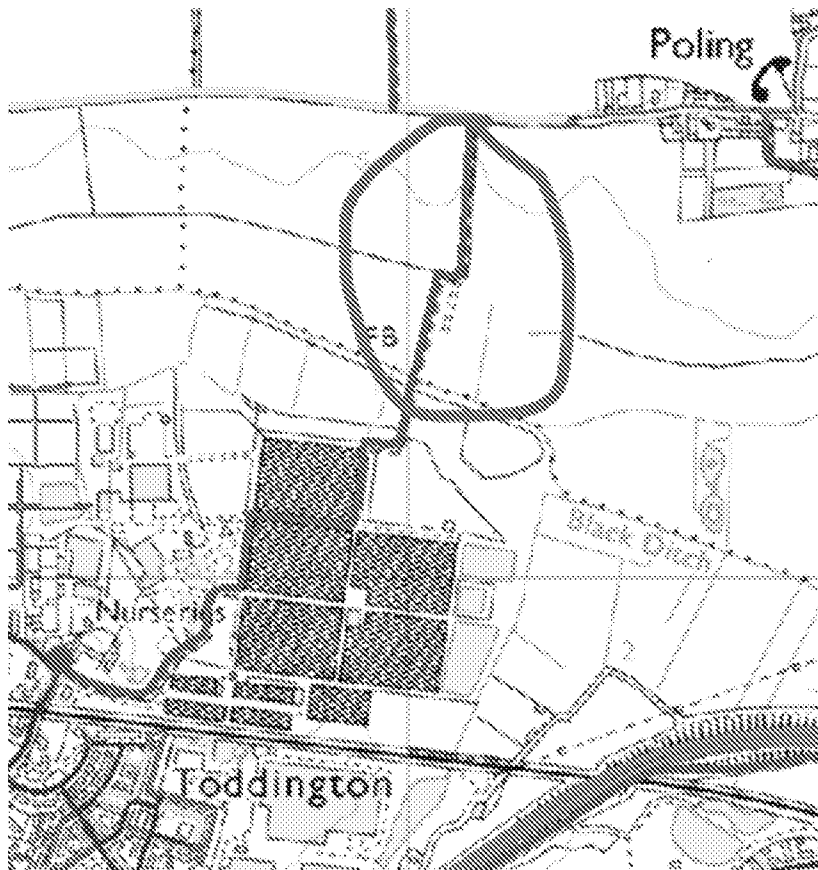
The upgrade of the footpath to bridleway is something which can be achieved by way of a landowner dedication under Section 25 Highways Act 1980. This is a separate process to that of the diversion managed by the County Council, however, they can run alongside each other. Have you made your application for the diversion of the path to ADC already?

Looking at the plan you attached, I note that the dedication would end at your sites boundary – presumably the path continuing north from this falls outside of your ownership/control? I only ask as securing containing bridleway rights north from your boundary to Poling Street/Bridleway 2163 (as shown below) would be a great addition to network for both cyclist and equestrians and could be secured by way of a dedication agreement with the relevant landowners.

Also, will part of the proposed diverted length of path follow pedestrian footway which will be the subject of a Section 38 Adoption agreement?

Kind regards

Ami



Ami Dye

Senior Rights of Way Officer

Rights of Way, Local Highway Operations

West Sussex County Council, 1st floor Northleigh, Tower Street, Chichester, West Sussex,
PO19 1RH



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From: Harris, Aimee [REDACTED]
Sent: 23 February 2022 12:08
To: Ami Dye [REDACTED]
Cc: Nicholas Scott [REDACTED] PROW Planning
[REDACTED]
Subject: RE: Littlehampton Phase 5 - PROW 3096 Diversion

Hello Ami

I was just wondering if you were able to access the information in the WeTransfer link? The diversion route has been amended slightly so I have attached the updated layout.

The path is to be a multi-use pedestrian and cycle user path and we therefore have to upgrade the path to a Bridleway under a Section 25 agreement. Please could you confirm the process for this? Can it form part of the diversion application or is it a completely separate process?

Kind regards

Aimee

Aimee Harris

Planner

Persimmon Homes Thames Valley

Persimmon House

Knoll Road

Camberley

GU15 3TQ



From: Harris, Aimee

Sent: 06 January 2022 09:33

To: 'Ami Dye'

Cc: Nicholas Scott

Subject: RE: Littlehampton Phase 5 - PROW 3096 Diversion

Hello Ami

Thank you for your email.

Please see below a new WeTransfer link for the documents outlined in my previous email.

<https://we.tl/t-DnZmza15si>

Kind regards

Aimee

Aimee Harris

Planner

Persimmon Homes Thames Valley

Persimmon House

Knoll Road

Camberley

GU15 3TQ



[REDACTED]

From: Ami Dye [REDACTED]
Sent: 04 January 2022 11:15
To: Harris, Aimee [REDACTED]
Cc: Nicholas Scott [REDACTED]
Subject: FW: Littlehampton Phase 5 - PROW 3096 Diversion

Good morning Aimee

I have been passed your email of 13th December in relation to the above Planning Application and proposed footpath Diversion. Unfortunately the We-Transfer link has now expired, would you be able to resend?

Where the diversion of a path is necessary to enable development to be carried out the application for diversion and the processing of this is carried out by the Local Planning Authority. WSCC as highway authority will be consulted during this process and will need to approve any proposed amendments to the path including the construction spec.

Once I have received the documents listed in your email below I will be able to pass these across to the relevant local access ranger for review and provide you with any necessary specifications which will assist you in preparing your diversion proposal for submission to ADC.

Kind regards

Ami

Ami Dye

Senior Rights of Way Officer

Rights of Way, Local Highway Operations

West Sussex County Council, 1st floor Northleigh, Tower Street, Chichester, West Sussex, PO19 1RH

[REDACTED]

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From: Harris, Aimee [REDACTED]
Sent: 13 December 2021 13:14
To: PROW Planning [REDACTED]
Subject: Littlehampton Phase 5 - PROW 3096 Diversion

Good Afternoon

The Outline Planning Application for Hampton Park as approved by Arun District Council (reference LU/47/11) removed Public Right of Way (PROW) FP3096 (as shown on the illustrative masterplan).

WSCC's response to the outline planning application stated:

"Before development is commenced, the developer shall obtain a diversion order for footpath number 3096 or ensure that the legal line of the footpath is maintained free of obstruction.

Reason: (1) to maintain the integrity of the public rights of way network; & (2) to enable development to take place".

The footpath runs through land required to deliver Phase 5 of Hampton Park and as such needs to be diverted. A Reserved Matters Application for Phase 5 has been submitted and is under consideration by Arun District Council (reference LU/206/21/RES).

I note from your website that new applications to divert or extinguish Public Rights of Way are not being accepted at this time, however this diversion is an integral part of the delivery of Phase 5 at Littlehampton.

Please see below link which contains a covering letter, PROW Diversion Plan, Landscaping Plans for Phase 5 and General Arrangement and Construction Treatment Plans for Phase 5.

<https://we.tl/t-buigPB6mpu>

Kind regards

Aimee

Aimee Harris

Planner

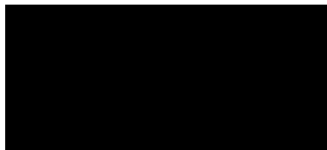
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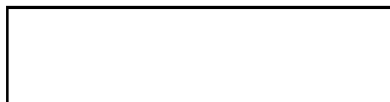
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<https://www.persimmonhomes.com/corporate/rmedia/334191/prevention-of-criminal-facilitation-of-tax-evasion-policy.pdf>

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