

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO: Katie Sharp
FROM:	WSCC Highways - Public Rights of Way
DATE:	26 May 2022
LOCATION:	Phase 5 Hampton Park Toddington Lane Littlehampton BN17 7PL
SUBJECT:	LU/206/21 Approval of reserved matters following outline consent LU/47/11/ for the development of 260 No. dwellings and the construction of the Central Spine Road running through Hampton Park. This site is in CIL zone SP2 and is not CIL Liable as strategic site. Revised plans received.
DATE OF SITE VISIT:	n/a
RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):	Footpath 3096
RECOMMENDATION:	More Information
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.

I note updated documents:

PRoW Diversion Plan – 546_PROW_01 rev.B
Movement Plan – 546_PL_108 rev D

These confirm the route of the planned diversion as per previous versions. Reiterating my previous comments dated 5th January 2022, please note that prior to commencement of works, a diversion order must be sought via Arun District Council for the purposes of development under Section 257 of the Town and Country Planning Act 1990. The diversion order must be confirmed before any temporary closure of the footpath can be granted by West Sussex County Council. The granting of planning permission does not entitle the developers to obstruct the path and it should not be assumed that because planning permission has been granted that an order under S257 will be made or confirmed. Development, in so far as it affects a Public Right of Way, should not be started and the Public Right of Way should be kept open for public use, unless or until the necessary orders have come into effect.

Also further to my previous comments, I cannot see any information on the intended legal mechanism that will be used to allow cyclists to use Footpath 3096 to the north of Phase 5.

As the legal status will also determine ongoing future maintenance responsibilities and required surfacing, can the developer please advise if this section is to be;

- made a permissive cycleway under a permissive agreement,
- dedicated as a bridleway under a Section 25 agreement of the Highways Act 1980, or
- adopted by Highways under a Section 38 agreement of the Highways Act 1980?

Without one of the above, cyclists will not be allowed use of Footpath 3096.

(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