

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO:David Easton
FROM:	WSCC Highways - Public Rights of Way
DATE:	23 March 2022
LOCATION:	Land South of Grevatts Lane/A259 Climping
SUBJECT:	M/16/22/PL Laying out of an 18 hole 72 par golf course, a 9 hole golf course, practice greens and a driving range including a buggy compound; the formation of a new access onto the A259; construction of a club house with associated golf club facilities; the construction of a maintenance building and external area of hardstanding; the laying of parking, new roads and paths; new landscape planting; surface water drainage basins and water storage reservoirs; and other earth works and infrastructure. This application also lies within the parishes of Climping and Yapton, is a Departure from the Development Plan and affects a Public Right of Way. This application is subject to an Environmental Statement.
DATE OF SITE VISIT:	n/a
RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):	FP165
RECOMMENDATION:	More Information
S106 CONTRIBUTION TOTAL:	n/a

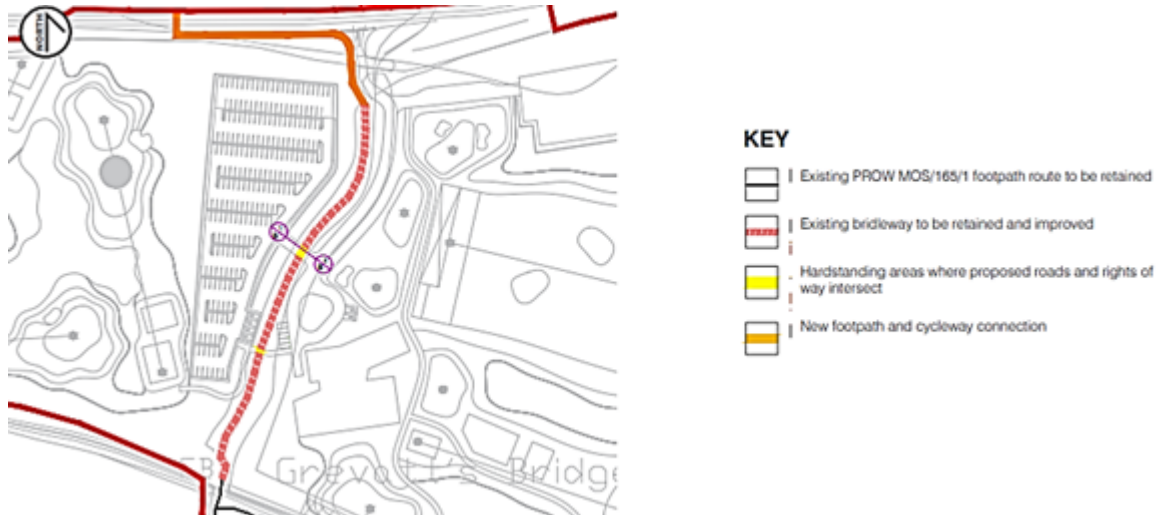
Thank you for the opportunity to comment on the above numbered planning application. This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. In respect to the above planning application I would provide the following comments.

The existing Public Right of Way (PRoW), Footpath 165 (FP165) is shown correctly on the plans and I see no plans to divert it.

There is some confusion over the status of the PRoW going forward. The PRoW's current legal status is as a Footpath. The developer's Rights of Way Strategy refers to it as an existing Bridleway.

Para 5.8 on page 82 of the Design and Access Statement (DAS) states the PRoW is to be improved to accommodate equestrian use. This would require a legal upgrade of the PRoW to Bridleway status and would also allow cyclists to continue along it, off road, from the site's vehicle access point, connecting all users from the A259 (and thus, South Coast Cycle Route 02) to the development to the south.

I could not see any other reference to upgrading any part of the PRow to make it suitable for equestrian use however. In fact, para 5.23 of the Transport Plan states only the surface of the northern section will be improved and the figure on page 59 of the DAS supports this, showing the footpath will remain as a footpath in the southern portion of the site.



Any application to upgrade a footpath will take continuity into account. We would not support a partial upgrade that wouldn't allow cyclists and equestrians to continue along the route.

In this instance therefore, the PRow should, along its entire route, either;

- remain a footpath, pushing cyclists off the access connection into the road from the point the PRow starts and barring equestrians from using it at all, or
- be upgraded and made suitable for pedestrians and cyclists under a Permissive Path Agreement, or
- be upgraded to Bridleway and made suitable for pedestrians, cyclists and equestrians.

My preference is to see the path upgraded which can be achieved either through:

- a Section 25 agreement of the Highways Act 1980 by the landowner, allowing the PRow to be used as a Bridleway by pedestrians, cyclists and equestrians and ensures the route in perpetuity, or
- a permissive path agreement which is time limited and can be withdrawn.

Please clarify what your intention is.

Should either a bridleway or permissive cycle path be sought, please note we would require a minimum 3m width.

With regards to the vehicle crossing points, the applicant is encouraged to introduce signage to advise vehicle drivers of the hazard and to act responsibly.

In any circumstance:

- surfacing is to be agreed to our specification to ensure it is fit for purpose and so that we can maintain it going forward;
- the surface of the PRow must not be damaged without our prior consent. The applicant will be liable for any such damage caused and required to make good;

- no works to the PRow can begin without a temporary path closure being applied for and approved;
- the path is not to be obstructed during works without an approved temporary path closure in place;
- no new structures such as gates or stiles are to be installed within the width of the PRow without our prior consent;
- any site drainage arrangements should ensure they discharge away from the surface of the PRow;
- no drainage system is to be installed through the surface of the PRow without our prior consent;
- site ground levels should be managed so prevent flooding of the PRow;

(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