
TECHNICAL NOTE

Project Title: Land South of Grevatts Lane/ A259

Report Reference: JNY10830-09

Date: 22nd April 2022

APPLICATION REF: M/16/22/PL – WSCC PROW TEAM COMMENTS

Introduction

- 1.1 This Technical Note (TN) has been prepared on behalf of Hallam Land Management (HLM) to address the comments provided by West Sussex County Council (WSCC) Public Rights of Way officers dated 23rd March 2022 in respect of the above planning application.
- 1.2 The comments provided by WSCC are identified in *blue italics* and the response provided by RPS is provided in black text.

WSCC comments

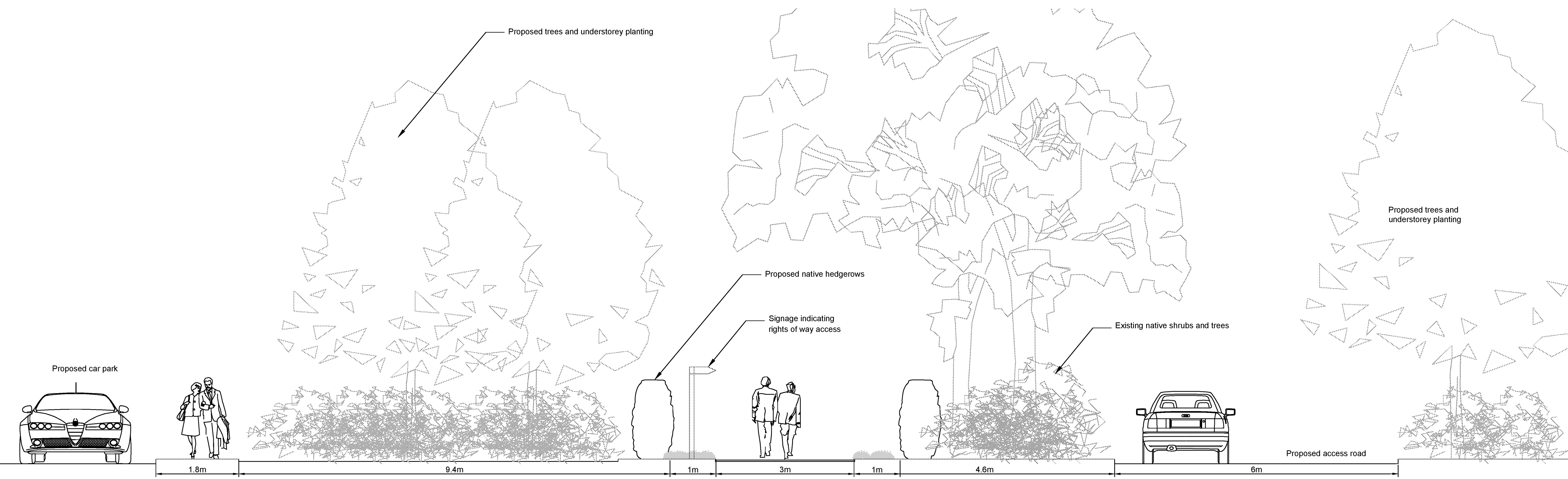
- 1.3 *The existing Public Right of Way (PRoW), Footpath 165 (FP165) is shown correctly on the plans and I see no plans to divert it.*
- 1.4 *There is some confusion over the status of the PRoW going forward. The PRoW's current legal status is as a Footpath. The developer's Rights of Way Strategy refers to it as an existing Bridleway.*
- 1.5 *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.*
- 1.6 *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.*
- 1.7 References to the PRoW as a bridleway at Para 5.2 in the DAS and in the Rights of Way Strategy (171-UW-P-B-026) plan that supports the application have been made in error. The proposal is to improve the northern section of the existing PRoW that continues through the site to provide an improved footpath for use by pedestrians.. The Rights of Way Strategy plan has been updated (see Appendix A) and submitted to Arun District Council.

- 1.8 *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.*
- 1.9 As advised above, the intention is to provide an improved section of footpath for use by pedestrians, ensuring the continuity of the PRow footpath for pedestrians is maintained.
- 1.10 *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.*
- 1.11 *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.*
- 1.12 The proposal seeks for the PRow to remain a footpath along its entire length with cyclists connecting to the road from the point the PRow starts. This can be achieved safely and has been confirmed to WSCC Highways in response to their consultation comments. The proposals do not seek a change in the status of the PRow at this stage.
- Please clarify what your intention is.*
- 1.13 *Should either a bridleway or permissive cycle path be sought, please note we would require a minimum 3m width.*
- 1.14 As advised above the proposal is to maintain the existing PRow footpath status. As set out at the Rights of Way Strategy (171-UW-P-B-026) plan the section of the route between the Ryebank Rife and the entrance to the site will be improved with a 3m wide footpath with planting either side. The remainder of the route south of the Ryebank Rife will be improved to make the route clearer, removing shrubs, etc. and the surface will be improved to provide a chipped bark surface or similar appropriate material taking account of existing TPO status of trees in this location. Proposed details to be secured by condition.
- 1.15 *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.*
- 1.16 Noted. The design has been based on providing suitable levels of intervisibility for pedestrians and vehicles at the crossing point which will be kept free of vegetation. Advance warning signage for pedestrians and vehicles will also be provided and agreed with WSCC via condition.
- 1.17 *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;*

1.18 The above is noted.

APPENDIX A – RIGHTS OF WAY STRATEGY (171-UW-P-B-026) PLAN



B
1 Scale 1:50 - Cross-section
Section from intersecting road, facing north east

NOTES
All dimensions to be verified on site. Do not scale this drawing. All discrepancies to be clarified with project Landscape Architect.
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KEY
Existing PROW MOS/165/1 footpath
route to be retained
Existing PROW YAP/165/2 footpath to be retained and improved
Hardstanding areas where proposed roads and rights of way intersect
New footpath and cycleway connection

A	Drawing updates in line with WSCC comments	05 May 22
	First issue	07 Feb 22
rev	details	date

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project
Bognor Regis
Re-located Golf Course
drawing title
Rights of Way Strategy

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drawn by	LJM	checked by	NJE
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JPM DISTRICT COUNCIL W/RESP/