

Appendix 1 – 11 June WSCC Public Rights of Way Letter

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO: Steve Davis
FROM:	WSCC Highways - Public Rights of Way
DATE:	11 June 2026
LOCATION:	Land North of Summer Lane, Pagham
SUBJECT:	P/31/26/OUT Outline application with some matters reserved, except access, for up to 130 No residential dwellings including means of access into the site (not internal roads). This application is a Departure from the Development and affects a Public Right of Way. Amendment to the above application dated 26th May 2026 relating to:- Response Letter and updated TA
DATE OF SITE VISIT:	n/a
RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):	Footpath 100
RECOMMENDATION:	Objection
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.

Footpath 100

I understand that whilst the applicant is happy to dedicate bridleway rights over the section of FP100 within their site boundary and should be obligated to do so through a S106 agreement, they are unwilling to enter into negotiations with the neighbouring landowner adjacent to the site boundary in order to secure the relevant permissions needed to allow extended non-vehicular use, such as cycling, along the Public Right of Ways between the site and Chichester and feel it's unreasonable for this development to be expected to do so. Without the improvement however, this proposed development cannot make the claims to active travel

sustainability that it originally did and I see has amended the Transport Assessment to mostly reflect this. Fig 6.1 of the substitute Transport Assessment is incorrect however as it assumes cycle access over current footpaths.

Should Highways have no plans to adopt Summer Lane (FP100), it's legal status will remain that of a PRow with private access rights. This means:

- the PRow team's maintenance liability will be limited to that of footpath / bridleway users. All damage caused by any other use will remain the responsibility of the landowner.
- the safety of PRow users takes precedence over that of vehicular users. At the 'straight across' access over Summer Lane, the planned width restrictions, prohibited right or left turn, raised tables and signage are welcomed.
- The area must be well lit and have good visibility. Lighting should be conditioned and dealt with by a reserved matters application.
- The planned bollards or any other structure should not be installed within Summer Lane without consent, the full width of which is PRow. My objection is solely on the planned installation of bollards.

Footpath 108

The planned ramp is outside of the Public Right of Way's definitive line and will remain the responsibility of the developer.

The steps are to be built to West Sussex County Council's (WSCC) Public Rights of Way (PRow) team's specification as shown below in Fig. 1.

This, along with the resurfacing of Footpath 108 to WSCC PRow's rural footpath specification (Fig. 2) should both be conditioned within any planning approval and delivered via a S278 agreement.

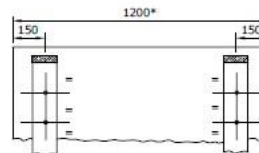
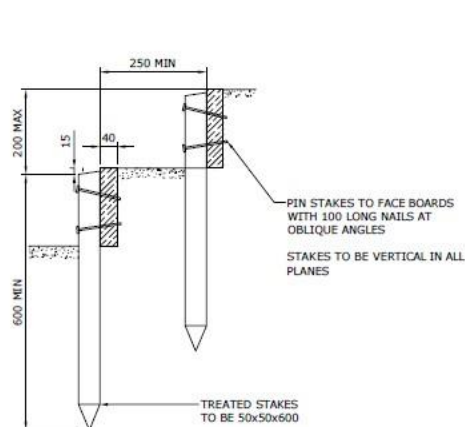
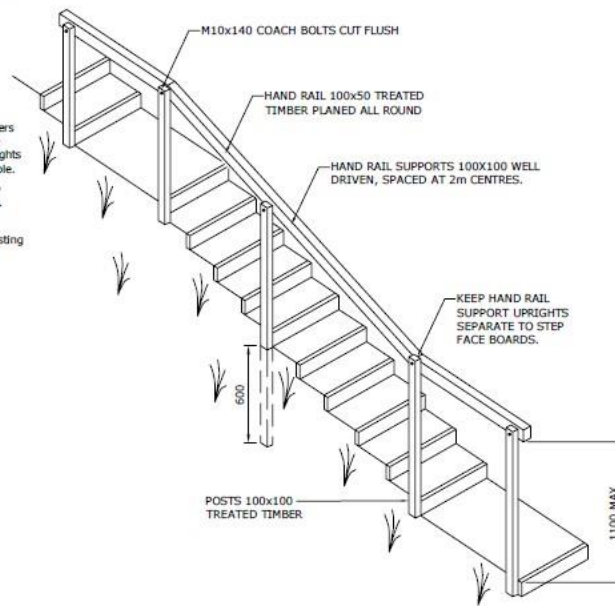
Rights of Way Standard Step Detail

Visual Representations are for reference only and may not be to scale.
Measurements are stated in millimetres.

Notes:

A flight must not be more than 10 risers between landings. Landings to be min length of 1200 by 1200 wide. Long flights of steps should have curve in if possible. Backfill steps with suitable material to level above fascia board and compact.

(*) Step riser width reduced to fit existing where appropriate.



Ref:	WSCC/PROW/SP01
Date:	22.10.18
Rev:	C

Fig.

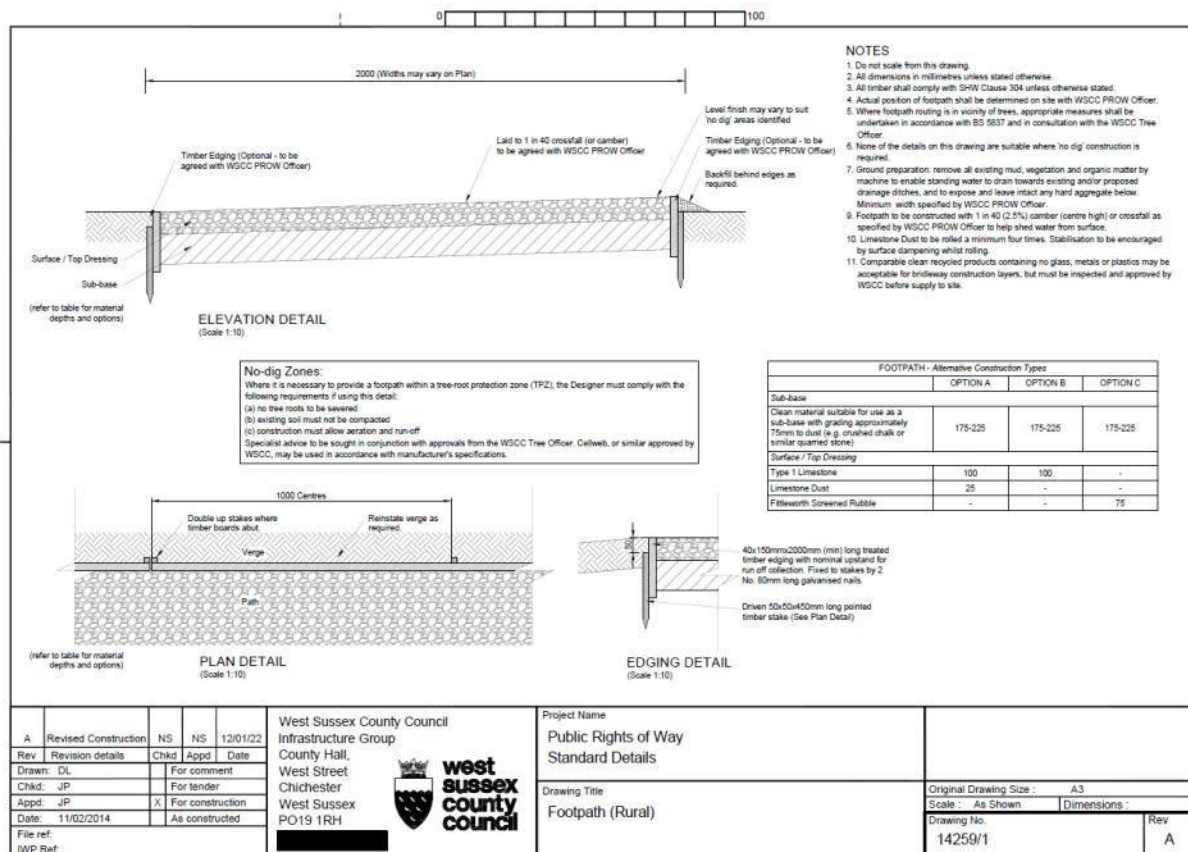


Fig. 2

General Notes

The granting of planning permission does not authorise obstruction of, interference to or moving of any Public Right of Way: this can only be done with the prior consent of West Sussex County Council, as Highway Authority, and possibly also a legal Order process by Mid Sussex District Council as the local planning authority. Further advice can be provided on request.

Safe and convenient public access is to be available at all times across the full width of the PROW, which may be wider than the available and used route – advice on the legal width can be provided by the WSCC PROW Team.

The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and / or chemicals during any works. These will constitute an offence of obstruction under the Highways Act 1980.

No new structures, such as gates and stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980.

Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.

Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.

Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.

Access along a PROW by contractors' vehicles, deliveries or plant is only lawful if the applicant can prove it has a vehicular right; without this an offence under the Road Traffic Act 1988 section 34(1) is being committed.

It is an offence to damage the surface of a PROW without the prior consent of the WSCC

PROW Team. The applicant must supply a specification and secure the approval of the WSCC PROW Team before works affecting the PROW begin, even if the surface is to be improved. Where a PROW surface is damaged and there was no prior consent, the applicant will be liable and required to make good the surface to a standard satisfactory to the WSCC PROW Team.

Where it is necessary to undertake works within the legal width of a PROW, e.g. install utilities, (or for development works immediately adjacent to a PROW that cannot reasonably be managed through different Health and Safety practice) the applicant must be advised to apply to WSCC PROW Team for a temporary path closure. The applicant must be advised there is no guarantee an application will be approved; that a minimum of 8 weeks is needed to consider an application.

Consented development is often subject to various environmental requirements, which can impact on the availability of PROW. For example, Great Crested Newt fencing has often been known to be laid across a PROW, which is either subject to installation of unauthorised stiles or gates, or unlawfully diverted around the site edge. The applicant must be advised that any environmental licence, such as from Natural England, does not negate the need to provide the legal line of a PROW without additional structures.

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Rights of Way information is not definitive.

Donna Trethewey
Planning and Communities Officer
Public Rights of Way
West Sussex County Council

From: Daun Johnson on behalf of Planning.Responses
Sent: 15 June 2026 08:27
To: Planning Scanning
Subject: FW: Response To Application Number P/31/26/OUT
at Land North of Summer Lane Pagham **Attachments:**
Response_P-31-26-5.pdf

Please upload attachment to P/31/26/Out, planning, consultee response, WSCC Highways

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From: planninghighways
Sent: 11 June 2026 12:52
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: Response To Application Number P/31/26/OUT at Land North of Summer Lane
Pagham

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Please could the attached response be distributed to the relevant case officer.

[REDACTED]

Regards

Donna Trethewey

Please do not reply directly to this email.

Any formal reconsultation on the application should be directed to [REDACTED] but the responding officer can be contacted directly via email if there are any questions relating to this response.

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