

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Arun District Council FAO: Mr. D. Easton
FROM:	WSCC Highways - Public Rights of Way
DATE:	12 October 2021
LOCATION:	Land at Bilsham Road Yapton
SUBJECT:	Y/127/21/RES Approval of reserved matters (appearance, landscaping, layout and scale) following the grant of Y/91/17/OUT for 250 No dwellings with associated parking, road/footway/cycleway provision, open space, landscaping, surface water attenuation & ancillary works (resubmission following Y/152/20/RES). this site is not CIL Liable as in Yapton Strategic Site.
DATE OF SITE VISIT:	n/a
RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):	FP157, FP156_1, FP156_2
RECOMMENDATION:	No Objection (With Conditions)
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.

Firstly, on a small but technical note, the Outline planning application (Y/91/17/OUT) is wrong in describing FP156_1 as running from within the housing area at The Millers and through the northern part of Field Parcel 5. This is, in fact, FP156_2.
FP156_1 runs south from FP156_2 along the north western boundary of Field Parcel 5.

Footpath FP156_2

This Reserved Matters application appears to show that some of FP156_2 is being converted into a road between Lovey's Field and Drove Park – is this the case or is the footpath to remain separate but run parallel to the south-west of it, as indicated in the diagram below? I understand that the developer is linking the road to the adjacent Barratts site, however if FP156_2 is to become a road it appears it is not following its definitive line at the north western boundary, where FP156_2 approaches FP157. The road appears to veer northwards of the definitive line. Can the developer please clarify?



Fig taken from page 10 of the DAS, 6.0 Parameter Plans.

Footpath FP156 1



FP156_1 runs south from the new road / FP156_2. The section of it that falls within the developer's control would benefit from being upgraded to a bridleway to futureproof its use to all users of this development and those surrounding it in perpetuity. This would require surfacing it to a specification approved by us, West Sussex County Council as the Highway authority and the landowner entering into a dedication agreement with us for this section.

Footpath 157

FP157 runs along the north-west boundary of this development. I note that the developer intends to leave this as a footpath on its Definitive Line.

As commented on the planning application for the adjacent Barratt's site, given the;

- emergence of the new cycle way through the Barratts site onto FP157,
- the emergence of FP157 at its western end onto Drove Lane which is indicated to become a permissive cycle path, and
- the need to mitigate against increased usage of this footpath following both developments

FP157 would also benefit from being surfaced to a specification agreed by West Sussex County Council for upgrading to Bridleway status and dedicated as such.

Notes on all footpaths

No Public Footpath should be blocked, restricted, obstructed by vehicles, plant, scaffolding, the storage of materials, be made difficult to pass over or along or be unavailable at any stage to lawful path users without a Temporary Closure Order (**TTRO**) being applied for and approved in advance of development commencing. There is a cost associated with this, a 6 – 8 week lead time and advice on this process can be sought from West Sussex County Council (WSCC)'s Public Rights of Way (PROW) Team.

All damage to the footpaths' surfaces needs to be rectified to the same or better standard than it was prior to any damage done from this development activity, to a specification agreed by West Sussex County Council as the Highway authority. If upgrading the paths, we require the surfaces be to a specification for Bridleway status and to a minimum 3 metre width.

No new structures, such as gates and stiles, are to be installed within the width of the Public Rights Of Way 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.

If 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.

(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