

WEST SUSSEX COUNTY COUNCIL CONSULTATION

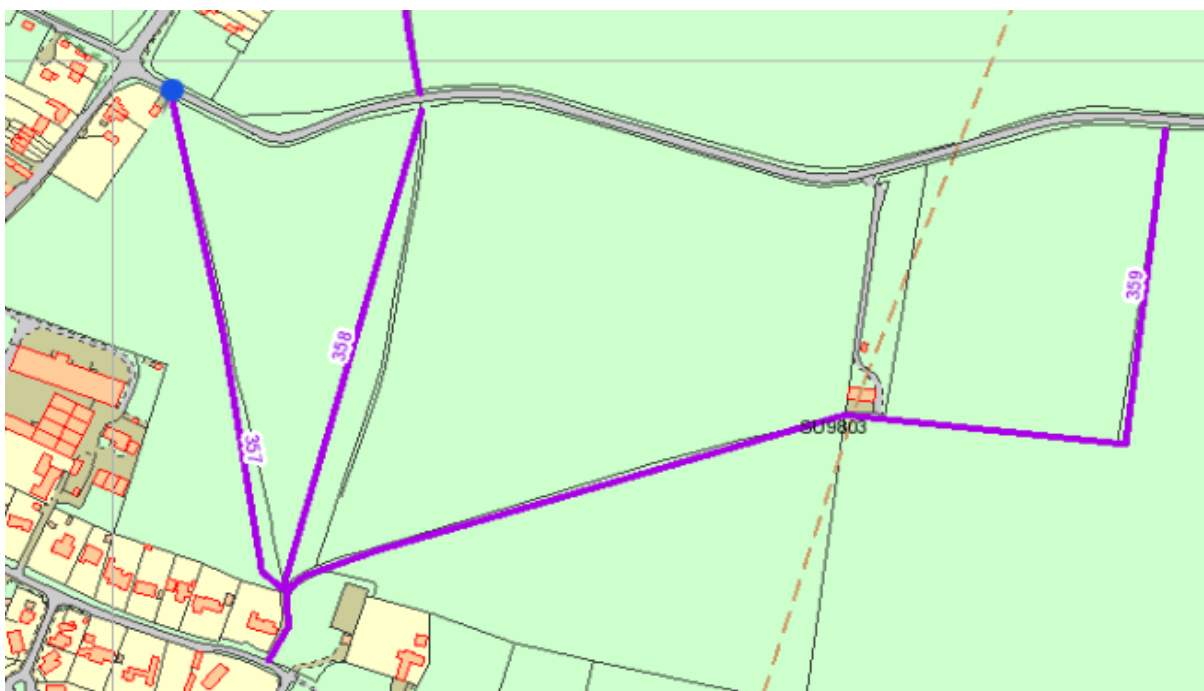
TO:	Arun District Council FAO: Michael Eastham
FROM:	WSCC - Highways Authority (Public Rights of Way)
DATE:	1 April 2020
LOCATION:	Land to the south of Ford Lane and east of North End Road Yapton BN18 0DS
SUBJECT:	Y/19/20/RES Approval of reserved matters following outline consent Y/80/16/OUT for 4.5ha of residential development comprising of 3.4ha of land for the erection of 100 No. dwellings (up to 30 (30%) affordable housing) together with 1.1ha of land set aside for public open space & strategic landscaping & 2.2ha of public open space & green corridors with vehicular access from Ford Lane & pedestrian/cycle access only from North End Road. This application may affect the setting of listed buildings, affects the character & appearance of the Church Lane, Yapton Conservation Area & affects a Public Right of Way. Further information received.
DATE OF SITE VISIT:	Aware of site location
RECOMMENDATION:	Advice / More Information
S106 CONTRIBUTION TOTAL:	See 106 agreement secured as part of outline planning consent

The existence of a Public Right of Way (PROW) is a material consideration. Should planning consent be granted, the impact of development upon the public use, enjoyment and amenity of the PROW must be considered by the planning authority.

There are three Public Footpaths which run through the site (Footpaths 357/358 and 359) which are denoted on the map below. Due to the scale of the map this should be taken as an illustration rather than an exact representation of the legal line of each path. This can be obtained by viewing the definitive public rights of way map held at County Hall Chichester.

In addition to the general advice listed below the map i would like to highlight the importance and benefits of improving and upgrading existing PROW in order to maximise local links and open these up to multiple user groups. The County historically lacks Bridleways South of the A27 and by upgrading existing Footpaths to Bridleway status you allow not only for walkers and cyclists but for equestrian users also.

It should also be noted that upgrading the existing infrastructure at this stage allows for additional links in the future and meets many national and local planning guidelines to provide local links to work, leisure and nearby amenities. It also allows more vulnerable users such as equestrians a safe off-road alternative to link into other routes.



The granting of planning permission does not authorise obstruction of, interference to or moving of any Public Right of Way (PROW); this can only be done with the prior consent of West Sussex County Council (WSCC), as highway authority.

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.

The applicant is advised that a public access right has precedence over a private access right. Where a PROW runs along a route also used for private access purposes, usually for private vehicle access, this shared use has the potential for accident or injury – the applicant must consider how access is managed so the public is not endangered or inconvenienced.

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 can not 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 6 weeks is needed to consider an application.

Darryl Hobden

West Sussex County Council – Public Rights of Way