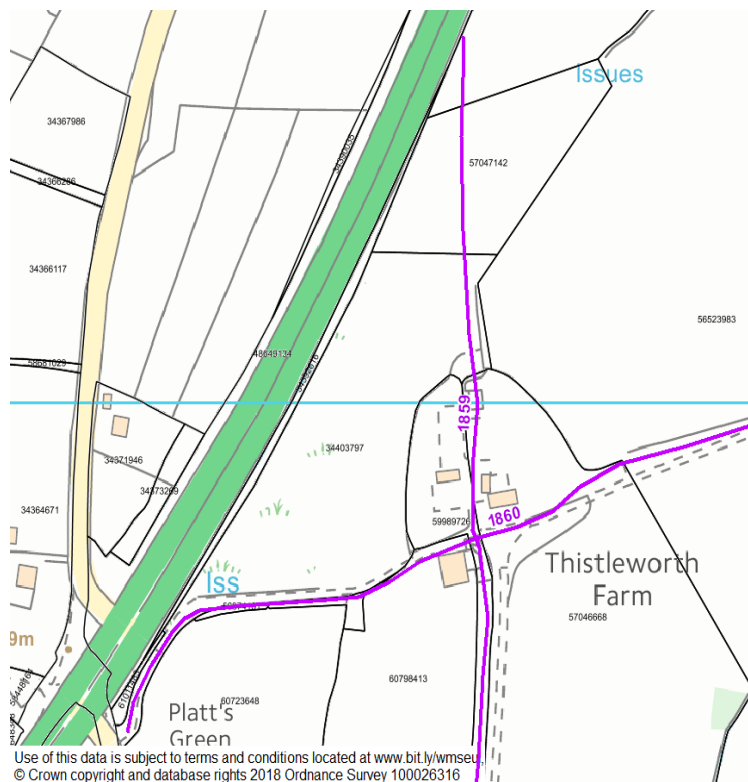


## WEST SUSSEX COUNTY COUNCIL CONSULTATION

<b>TO:</b>	West Sussex County Council FAO:
<b>FROM:</b>	WSCC - Public Rights of Way
<b>DATE:</b>	18 November 2020
<b>LOCATION:</b>	Land to the north of CDEW Screening Site Thistleworth Farm Worthing Road Horsham RH13 8NR
<b>SUBJECT:</b>	WSCC/048/20 Retrospective application for landfilling works
<b>DATE OF SITE VISIT:</b>	n/a
<b>RECOMMENDATION:</b>	No Objection
<b>S106 CONTRIBUTION TOTAL:</b>	n/a

Public Right of Way West Grinstead Public Footpath 1859 crosses the application site as shown below and illustrated on the applicant's proposed landscape site plan.

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.



The application raises two concerns for the public right of way.

Firstly, where the PROW crosses the site's northern boundary there is a significant change in levels. The Applicant has proposed to construct a flight of steps that meet the requirements of the PROW standard design (appended to the application). This is welcomed.

It should be noted that the backfill to the steps must be 'clean' MOT Type 1 material - i.e. not contaminated with any glass, ceramics, plastic or metal or any other injurious material. The backfill must be well completed and be level with the top of the fascia boards. Local material is not suitable and must not be used as backfill.

Secondly, no new structures, such as fences, gates or stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These would constitute an offence of obstruction under the Highways Act 1980.

Application can be made to the PROW Team for the installation of new pedestrian gates where the PROW crosses the proposed fence lines once the land is ready to be grazed. The introduction of new stiles on the Public Footpath will not be consented.

Any new gates must be applied for under Section 147 of the Highways Act 1980 - to ensure the use of the land for agriculture can be efficiently continued by preventing the access of animals.

Pedestrian gates must meet British Standard BS5709-2018 and have a minimum width of 1.22m. Until such time as gates are consented to for the purpose of agriculture the applicant must provide gaps with a minimum width of 1.22m in any fence line that crosses the PROW.

Applications to erect a structure on a PROW can be made online at:  
<https://www.westsussex.gov.uk/land-waste-and-housing/public-paths-and-the-countryside/public-rights-of-way/request-a-change-to-a-public-path/add-a-structure-to-a-public-right-of-way/>

Subject to the above being met, I have no objection to the application.

**Nigel Bird**  
**West Sussex County Council – Public Rights of Way**

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