

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Mid Sussex District Council FAO:
FROM:	WSCC Highways - Public Rights of Way
DATE:	4 December 2025
LOCATION:	Birch Trees Farm Cuckfield Road Ansty Haywards Heath West Sussex RH17 5AG
SUBJECT:	DM/25/2332 Erection of a single 3no bedroom dwelling and associated development.
DATE OF SITE VISIT:	n/a
RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):	Footpath - ANS-62CR
RECOMMENDATION:	No 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.

I understand that this application is for Erection of a single 3no bedroom dwelling and associated development. If I am mistaken in this belief I reserve the right to submit further comments.

Having considered the relevant documents my recommendation is one of 'No Objection'. The private road which is the main access route to this property has a footpath along it and therefore I would draw the attention of the Applicant to the following comments during construction of the dwelling:

It would appear from the document 'Proposed Block Plan', submitted 27/10/2025, that the application comprises the redevelopment of the existing property within the existing footprint of land. The Public Right of Way is potentially affected only in so much as it falls within the area required to be made available to the developer for the duration of the works only. If this is not the case then WSCC PROW reserve the right to reconsider this response.

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.

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.

The applicant is advised that a public access right has precedence over a private access right. Where a PROW runs along or crosses 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.

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Rights of Way information is not definitive.

Adam Tucknott
Access Ranger
Public Rights of Way
West Sussex County Council