

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Mid Sussex District Council FAO:
FROM:	WSCC Highways - Public Rights of Way
DATE:	22 August 2025
LOCATION:	Little Strudgates Paddockhurst Lane Haywards Heath RH17 6QZ
SUBJECT:	DM/25/1953 Proposed engineering operations associated with the formation of a private way for agricultural purposes, and the associated works to the current lane in order to permit it to continue to be used as a Public Right of Way (PRoW).
DATE OF SITE VISIT:	n/a
RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):	Footpath 4_1Ba
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.

I understand this application to be for completion of works without prior approval as defined by Part 6, Class A.(b) of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

The works in question are described as engineering operations associated with the formation of a private way for agricultural purposes and from the documents provided I understand those operations to involve creating an access route to the north of the existing barn. As the PROW Footpath 4_1Ba lies along the existing access track, this would involve the new access route diverging from the track to the west of the barn and re-joining to the east.

Having considered the Compliance Statement dated August 2025 I have no objection to these works being permitted. I do however have the following comments which I would bring to the attention of the Applicant:

The surface of the PROW must be at, or above, the specification held by WSCC. This would only be an issue where the new access road joins the PROW but should still be a consideration.

The 2 x locations where the new access road is to join the existing track / PROW clearly provide potential for conflict between walkers and farm machinery. Consideration must be given to clear vision at these locations and signs to warn walkers of the risk.

Consideration should be given to whether additional WSCC signage will be required to avoid walkers deviating along the new access road in the belief that is the PROW. This can be provided by WSCC if required.

The granting of this exemption 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, 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. If this can not be guaranteed during the construction phase, then the path must be closed under a legal Temporary Closure Order. This must be applied for at WSCC.

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.

I would be happy to discuss any of these matters with the Applicant if that would assist.

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Rights of Way information is not definitive.

Steve Alexander
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Public Rights of Way
West Sussex County Council