

WEST SUSSEX COUNTY COUNCIL CONSULTATION

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| TO: | Mid Sussex District Council FAO: |
| FROM: | WSCC Highways - Public Rights of Way |
| DATE: | 3 July 2025 |
| LOCATION: | Hambrook School Marle Place 171 Leylands Road Burgess Hill West Sussex RH15 8HY |
| SUBJECT: | DM/25/1114 Installation of play equipment and a timber framed summer house to the rear together with associated landscaping and bin store. |
| DATE OF SITE VISIT: | n/a |
| RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S): | Footpath 70BH |
| 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.

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.

I understand this application is to install play equipment and a timber framed summer house and to landscape within the existing footprint of the school grounds. If I am mistaken in this, I reserve the right to submit a further recommendation.

Although I have not conducted a specific site visit, I am familiar with this location and the only Public Right of Way (PROW) potentially affected is Footpath 70BH which lies north/south immediately outside the western boundary of the site.

Having considered the relevant documents my recommendation is one of 'No Objection' but with the caveat that the fencing separating the school from the PROW is not replaced with anything high and opaque as this would make the PROW feel very confined and potentially intimidating for walkers.

I would further wish to draw the Applicants attention to the following which relate the development works themselves:

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, 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 necessary, a Temporary Closure Order must be sought from WSCC.

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.

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Rights of Way information is not definitive.

Steve Alexander
Access Ranger
Public Rights of Way
West Sussex County Council