

## WEST SUSSEX COUNTY COUNCIL CONSULTATION

<b>TO:</b>	Mid Sussex District Council FAO:
<b>FROM:</b>	WSCC Highways - Public Rights of Way
<b>DATE:</b>	10 October 2025
<b>LOCATION:</b>	Land To The Rear Of 2 Keymer Road Hassocks West Sussex BN6 8HA
<b>SUBJECT:</b>	DM/25/2253 Erection of a dwelling within the rear garden of 2 Keymer Road.
<b>DATE OF SITE VISIT:</b>	19/09/2025
<b>RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):</b>	Footpath 23C
<b>RECOMMENDATION:</b>	More Information
<b>S106 CONTRIBUTION TOTAL:</b>	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 the erection of a single dwelling within the rear garden of 2 Keymer Road. If I am mistaken in this then I reserve the right to make a further recommendation.

The only Public Right of Way potentially affected by this application is Footpath 23C which lies on land along the western boundary of the red site.

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.

Having considered the documents provided I find that there is insufficient information for me to make a recommendation.

My reason for saying this is that I have previously visited this site and met with the Applicant on a number of occasions and have discussed the question of both pedestrian and vehicular access to the proposed dwelling and these matters do not appear to have been addressed at this time.

I would ask the Applicant to submit further information specifically addressing the issue of pedestrian and vehicular access and what, if any, work is intended on the land to the west of the red line site. I would be happy to discuss these issues directly with the Applicant.

I would also draw the attention of the Applicant to the following comments:

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 this condition can not be met during the building phase then the Applicant must apply for a temporary closure order.

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.

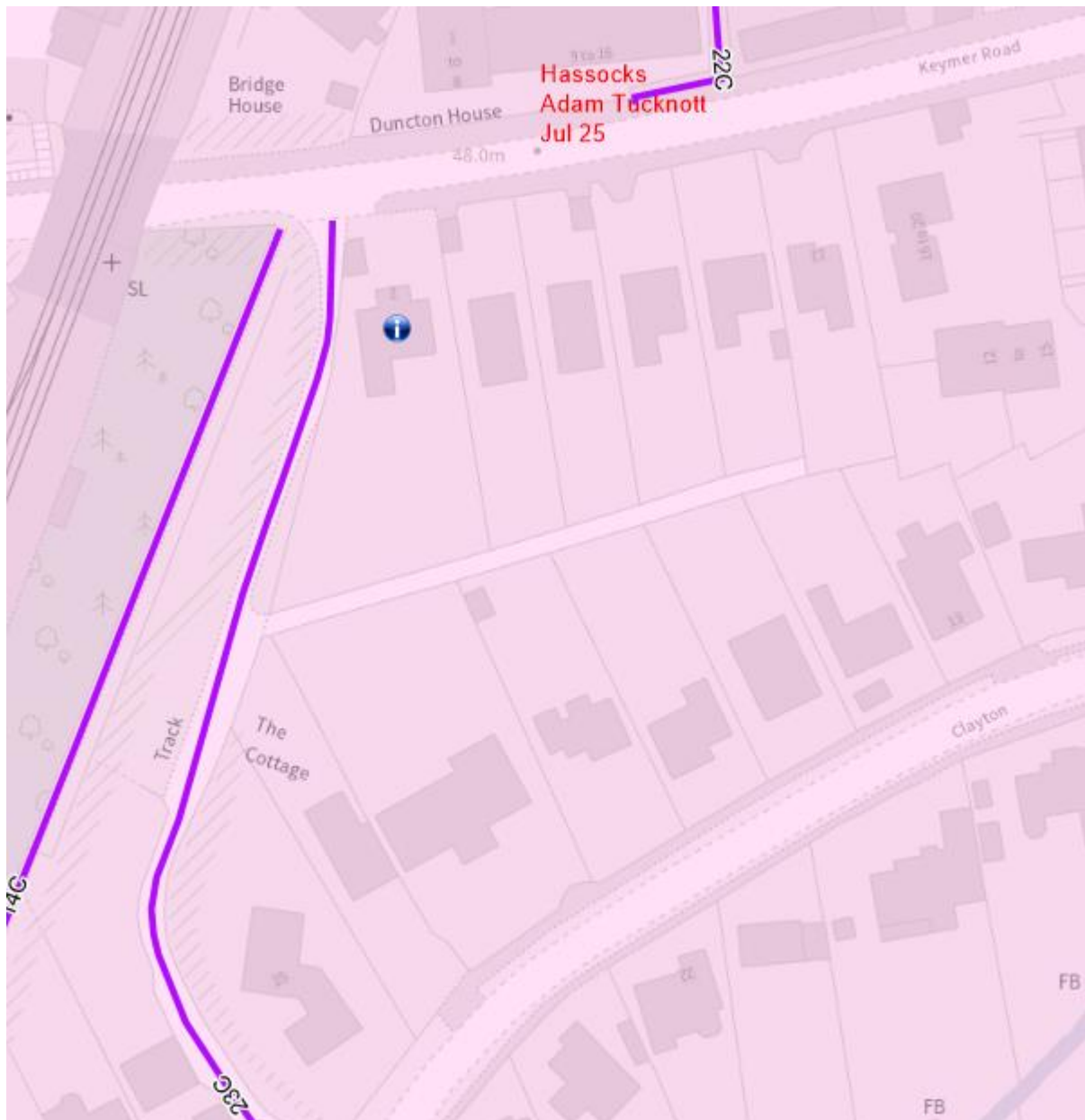
Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.

Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.

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.

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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.



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Rights of Way information is not definitive.

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