

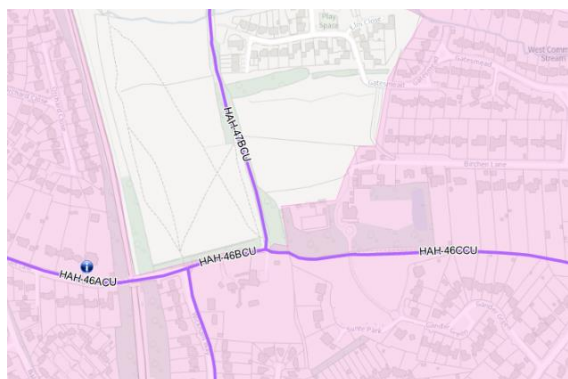
WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Mid Sussex District Council FAO:
FROM:	WSCC Highways - Public Rights of Way
DATE:	23 June 2026
LOCATION:	Land West Of Gatesmead Wickham Way Haywards Heath West Sussex
SUBJECT:	DM/26/1315 Proposed 49 new homes together with open space and associated infrastructure.
DATE OF SITE VISIT:	n/a
RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):	Footpaths -HAH-47BCU /HAH-46ACU/HAH-46BCU/HAH-46CCU/HAH-47ACU
RECOMMENDATION:	No objection
S106 CONTRIBUTION TOTAL:	

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 The Proposed 49 new homes together with open space and associated infrastructure. If I am mistaken in this belief I reserve the right to submit further comments. Having considered the relevant documents and previous feedback from the PROW team incorporated my recommendation is one of 'No objection'.

-Footpath HAH-47BCU runs along the Eastern Boundary, HAH-46ACU/HAH-BCU/HAH-CCU and HAH-47ACU to the south boundary. Although these are not on the footprint of the development there would be increased footfall locally and therefore any improvements/funding to the PROW network locally would be welcomed as part of the development. We therefore welcome the proposed improvements to local PROW outlined on 5.3.4 on page 32 in the Framework Travel Plan dated May 26.



I would also draw the attention of the applicant to 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.

-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 South Downs National Park 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. See point '13' below if this condition cannot be met and the path needs to be closed temporarily.

-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 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.

-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**