
Sent: 29 January 2026 11:15
To: Planning
Subject: Planning Application DC/26/0010 (FP1998)

Categories: Consultations

F.A.O Shazia Penne

I am emailing about the above referenced planning application. Having reviewed the proposal WSCC's PRoW team do have some concerns around the access to the site that also carries public footpath 1998. As far as I understand there are going to be a reasonable increase in vehicular movements along this currently quiet footpath link. This will increase the conflict between lawful public path users and those accessing the site by vehicle. This does not appear to have been addressed in the application by way or something as simple as signage or potentially exploring options for passing places.

The second concern relates to the ownership of the track and the rights of access for the applicant and potential dwellings being proposed. It is a criminal offence to drive a motorised vehicle along a public footpath and as far as I understand this the applicant does not own the track and there is no evidence to suggest they have a lawful private right of vehicular access, let alone the future occupants of the proposed dwellings. WSCC's PRoW team do not keep records of private rights and it would be for the District and the applicant to satisfy themselves that these rights exist otherwise approval of this application could be encouraging a criminal act.

It is also important to note that any damage done to the surface of the footpath due to exercising of a private right (in this case vehicular) will be the responsibility of those causing the damage to repair and make good. Without clarity on private rights of access and the applicant not owning the track there need to be a robust plan for future maintenance of this as part of any proposals.

Finally I see there is reference to the track carrying the footpath to be improved to accommodate vehicular use. Before any works take place the applicant will need to seek WSCC's PRoW Team approval for any works as this is a highway. Specifications must be approved prior to works being undertaken otherwise this would be an offence under the Highways Act 1980. Also it would be worth the applicant being aware that if works are being undertaken to the track at any stage and safe and continuous lawful public access was not available then they would need to apply for a temporary path closure. There is a cost involved and below is a link to the relevant WSCC webpages.

[Temporary path closures - West Sussex County Council](#)

Considering the comments above I would say at this time we object and will need additional information about how the conflict between private and public users would be managed and also that the applicant has some form of private right along with future occupants of the dwellings so we are satisfied that any access is lawful. Clarity of maintenance in the future would also be welcomed before we can consider if any objection can be withdrawn.

Regards,

Nick Scott
Principal Rights of Way Officer
Highways & Transport
West Sussex County Council

 CALL  IM  EMAIL

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[REDACTED]

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