

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Horsham District Council FAO: Nicola Pettifer
FROM:	WSCC Highways - Public Rights of Way
DATE:	25 August 2025
LOCATION:	Land East of Tilletts Lane Warnham
SUBJECT:	DC/25/1155 Erection of 59 dwellings with associated open space, landscaping, parking, access, and drainage infrastructure.
DATE OF SITE VISIT:	n/a
RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):	FP1430
RECOMMENDATION:	More Information Required (holding 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.

Having consulted the online documents it seems that public footpath 1430 has been recognised in the development plans to an extent. Firstly looking at the northern end off Knob Hill the footpath appears to be accommodated on the vehicular access into the site. Whilst this is not unacceptable the applicant should mitigate any risk of multi use access between vehicles and pedestrians. Further to this the line of vehicular access in which appears to accommodate the pedestrian access too differs from the legal line of the Footpath 1430 therefore unless a pedestrian route is being provided to match the current legal line the applicant will need to consider legally diverting the legal line to match their access into the site.

The point of legal lines also should be considered with the north south section of footpath 1430. The route proposed must match the existing legal line of 1430 and if it doesn't then the applicant will need to consider diversion to match the route being proposed as part of the development. Any diversion would best be achieved under the Town and Country Planning Act and advice on this process should be sought from the local Planning Authority. If the applicant is unsure of the legal line of the public footpath they should consult with WSCC's legal team and they can be contacted by email on legal.services@westsussex.gov.uk

Another important point to raise with the applicant is the proposal to make the access from Knob Hill along the entire length of footpath 1430 shared use. This would require clarity on whether they are looking to add cycle use as well as pedestrian or ideally upgrade the route to a Bridleway allowing pedestrian, equestrian and cycle access. It should firstly be clear that any legal upgrade in status can only be offered by the freehold landowner but secondly that there is no PRoW status that just allows pedestrians and cycles so an upgrade to Bridleway would best suit. Having said that this proposal to upgrade the route is further complicated as there is no high right continuation beyond the site

boundary at the southern end creating a dead end route and I can see no clear plan for how users exercising higher rights may continue lawfully along the continuation of 1430 east from the southern end of the site or footpath 1429 west adjacent to the school. These lengths do not appear to be within the control of the developer therefore not within their power to upgrade their status.

I think further discussions should be undertaken between the developer and WSCC's PRoW team to understand what the developers are trying to achieve and how best to do this within their control or with support of their neighbouring landowners. Until these issues are resolved I would like to place a holding objection against the application.

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Nick Scott
Principal Rights of Way Officer
Public Rights of Way
West Sussex County Council