

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Horsham District Council FAO: Nicola Pettifer
FROM:	WSCC Highways - Public Rights of Way
DATE:	3 September 2025
	Land North of Guildford Road Bucks Green Rudgwick West Sussex
SUBJECT:	DC/25/1269 Outline Planning Application for up to 90 no. residential dwellings (including 40% affordable) all matters to be reserved apart from access.
DATE OF SITE VISIT:	n/a
RELEVANT PUBLIC RIGHTS OF WAY NUMBER(S):	Footpath 1386
RECOMMENDATION:	More Information
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 1386 along the eastern boundary of the site is recognised as being within the red line boundary which is welcomed. The proposed landscaping plan shows the proposed line of the path to be different to the existing legal line therefore for this diversion to be formalised it will require the developer to apply for a diversion under s.257 of the Town and Country Planning Act 1980. This will be necessary because if the legal line is not available due to the development it would be an offence, irrespective of the availability of an alternative route.

In terms of any surfacing works on the existing or newly proposed line of the public footpath 1386 these will need to be approved by WSCC's PRoW team prior to any works taking place.

At no stage can the legal line of the footpath be narrowed or restricted without prior discussion of WSCC's PRoW team. Any restriction without consent would be an offence under the Highways Act 1980.

Further to this there are proposed alternative "footpaths" across the site and before we can give our formal view on this application we need to understand whether the applicants expectation is that these remain within their control or they are looking to dedicate these as Definitive public footpaths. If the applicant wishes to dedicate them as Definitive public footpaths then WSCC's PRoW team will need to consider the benefit these offer and the future maintenance liability before a decision can be formally made.

I look forward to receiving confirmation on the points above before we can give our formal view as to whether we object to the application or not.

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