

Planning Team
Horsham District Council,
Albery House,
Springfield Road,
Horsham, RH12 2GB

22nd July 2026

To Whom It May Concern,

Submission of a Non Material Amendment Application (S96a) pursuant to Planning Condition 1 of Reserved Matters Application Ref. DC/24/0249 as amended by DC/26/0135 at Rascals Farm, Shipley Road, Southwater, West Sussex

I am pleased to enclose the below listed plans and documents for review pursuant to the submission of a Non Material Amendment Application against Reserved Matters Approval (Ref. DC/24/0249 as amended by DC/26/0135) referred to as Rascals Farm, Shipley Road, Southwater, West Sussex.

The proposed amendment seeks to supersede a total of 2 listed documents relating to the landscaping strategy following setting out onsite identifying the previously proposed location of the PROW improvements would require approximately 800m² of woodland clearance.

To minimise clearance of Ancient Woodland designated land and Ancient Woodland adjacent land, including recorded active Dormouse habitat, the amended plans seek to amend the PROW route to run adjacent to the woodland boundary, but still terminating at the previously approved connection points. The majority of this route will follow the current trodden path used as the Public Right of Way route at the point Reserved Matters Permission was granted. The improvements will still be delivered as no-dig self-binding gravel, as approved in the detail drawing 'GLS_160_143_1701 REV A'.

The amendment, in principle, has been agreed with the WSCC PROW team in advance of this application subject to planning consent and a formal diversion request. This email discussion has been included as an appendix. As a result, we hope this application can be viewed positively.

Following the amended PROW route, the mown pathway from the spine road to the open space pathway has been altered to connect directly to the consented seating area location as a desire line.

The following documents have been submitted to support this application:

- GLS_021_197_1200_Illustrative Masterplan_RevB
- GLS_021_197_1300 General Arrangement_RevB

I trust the submission is clear. Should you require any further information then please do not hesitate to contact me on 07392 286374 or via email at kristy.king@bdwhomes.co.uk

Yours sincerely

Kristina King



Assistant Planner

Barratt Redrow Southern Counties

Compton House, The Guildway, Old Portsmouth Road, Guildford, GU3 1LR

King, Kristy

From: Ami Dye <Ami.Dye@westsussex.gov.uk>
Sent: 15 July 2026 09:32
To: King, Kristy; Donna Trethewey
Subject: RE: *EXTERNAL:RE: DC/24/0249 SHI-1889 PROW Improvements

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Hi Kristy

WSCC have no objection in principle to the diversion of the path if it is necessary to do so in order for development to be carried out, however, the application would not come to us and we would not be the determining authority. This sits with the Horsham District Council as planning authority.

The questions below I think are best directed to them as they would comment on any landscaping or ancient woodland implications as part of the planning process.

Kind regards
Ami

Ami Dye
Senior Rights of Way Officer
Rights of Way, Local Highway Operations
West Sussex County Council, 1st floor Northleigh, Tower Street, Chichester, West Sussex, PO19 1RH
Phone: 0330 2222687 | Int:22687 | Mob:07732 824060

Advance notice of annual leave:

23 July – 10 August

27 August – 3 September

Certified Carbon Literate



Please note I work part time and my usual working week is Monday 9am-3pm, Tuesday 9am-3pm, Wednesday all day and Thursday 9am-3pm. If your enquiry is urgent outside of this time please email prow@westsussex.gov.uk

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From: King, Kristy <kristy.king@bdwhomes.co.uk>
Sent: 10 July 2026 13:28
To: Ami Dye <Ami.Dye@westsussex.gov.uk>; Donna Trethewey <Donna.Trethewey@westsussex.gov.uk>
Subject: RE: *EXTERNAL:RE: DC/24/0249 SHI-1889 PROW Improvements

****EXTERNAL****

Afternoon Ami,

Thank you for the below, we would seek to regularise this via S96a upon your confirmation this would be an agreeable amendment in principle,

Please find attached a plan showing the current existing Ancient Woodland treeline overlaid with the original proposal for the footpath. We would seek to have the same start and end points, but deviate the main footpath along the tree line edge,

As mentioned below, in addition to this being an extension of the Ancient Woodland, the area has also been identified as active dormice habitat so we are keen to maintain this if possible,

Many thanks,

Kristy

Kristina King
Assistant Planner

Barratt Redrow Southern Counties
Email: kristy.king@bdwhomes.co.uk
Landline (Primary): 01483 547426 | ext. 557426 **New**
Mobile (Secondary): 07392 286374

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From: Ami Dye <Ami.Dye@westsussex.gov.uk>
Sent: 10 July 2026 11:52
To: King, Kristy <kristy.king@bdwhomes.co.uk>; Donna Trethewey <Donna.Trethewey@westsussex.gov.uk>
Subject: RE: *EXTERNAL:RE: DC/24/0249 SHI-1889 PROW Improvements

Hi Kirsty

Whether or not the diversion is acceptable in planning terms is something which the planning authority need to consider as they are the determining and order making authority.

As Donna mentions in her earlier email, WSCC are a statutory consultee and as highway authority are responsible for the surface maintenance of the path both pre and post any order making/confirmation. I would expect the planning authority to share with us any application or draft order for us to comment on prior to proceeding to make an order, therefore our full comments will be provided at this stage. If you can provide me with a proposal plan

identifying the existing definitive line, together with any proposed diversion I can take a preliminary look and provide some early comments.

Kind regards
Ami

Ami Dye
Senior Rights of Way Officer
Rights of Way, Local Highway Operations
West Sussex County Council, 1st floor Northleigh, Tower Street, Chichester, West Sussex, PO19 1RH
Phone: 0330 2222687 | Int:22687 | Mob:07732 824060

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Please note I work part time and my usual working week is Monday 9am-3pm, Tuesday 9am-3pm, Wednesday all day and Thursday 9am-3pm. If your enquiry is urgent outside of this time please email prow@westsussex.gov.uk

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From: King, Kristy <kristy.king@bdwhomes.co.uk>
Sent: 09 July 2026 16:36
To: Donna Trethewey <donna.trethewey@westsussex.gov.uk>
Cc: Ami Dye <Ami.Dye@westsussex.gov.uk>
Subject: RE: *EXTERNAL:RE: DC/24/0249 SHI-1889 PROW Improvements

****EXTERNAL****

Afternoon Donna and Ami,

Thank you for your response and guidance below, and please take this email as confirmation we are prepared to submit a Public Path Order application to ensure the amendment from the legal line to the current trodden path, which we are now proposing for upgrade, is fully compliant,

I look forward to hearing from Ami on if the diversion would be deemed acceptable in principle prior to submitting,

Best wishes,

Kristy

Kristina King
Assistant Planner

Barratt Redrow Southern Counties
Email: kristy.king@bdwhomes.co.uk
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From: Donna Trethewey <donna.trethewey@westsussex.gov.uk>
Sent: 09 July 2026 15:48
To: King, Kristy <kristy.king@bdwhomes.co.uk>
Cc: Ami Dye <Ami.Dye@westsussex.gov.uk>
Subject: *EXTERNAL:RE: DC/24/0249 SHI-1889 PROW Improvements

Hello Kirsty,

Thanks for your email.

As you are aware, an 8m difference would require a Public Path Order application through Horsham District Council under the Town & Country Planning Act 1990 Section 257. The WSCC PROW Team will be a formal consultee as part of this diversion Order application process and its prior agreement to a specification will be required before lending formal support to any diversion proposal. Development affecting the currently recorded legal line of Public Footpath 1889 must not begin until and unless the path has been formally accommodated else an offence is being committed and may invalidate any diversion Order procedure.

I am copying in Ami Dye who is responsible for responding to and processing Public Path Order applications. Ami can advise further regarding your diversion enquiry. I note that you are trying to avoid cutting through ancient woodland.

Regards surfacing, the specification you have attached is as I requested in my response and I note the 3m width, as laid down in the S106 requirement under DC/20/0695.

Best regards,

Donna

Donna Trethewey
Planning & Communities Officer, Public Rights of Way
Highways & Transport
West Sussex County Council
Contact: Internal: 29451 | External: +44 (0)3302 229451

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To ensure any PROW enquiries are dealt with efficiently please report them via our on- line form: [Report a problem with a Public Right of Way](#)

Landowners please be aware that you are responsible for trees on your land and have a legal duty of care and must maintain your trees in a reasonably safe condition. View ash dieback here; <https://www.westsussex.gov.uk/land-waste-and-housing/public-paths-and-the-countryside/ash-dieback/>

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From: King, Kristy
Sent: 30 June 2026 16:56
To: Donna Trethewey <donna.trethewey@westsussex.gov.uk>
Subject: DC/24/0249 SHI-1889 PROW Improvements

Good afternoon Donna,

I hope you are well,

I am reaching out in regard to our progressing scheme at Rascals Farm, Southwater (Reserved Matters Permission Ref. DC/24/0249),

At the point of Reserved Matters, the PROW within the red line consented improvements within the Ancient Woodland following the legal line, however as we have got onsite it has been flagged that there is an 8m difference between the current trodden path and the legal PROW line. This would require 8m of Ancient Woodland clearance, which has also been identified as dormice habitat.

As a result, I was hoping to get your thoughts on the improvements being implemented along the current trodden line in order to retain the 8m of Ancient Woodland/ Dormouse habitat. This would, of course, be regularised through planning subject to your response,

Please do let me know your thoughts,

Kristy

Kristina King
Assistant Planner

Barratt Redrow Southern Counties
Email: kristy.king@bdwhomes.co.uk
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