Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/0811
New Place Level Crossing, Land Off Riverside, Pulborough, RH20 1HF

DESCRIPTION:
Prior Approval for the installation of a stepped footbridge.

RELEVANT PLANNING HISTORY:
None relevant

SITE AND SURROUNDINGS:
New Place Level Crossing sits to the south of Harwood Close and is located close to the northernly end of the existing public right of way footpath (path number: 2330). Travelling south on this footpath across the level crossing allows access to another public right of way bridleway (path number: 2332), next to New Place Farm.

The existing level crossing is a user worked crossing (UWC) with stiles at each end of the crossing and is well shielded via a tree belt that runs behind the residential development to the south.

RELEVANT PLANNING POLICIES
The Town and Country Planning (General Permitted Development) (England) Order 2015

Schedule 2, Part 18 (Miscellaneous Development), Class A — Development under Local or Private Acts or Order

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:
None

Parish Comments:
None received

Representations:
1 representation has been received, making the following comments: -

- The bridge is being funded by the New Place Nurseries development site.
- Footpath 2330 has potential to provide significant improvements to the connectivity between two parts of the parish.
  The scheme does not include a zig-zag footpath or other means to reach the top of the hill and any construction should be designed to accept the installation of ramps in the future.

- A stepped footbridge does not help anyone with push chairs, mobility scooters, etc. who are still faced with the steps up the hill but is marginally better than the two stiles currently in position.
- Alternative sources of funding for the additional cost of provided ramps to the stepped bridge (and zig-zag ramps to the top of the hill) should be sought from the community.

HUMAN RIGHTS AND EQUALITY:
The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT
The main consideration with regards to this application is whether the development accords with Class A, Part 18 Schedule 2 Of the Town and Country Planning (General Permitted Development (Amendment) (England) Order 2015. Prior approval is sought under Class A.2:

Class A – development under local or private Acts or Order

Permitted development

A. Development authorised by—

(a) a local or private Act of Parliament,

(b) an order approved by both Houses of Parliament, or

(c) an order under section 14 or 16 of the Harbours Act 1964 (orders for securing harbour efficiency etc, and orders conferring powers for improvement, construction etc of harbours), which designates specifically the nature of the development authorised and the land upon which it may be carried out.

The development would take place under the provisions of the Railways Clauses Consolidation Act 1845.

Conditions

A.1 Development is not permitted by Class A if it consists of or includes—

(a) the erection, construction, alteration or extension of any building, bridge, aqueduct, pier or dam; or

(b) the formation, laying out or alteration of a means of access to any highway used by vehicular traffic, unless the prior approval of the appropriate authority to the detailed plans and specifications is first obtained.

None of the above are proposed.

A.2 The prior approval referred to in paragraph A.1 is not to be refused by the appropriate authority nor are conditions to be imposed unless they are satisfied that—

(a) the development (other than the provision of or works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land; or

(b) the design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

The submission sets out that the proposed footbridge would replace an existing public footpath which runs directly across the existing railway line. It is considered that a proposal of this nature should not be reasonably caried out elsewhere on the land (a).

The proposed footbridge would inevitably be a more pronounced stature than the existing ground level crossing. It would not though be an unexpected structure on operational railway land, with the design and colour scheme considered appropriate for a scheme of this type in this location. The wider visual impact would not be considered unduly intrusive or dominant, with surrounding vegetation providing some visual buffer / screening.

The nature, scale and siting of the scheme together with the resulting relationship with surrounding development would not be expected to be injurious to neighbouring amenity.

It is not therefore considered that the design or external appearance of the bridge would injure the amenity of the neighbourhood.

It is noted that a representation has been received setting out a number of comments relating to future proofing the bridge and allowing for improved access for those with limited mobility. These comments are acknowledged and appreciated. It is not though possible to further consider them as part of this prior notification application, the consideration of which is limited to the specific issues set out in the above legislation.

For the reasons set out, it is considered there are no reasons to refuse prior approval, which should therefore be permitted.

Recommendation: Prior Approval Required and PERMITTED

NOTE TO APPLICANT
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out any necessary works on the public highway / right of way. The applicant is advised to contact West Sussex County Council in order to obtain any necessary further consents (tel no: 01243 642105 or to visit https://www.westsussex.gov.uk/).

Plans list for: DC/25/0811
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	13.05.2025
Photos		NONE	13.05.2025
Elevation plan	Footbridge	63008-BBR-DRG-CIV-0002 P01	13.05.2025
Details plan	General Arrangement	63008-BBR-DRG-CIV-0001 A01	13.05.2025

DELEGATED

Case Officer sign/initial Jacques Burrowes Date: 07.07.2025

Authorising Officer sign/initial Guy Everest Date: 07.07.2025