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Mr Matthew Porter
Horsham District Council
Planning Department
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Your ref: DC/19/2464
Our ref: TO 2020 002 AE18D
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Date: 16 January 2020

Dear Mr Porter

DC/19/2464 Erection of 80 dwellings, Worthing Road Southwater RH13 9BT

The NFU is an industry organisation representing the commercial interests of farmers and growers in England and Wales. We represent 46,000 farmers and growers, a majority proportion of businesses within the commercial farming sector.

We've been contacted by our members at Chase Farm who own the land directly adjacent to the proposed development site and rely upon Shaw's Lane to access their farm. They raise some important points about the proposed access routes associated with this development that we feel need to be addressed as a matter of priority.

First is the question of public health and safety associated with the new footpath access, proposed to be created directly opposite the main access to Chase Farm. We believe this is a significant oversight as the access to Chase Farm is in constant use by heavy farm machinery. There has been no consideration as to the risks of directing pedestrians to this heavily used location and we feel that it is an unsuitable point of public access to Shaw's Lane given the health and safety risks.

We note from the submission document that the Design and Access Statement recognises the mapping error initially included in the approved Parameter Plan (PP06 Rev. P5). The error shows the 1652 right of way in an incorrect location extending from the entrance to Chase Farm due east. Our member tells us that there has never been a public right of way in this location.

Whilst the Proposed Access Plan has now been amended, it unfortunately still contains a legacy of the old error. In particular the footpath access still remains directly opposite the main entrance to Chase Farm. We believe this alignment could purely be related to the mapping error and as such may not have been subject to any balanced planning appraisal. We believe that the small section of footpath proposed between the Chase Farm entrance into the main development site should be deleted and alternative safe access provisions considered in consultation with existing residents.

In relation to the proposed upgrade of footpath 1652 from a footpath to bridleway, we have also been made aware of the fact that this would affect third party land outside of the ownership boundary of the proposed site. In this context, points made by Nigel Bird (WSCC Rights of Way Officer) seem crucial that *"If the Applicant doesn't own all the land necessary to achieve a continuous cycle network, it should be encouraged by the Local Planning Authority to negotiate with the relevant landowner(s) to secure the dedication of bridleway rights along the PROW"*.

To our knowledge, there is no dedication in place and there has yet to be any negotiation with relevant interested parties. We believe that there are valid security and safety concerns that need to be addressed if there is a significant increase in public use of Shaw's Lane. This may need further mitigation in terms of path alignment and design, which presumably should be specified by the developer prior to the Access Plan being approved.

We hope that our comments can be taken into consideration by the planning committee on this matter.

With kind regards


Tom Ormesher
NFU SE Environment and Land Use Adviser