Horsham District Council

Lakshmikanth Pemma
Openreach
123 Judd Street
London
WC1H 9NP

Our ref:	DC/24/1193
Your ref:	WFPMD27K
Email:	planning@horsham.gov.uk
Direct Line:	01403 215429
If Calling Please ask for:	Bethan Tinning
Date:	22nd August 2024

Dear Sir/Madam,

Install fixed line broadband apparatus

Baybridge House Horsham Road Steyning West Sussex

I refer to your notification received in this office on 25th July 2024 concerning the above site.

I write to inform you that this Authority has no objections in respect of the above proposal. The works can therefore be undertaken in accordance with the submitted details, together with the criteria contained within Part 16 of Schedule 2 of the Town and Country (General Permitted Development) Order 2015, as amended.

It should though be noted that the poles would be sited along a public bridleway. The applicant is therefore advised: -

- This notification does not authorise obstruction of, interference to or moving of any Public Right of Way (PROW); this can only be done with the prior consent of West Sussex County Council (WSCC), as highway authority.

- Safe and convenient public access must be available at all times across the full width of the PROW, which may be wider than the available and used route – advice on the legal width can be provided by the WSCC PROW Team.

- The right of way should not be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and / or chemicals during any works. These will constitute an offence of obstruction under the Highways Act 1980.

- No new structures must be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980.

- Any alteration to or replacement of the existing boundary with the PROW must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.

- Access along a PROW by contractors' vehicles, deliveries or plant is only lawful if the applicant can prove it has a vehicular right; without this an offence under the Road Traffic Act 1988 section 34(1) is being committed. The WSCC PROW Team does not hold records of private rights of access; the applicant is encouraged to check that no private access rights will be detrimentally affected by this proposal.

- The applicant is advised that a public access right has precedence over a private access right. Where a PROW runs along a route also used for private access purposes, usually for private vehicle access, this shared use has the potential for accident or injury – the applicant must consider how access is managed so the public is not endangered or inconvenienced.

- It is an offence to damage the surface of a PROW without the prior consent of the WSCC PROW Team. The applicant must supply a specification and secure the approval of the WSCC PROW Team before works affecting the PROW begin, even if the surface is to be improved. Where a PROW surface is damaged and there was no prior consent, the applicant will be liable and required to make good the surface to a standard satisfactory to the WSCC PROW Team.

- Where it is necessary to undertake works within the legal width of a PROW, e.g. install utilities, (or for development works immediately adjacent to a PROW that can not reasonably be managed through different Health and Safety practice) the applicant must be advised to apply to WSCC PROW Team for a temporary path closure. The applicant must be advised there is no guarantee an application will be approved; that a minimum of 6 weeks is needed to consider an application.

Any queries in respect of the public right of way should be directed to WSCC, with further information available through https://www.westsussex.gov.uk/land-waste-and-housing/public-paths-and-the-countryside/public-rights-of-way/.

I trust this information is of assistance to you. Should you however require any further information or clarification please do not hesitate to contact the Case Officer as detailed above.

Yours faithfully



Emma Parkes
Head of Development and Building Control