West Sussex County Council - Planning Consultation Response

To: Horsham District Council **Date:** 2 November 2026

FAO: <Enter Case Officer Name>

From: WSCC – Public Rights of Way

LPA Reference: DC/26/1444

Location: Old Springfield Farm

Springfield Lane

Horsham

RH12 4TA

Proposal: Permission in Principle for the demolition of existing piggery and erection of a single dwelling and associated development.

Relevant Rights of Way Numbers: COL-1699 / COL-1699-1

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.

As stated in the NPPF, TR8: Public Rights of Way

Development proposals should:

a. Protect and enhance the network of public rights of way, including through suitable diversions agreed with the highway authority; and

b. Take opportunities to extend, link or improve the quality of existing routes where this enables one or more of the following:

i. Improved access to green spaces and the countryside;

ii. New direct and circular routes and connections between local and long-distance footpaths, bridleways and cycle routes;

iii. The provision of accessible, safe and convenient links to services and facilities; and

iv. Improved connections with public transport stops and interchanges.

Bearing the above in mind, my comments are as follows:

I understand that this application is for Permission in Principle for the demolition of existing piggery and erection of a single dwelling and associated development. If I am mistaken in this belief I reserve the right to submit further comments.

Having considered the relevant documents my recommendation is one of 'More information' at present. The development does not directly impact the local public rights

of way but COL-1699 runs along the access to the East and COL-1699-1 runs along the North and therefore these need to be considered and taken in to account whilst development takes place. I therefore raise the following points for information:



-It would appear from the document 'Location Plan', submitted 26/08/2026, that the application comprises the redevelopment of the existing property within the existing footprint of land. The Public Right of Way is potentially affected only in so much as it falls within the area required to be made available to the developer for the duration of the works only. If this is not the case then WSCC PROW reserve the right to reconsider this response.

-The existence of a Public Right of Way (PROW) is a material consideration. Should planning consent be granted, the impact of development upon the public use, enjoyment and amenity of the PROW must be considered by the planning authority.

-The granting of planning permission 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, and possibly also a legal order process by Horsham District Council as the local planning authority. Further advice can be provided on request.

-Safe and convenient public access is to 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. See point '13' below if this condition cannot be met and the path needs to be closed temporarily.

-The path is not to 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, such as gates and stiles, are to 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 down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.

-Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system

must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.

-Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, 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 applicant is advised that a public access right has precedence over a private access right. Where a PROW runs along or crosses 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.

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Rights of Way information is not definitive.

Adam Tucknott

Access Ranger

West Sussex County Council – Public Rights of Way