From: Jonathan Perks
Sent: 15 July 2016 10:24
To: Rebekah Smith
Cc: Katrina Harper
Subject: FW: AWDM/0722/16 20 Penstone Close, Lancing
Attachments: D03AEF4A1DC711E6BDF3B8AC6FA45D0A.pdf; D03AEF531DC711E6BDF3B8AC6FA45D0A.pdf; D03AEF561DC711E6BDF3B8AC6FA45D0A.pdf

Flag Status: Flagged

Rebekah

Thanks for your email. My apologies for not responding sooner – I wasn't able to write before taking some leave.

The right of way behind the property is public footpath 2069. Being a footpath the public access right is limited to foot traffic only and, excepting when that person has a private right of access, it would be an offence to drive a vehicle along the path – see Road Traffic Act 1988 s34(1).

I have noted the route is also recorded on the highways gazetteer so, for completeness, I've checked with my legal colleagues as to whether public vehicle access applies as a result. I am, however, advised that this does not alter the public right of access.

Given the above I can only conclude it would be an offence to drive on the footpath unless private rights existed – I suggest you encourage the applicant to check their deeds or other legal documents.

In the event that a gate is consented to, subject to it not opening into the path and there being no disturbance of the surface of the path, I would not raise objection.

I hope that assists and clarifies.

Regards,

Jon Perks
Principal Rights of Way Officer

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Principal Rights of Way Officer
Residents' Services – Countryside Services
West Sussex County Council

CALL IM EMAIL
Location: 1st Floor, Northleigh, County Hall, Chichester PO19 1RH
Contact: Internal: 26703 | **External:** +44 (0)3302 226 703 | **E-mail:** jonathan.perks@westsussex.gov.uk

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From: Rebekah Smith [mailto:rebekah.smith@adur-worthing.gov.uk]
Sent: 28 June 2016 16:31
To: Jonathan Perks
Subject: AWDM/0722/16 20 Penstone Close, Lancing

Dear Jonathan,

The above planning application includes a new access gate to the north boundary of the site which is intended to serve a new hardstanding to park a vehicle within the site boundaries.

The applicant would require vehicular access along the lane at the rear of the site. The lane at the rear of the property appears to provide a public footpath and vehicular access to the flats at the rear.

Are you able to confirm whether the applicant would have any right of access over this land at the rear to allow vehicular access to the proposed gate and hardstanding?

I have attached the relevant drawings showing the position of the gate. The full application details (which include various other extensions) can be viewed via our website using the reference above.

Thank you, in advance, for your assistance.

Regards,

Rebekah Smith | Senior Planning Officer | Development Management | Adur & Worthing Councils
01903 221313

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20 Penstone Close BN15 9AP

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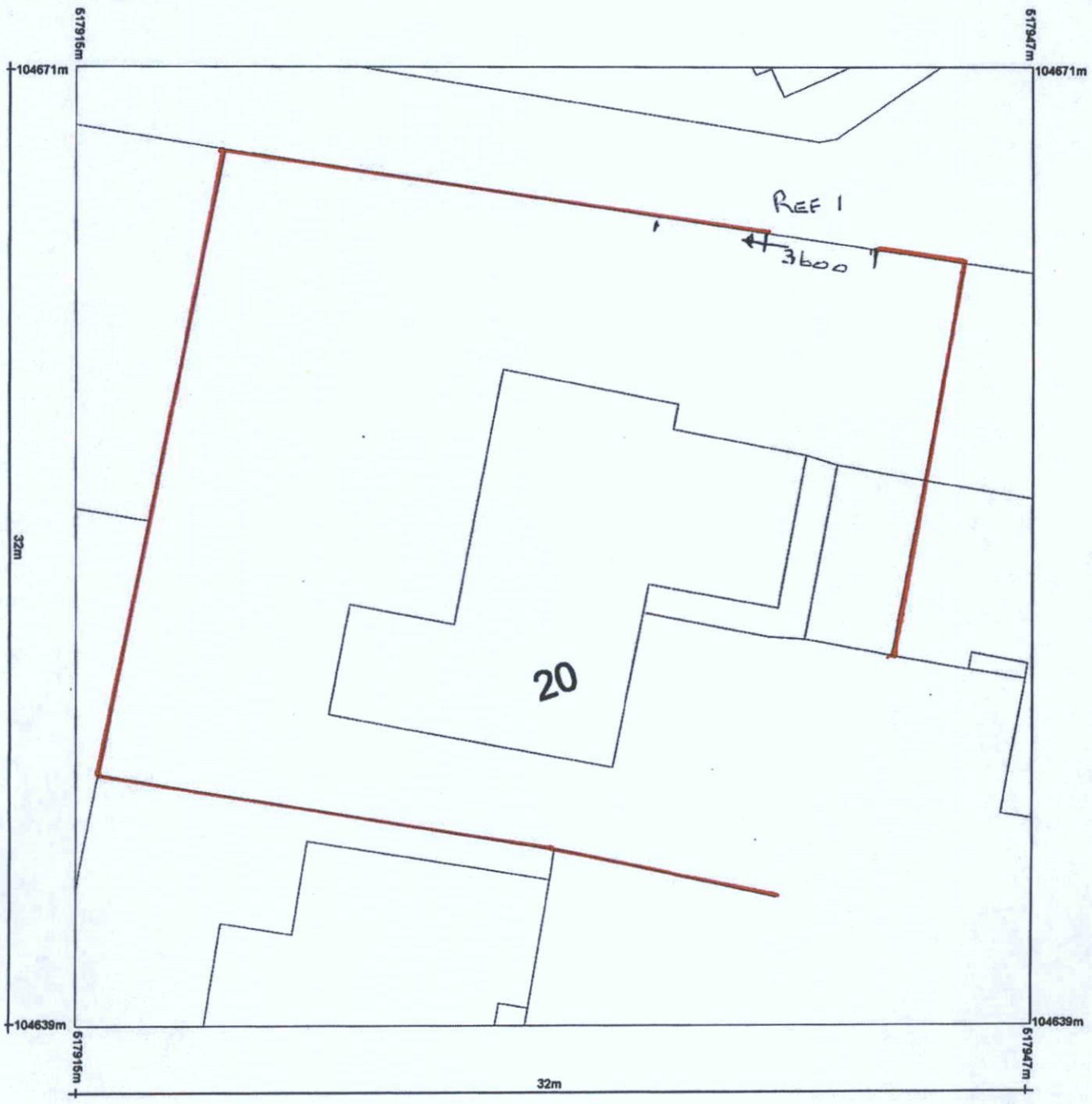

REF 1 3600 SLIDING GATE.
SLIDING ON THE PROPERTY

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ADUR & WORTHING
PLANNING SERVICES

PLAN	AWDM/0722/16
DATE VALID	17 MAY 2016

2B PENSTONE CLOSE BN13 9AP

REF 1 TIMBER 1285 H.9M x 100 WIDTH WEANEY LAP

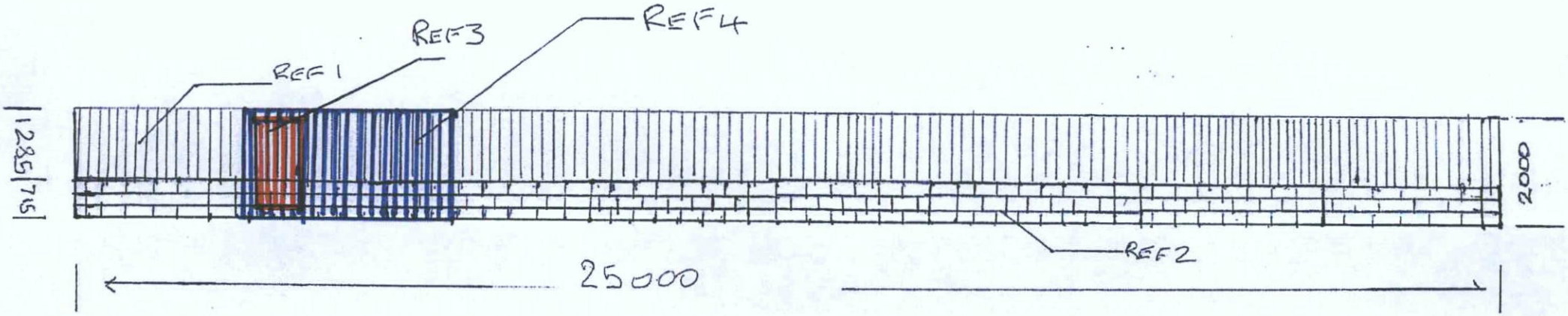
REF 2 BLOCK / STONE EFFECT L50 x 220 x 100

REF 3 800 x 1800 WALK THROUGH GATE

REF 4 3600 x 2000 H.9M SLIDING GATE.

ADUR & WORTHING
PLANNING SERVICES

PLAN	AWDM/0722/16
DATE VALID	17 MAY 2016



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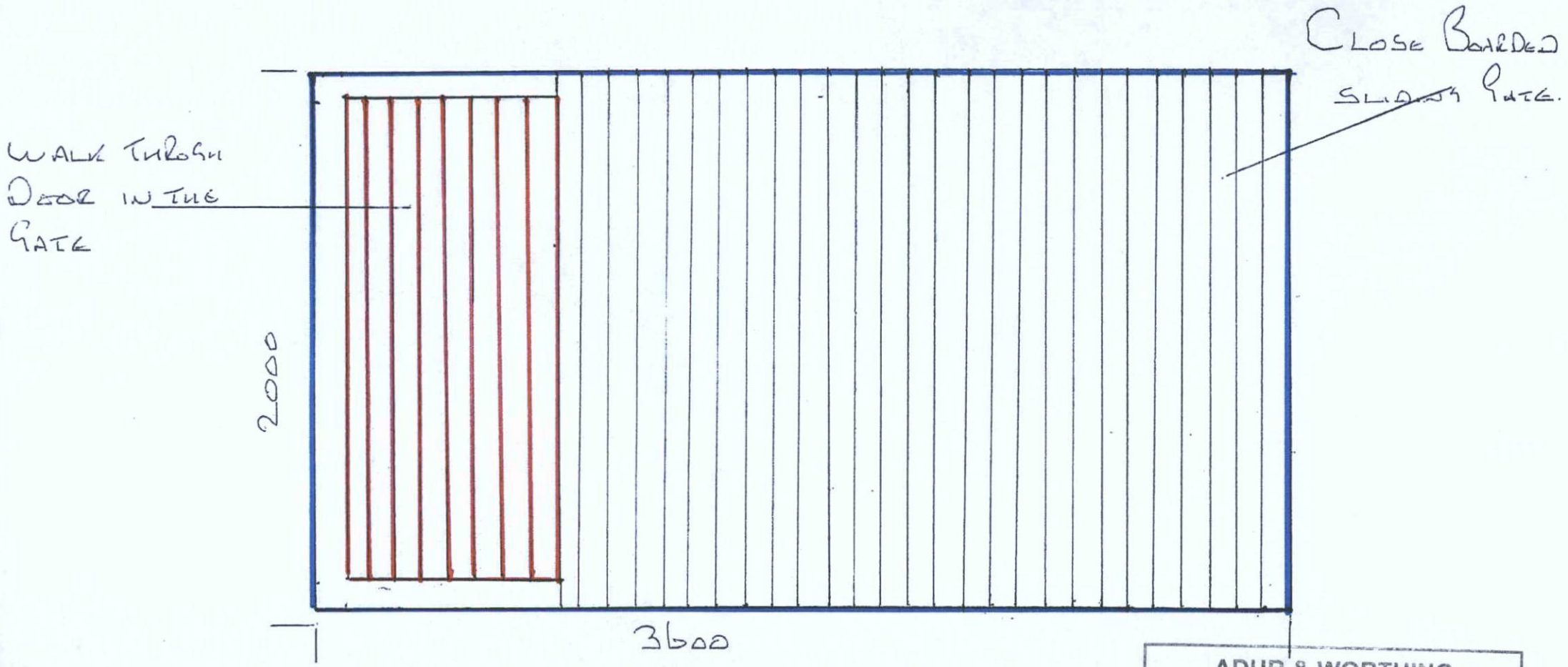
20 Penstone Close BN15 9AP



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DATE VALID	17 MAY 2016

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