

# **NOTICE OF ORDER**

## **Town and Country Planning Act 1990**

Mid Sussex District Council

Hassocks Public Footpath No.5K (Part) Public Path Diversion Order 2020 (No.2)

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is 27th April 2021

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to divert the footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission (reference DM/19/1897) granted under Part III of the Town and Country Planning Act 1990, namely, the development of land to the east of London Road, Hassocks, West Sussex BN6 9NA for the residential development of 130 dwellings consisting of 12 no. 1 bedroom apartments, 27 no. 2 bedroom houses, 47 no. 3 bedroom houses and 44 no. 4 bedroom houses and associated access, together with change of use of part of the land to country open space, following the provision of a new pedestrian tunnel under the railway.

Any queries relating to this Order should be referred to Michael Edwards at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 1338. Email: [michael.edwards@planninginspectorate.gov.uk](mailto:michael.edwards@planninginspectorate.gov.uk). Please quote reference number ROW/3260595 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by visiting the council offices between 9am and 4pm Monday to Friday (excluding bank holidays) at Oaklands, Oaklands Road, Haywards Heath, West Sussex, RH16 1SS. The council contact for this case is Jennifer Bale who can be contacted at [Jennifer.Bale@midsussex.gov.uk](mailto:Jennifer.Bale@midsussex.gov.uk)

### **Timetable for sending in statements of case and comments**

#### **Within 2 weeks of the start date [by 11<sup>th</sup> May 2021]**

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents - these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

#### **Within 8 weeks of the start date [by 22<sup>nd</sup> June 2021]**

Everyone who has made an objection or representation or any other written representation or any other person wishing to make representations in writing must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies

(excluding copies of any supporting documents - these will be available to view at the Authority's offices) will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order.

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

**Within 14 weeks of the start date [by 3<sup>rd</sup> August 2021]**

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any inflammatory, discriminatory or abusive comments. Any documents containing such comments will be returned.

## **PUBLIC PATH DIVERSION ORDER**

Town and Country Planning Act 1990, Section 257

### **MID SUSSEX DISTRICT COUNCIL (HASOCKS PUBLIC FOOTPATH NO.5K) (PART) PUBLIC PATH DIVERSION ORDER 2020 (No. 2)**

THIS Order is made by MID SUSSEX DISTRICT COUNCIL under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission (reference DM/19/1897) granted under Part III of the Town and Country Planning Act 1990 namely, the development of land to the east of London Road, Hassocks, West Sussex BN6 9NA for the residential development of 130 dwellings consisting of 12 no. 1 bedroom apartments, 27 no. 2 bedroom houses, 47 no. 3 bedroom houses and 44 no. 4 bedroom houses and associated access, together with change of use of part of the land to country open space, following the provision of a new pedestrian tunnel under the railway.

#### **BY THIS ORDER:**

1. The footpath over the land marked by a continuous black line on the attached Order Map ("the Order Map") and described in Part I of the Schedule to this Order ("the Schedule") shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of the Mid Sussex District Council and the West Sussex County Council, an alternative footpath for use as a replacement for the said footpath as provided in Part II of the Schedule and shown by a broken black line on the Order Map.
3. The diversion of the footpath shall have effect on the date on which Mid Sussex District Council certify that the terms of Article 2 above have been complied with.
4. The following works shall be carried out in relation to the footpath described in Part II of the Schedule, that is to say:
  - (a) The alternative footpath shall be of a width of 3.5 metres.
  - (b) The alternative footpath shall be free from all obstructions and must not include any stiles, gates, posts or other structure.
  - (c) The construction of the alternative footpath shall be to a specification to be agreed with the Director of Highways and Transport, West Sussex County Council such specification to be in accordance with any applicable reserved matters approval granted by Mid Sussex District Council in connection with planning permission reference DM/19/1897 and the specification shall confirm that the alternative footpath shall only be constructed once the pedestrian tunnel required by the planning permission reference DM/19/1897 has been constructed.
  - (d) The new footpath will be waymarked by West Sussex County Council.
5. Rydon Homes Limited will pay the cost of carrying out the above mentioned works.
6. Where, immediately before the date on which the footpath is diverted, there is apparatus under, in, on, over, along or across that footpath belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then

had.

7. This Order may be cited as the Mid Sussex District Council (Hassocks Footpath No.5K) (Part) Public Path Diversion Order 2020 (No. 2).

## SCHEDULE

### PART I

#### Description of existing path or way which is to be Stopped Up

Part of Hassocks Public Footpath No. 5K commencing at Point A1 on the Order Map (Grid ref: 530293, 116375) and moving in a north easterly direction for approximately 47.6m to Point C on the Order Map (Grid ref: 530330, 116405) before turning in an easterly direction and extending for approximately 173.3m to Point F on the Order Map (Grid ref: 530501, 116416), as shown by a continuous black line on the Order Map.

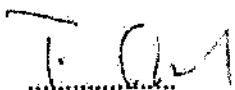
### PART II

#### Description of the alternative footpath as Diverted

The new route of the footpath commences at Point A on the Order Map (Grid ref: 530292, 116379) having a width of 3.5m and crosses the entrance bellmouth of the new development in a southerly direction for approximately 12.80 meters to Point B on the Order Map (Grid ref: 530296, 116367) then moving in a north easterly direction along the footway of the new development for 50.84m to meet point C on the Order Map (Grid ref: 530330, 116405) it then follows the footway snaking in a north easterly direction for 100.18m to join point D to the southwest of plot 16 (Grid ref: 530420, 116447) at this point the footpath turns in a south easterly direction running parallel with the frontages of plots 16-20 and 21-24 for a distance of 87.86m to arrive at point E (Grid ref: 530501, 116421) in front of plot 25 at this point the path turns south for a distance of 5.27m to join point F at (Grid ref: 530501, 116416) where this point meets the original alignment of the 5K footpath as shown by a broken black line on the Order Map.

DATED this 30<sup>th</sup> day of July 2020

**THE COMMON SEAL of  
MID SUSSEX DISTRICT COUNCIL**  
was hereto affixed  
in the presence of:



Authorised Officer





# PROPOSED GRID REFS:

POINT	X	Y
A	530292	116379
B	530298	116387
C	530330	116405
D	530420	116447
E	530501	116421
F	530501	116416

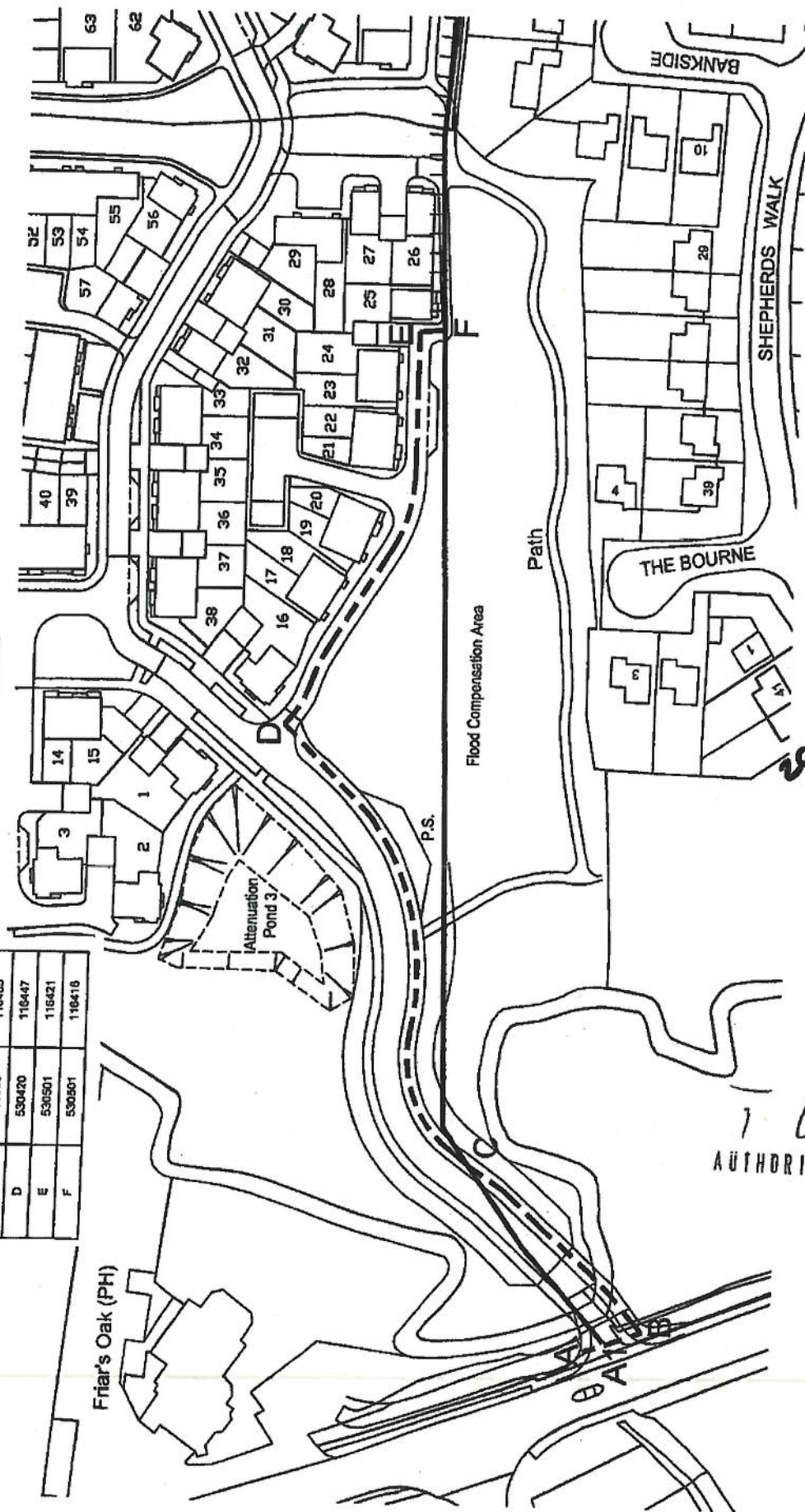
# EXISTING GRID REFS:

POINT	X	Y
A1	530293	116375
F	530501	116416

- Proposed footpath
- Footpath to be stopped up
- Existing footpath

Rev. Description  
A Amendment  
B Amendment  
C Amendment

Date By  
May/20 MAH  
Jun/20 MAH  
Jul/20 MAH



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AUTHORISED OFFICER

MAP NOT TO  
ORIGINAL SCALE

Land East of London Road  
Hassocks

Footpath No. FP5K (Part)  
Division Map  
Drawing No. 1027-FP5K-MAP Rev. C  
Date: January 2020  
Drawn by: MAH  
Scale: 1:1250 @ A4