

**From:** Rutterford, Beth - E&E <[Beth.Rutterford@Oxfordshire.gov.uk](mailto:Beth.Rutterford@Oxfordshire.gov.uk)>  
**Sent:** 20 February 2020 10:53  
**To:** Planning <[Planning@Cherwell-DC.gov.uk](mailto:Planning@Cherwell-DC.gov.uk)>  
**Cc:** Rutterford, Beth - E&E <[Beth.Rutterford@Oxfordshire.gov.uk](mailto:Beth.Rutterford@Oxfordshire.gov.uk)>  
**Subject:** FW: Planning Response for 20/00293/OUT- Public Rights of Way - More information required

Dear Sir/Madame,

OCC welcome the improved access with the exercise trail and cycle way links.

My current concern relates Chesterton Footpath 8 which crosses the site. The footpath is acknowledged in planning application although contrary to the statements in the application, it is used and is passable, with volunteers undertaking work to maintain vegetation. The route also connects to the other section of Chesterton Footpath 8.

While OCC would not object to the route of the footpath being altered, under either the Highways Act or the Town and Country Planning Act (whichever is most appropriate), we will **need more details on proposals** before full comment on this application could be made.

The applicant may need to apply for a Temporary closure to the footpath during the construction phase, if user safety can not be ensured via mitigation measures. Please note these currently have a 12 week lead in time. Details can be found on our website at: <https://www.oxfordshire.gov.uk/residents/roads-and-transport/traffic/road-closures-roadworks> A temporary route should be provided for this period of time.

If planning is granted then the following conditions must be applied:

1. **Temporary obstructions.** No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that may obstruct or dissuade the public from using the public right of way whilst development takes place. Reason: To ensure the public right of way remains available and convenient for public use.
2. **Route alterations.** No changes to the public right of way direction, width, surface, signing or structures shall be made without prior permission approved by the Countryside Access Team or necessary legal process. Reason: To ensure the public right of way remains available and convenient for public use.
3. **Vehicle access (construction):** No construction / demolition vehicle access may be taken along or across a public right of way without prior permission and appropriate safety/mitigation measures approved by the Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants or their contractors to put right / make good to a standard required by the Countryside Access Team. Reason: To ensure the public right of way remains available and convenient for public use.

4. **Vehicle access (Occupation):** No vehicle access may be taken along or across a public right of way to residential or commercial sites without prior permission and appropriate safety and surfacing measures approved by the Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants, their contractors, or the occupier to put right / make good to a standard required by the Countryside Access Team. Reason: To ensure the public right of way remains available and convenient for public use
5. **Gates / right of way:** Any gates provided shall be set back from the public right of way or shall not open outwards from the site across the public right of way. Reason: To ensure that gates are opened or closed in the interests of public right of way user safety
6. **Improvements to routes:** Public rights of way through the site should be integrated with the development and improved to meet the pressures caused by the development whilst retaining their character where appropriate.. No improvements may be implemented without prior approval of the Countryside Access Team. Reason: To ensure the public right of way through the development retains character and use as a linear corridor and is able to integrate with the development

Kindest regards,

Beth

Beth Rutterford - North East  
Countryside Access Officer  
[Beth.Rutterford@Oxfordshire.gov.uk](mailto:Beth.Rutterford@Oxfordshire.gov.uk)

Web-Site: [www.oxfordshire.gov.uk/countryside](http://www.oxfordshire.gov.uk/countryside)  
For Countryside Access issue reporting: <https://camsv.oxfordshire.gov.uk>  
Fix-My-Street: <https://fixmystreet.oxfordshire.gov.uk/>

This email, including attachments, may contain confidential information. If you have received it in error, please notify the sender by reply and delete it immediately. Views expressed by the sender may not be those of Oxfordshire County Council. Council emails are subject to the Freedom of Information Act 2000. [email disclaimer](#). For information about how Oxfordshire County Council manages your personal information please see our [Privacy Notice](#).

This e-mail (including any attachments) may be confidential and may contain legally privileged information. You should not disclose its contents to any other person. If you are not the intended recipient, please notify the sender immediately.

Whilst the Council has taken every reasonable precaution to minimise the risk of computer software viruses, it cannot accept liability for any damage which you may sustain as a result of such viruses. You should carry out your own virus checks before opening the e-mail(and/or any attachments).

Unless expressly stated otherwise, the contents of this e-mail represent only the views of the sender and does not impose any legal obligation upon the Council or commit the Council to any course of action..