

From: Rutterford, Beth - E&E

Sent: 10 May 2021 16:07

To: Planning

Cc: Beth.Rutterford

Subject: FW: Planning Response 21/01300/F- Public Rights of Way

Dear Sir/Madame,

Banbury Footpath 40 runs along the North East boundary of the site. The fence which currently separate the proposed development from the footpath is in very poor condition. Therefore I assume this will be replaced as part of the development.

Any new fencing must either be on the same alignment as the current fence for further within the development boundary. It is essential that there is no encroachment on the width of the Public Right of Way

The following standard measures would also apply if planning permission is granted:

1. **Correct route of public rights of way:** Note that it is the responsibility of the developer to ensure that their application takes account of the legally recorded route and width of any public rights of way as recorded in the definitive map and statement. This may differ from the line walked on the ground. The Definitive Map and Statement is available online at www.oxfordshire.gov.uk/definitivemap.
2. **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 obstructs the public right of way whilst development takes place.
3. **Route alterations.** The development should be designed and implemented to fit in with the existing public rights of way network. No changes to the public right of way's legally recorded direction or width must be made without first securing appropriate temporary or permanent diversion through separate legal process. Alterations to surface, signing or structures shall not be made without prior written permission by Oxfordshire County Council. Note that there are legal mechanisms to change PRoW when it is essential to enable a development to take place. But these mechanisms have their own process and timescales and should be initiated as early as possible – usually through the local planning authority.
4. **Gates / right of way:** Any gates provided in association with the development shall be set back from the public right of way or shall not open outwards from the site across the public right of way. No new gates should be placed across the Public Right of Way
5. **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. This may include upgrades to some footpaths

to enable cycling or horse riding and better access for commuters or people with lower agility. Proposed improvements should be discussed and agreed with Oxfordshire County Council.

Kind regards,

Beth

Beth Rutterford - North East
Countryside Access Officer