

From: Rutterford, Beth - E&E
Sent: 18 November 2021 12:47
To: Planning
Cc: Beth.Rutterford
Subject: OCC Public Rights of Way - Planning Response - 21/03759/F

Dear Sir/Madame,

Adderbury Footpath 5 runs through the proposed development site.

The application suggests that the applicant is intending to divert the footpath. The applicant must be aware that a diversion CANNOT be guaranteed success and therefore the current Definitive Line of the footpath must remain open and available until the diversion of the footpath has been successful. **If the applicant cannot secure a diversion then this development would have significant negative impact on the Public Footpath and therefore should be a condition on the planning permission.**

The new diverted footpath must be of sufficient width, at least 3m and should have not gates or other structures.

The applicant also needs to take into consideration how they will ensure the safety of footpath users during the construction. If the applicant cannot provide safe access for users via mitigation measures then they will need to apply for a temporary closure via a Temporary Traffic Regulation Order (TTRO). Please note there is a 12 week lead in time for an application. Details can be found on our website at: [Requesting a Temporary Traffic Regulation Order \(TTRO\) | Oxfordshire County Council](#)

The following standard measures would also apply:

- 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