

Consultee Comment for planning application 23/00853/OUT

Application Number	23/00853/OUT
Location	Land East Of Warwick Road Drayton Warwick Road Banbury
Proposal	Outline application for up to 170 dwellings (Use Class C3) with associated open space and vehicular access off Warwick Road, Banbury; All matters reserved except for access
Case Officer	Richard Greig
Organisation	Rights Of Way (OCC)
Name	
Address	(RoW Field Officer - Northeast) Oxfordshire County Council County Hall New Road. Oxford OX1 1ND
Type of Comment	Comment
Type	
Comments	<p>This development affects public rights of way. Standard measures below will apply. Note for this site we will be seeking s106 contribution for offsite mitigation measures for public rights of way in the region of ?65,000. A R122 justification note will be supplied in due course.</p> <p>Note that OCC responses normally come via Single Response and so that should replace this service-specific response.</p> <p>Oxfordshire County Council (OCC) Countryside Access manages the legal record and access functions on the public rights of way and access land network. In addition to the statutory functions of recording, protecting and maintaining public rights of way, part of the authority's role includes securing mitigation measures from residential and commercial developments that will have an impact on the public rights of way and access land network in order to make those developments acceptable. This work meets the aims and outcomes of the adopted Oxfordshire Rights of Way Management Plan 2015?2025 (www.oxfordshire.gov.uk/rowip).</p> <p>Oxfordshire County Council's Walking and Cycling Design Guides need to be referred to when public rights of way are intended or need to become urbanised utility access routes.</p> <p>Standard measures/conditions for applications affecting public rights of way</p> <ol style="list-style-type: none">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 and may mean there are more than one route with public access. The legal width of public rights of way may be much wider than the habitually walked or ridden width. The Definitive Map and Statement is available online at www.oxfordshire.gov.uk/definitivemap.2. Protection from breaks in public rights of way and vehicle crossings/use of public rights of way: Many public rights of way are valuable as access corridors and as continuous wildlife and landscape corridors. As a matter of principal, PRoW should remain unbroken and continuous to maintain this amenity and natural value. Crossing PRoW with roads or sharing PRoW with traffic significantly affects wildlife movements and the function of the PRoW as a traffic free and landscape corridor. Road crossings of PRoW should be considered only as an exception and in all cases provision must be made for wildlife access and landscape, and with safe high quality crossing facilities for walkers, cyclists and equestrians according to the legal status of the PRoW. Vehicle access should not be taken along PRoW without appropriate assessment and speed, noise, dust and proximity controls agreed in advance with OCC Countryside Access3. Protection, Mitigation and Improvements of routes. Public rights of way through the site need to be integrated with the development and provided to a standard to meet the pressures caused by the development. This may include upgrades to some footpaths to enable cycling or horse riding and better access for commuters or people with lower agility. The package of measures needs to be agreed in advance with OCC Countryside Access. All

necessary PRow mitigation and improvement measures onsite need to be undertaken prior to first occupation so that new residents are able to use the facilities without causing additional impacts and without affecting existing users to ensure public amenity is maintained.

4. Protection of public rights of way and users. Routes must remain useable at all times during a development's construction lifecycle. This means temporary or permanent surfacing, fencing, structures, standoffs and signing need to be agreed with OCC Countryside Access and provided prior to the commencement of any construction and continue throughout. Access provision for walkers, cyclists and horseriders as vulnerable road users needs to be maintained. This means ensuring noise, dust, vehicle etc impacts are prevented.

5. Temporary obstructions and damage. No materials, plant, vehicles, 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. Avoidable damage to PRow must be prevented. Where this takes place repairs to original or better standard should be completed within 24hrs unless a longer repair period is authorised by OCC Countryside.

6. 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. 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. Any proposals for temporary closure/diversion need to have an accessible, level, safe and reasonably direct diversion route provided with necessary safety fencing and stand-off to ensure public amenity is maintained for the duration of the disturbance.

7. 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.

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Principal Officer ? Public Rights of Way Access Strategy
Oxfordshire County Council

Received Date

25/04/2023 13:50:15

Attachments