

INCOMING EMAIL

From: Helen Spencer
To: Planning.Admin
Date: 19/03/2020 14:03:19
Subject: V/2020/0184 Land off Ashland Road West

Attachments:
(1) image001.jpg(1 B)
(2) Sutton.pdf(3 KB)

Good Afternoon

Thank you for your consultation. I have checked the Definitive Map for the Sutton in Ashfield area and can confirm that Sutton in Ashfield Footpaths 47, 39 and 144 run adjacent to the application site. I attach a plan showing the definitive route of the footpath and would be grateful if you would make the applicant aware of the legal lines.

The Rights of Way team has no objections to the proposal as the public footpaths fall outside of the application site. However, please could the applicant be made aware of the following:

- The footpath should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the RoW or materials unloaded or stored on the RoW so as to obstruct the path.
- There should be no disturbance to the surface of the footpath without prior authorisation the Rights of Way team.
- The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks notice is required to process the closure and an alternative route on should be provided if possible.
- If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles.
- If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon.
- Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed
- If the design of any proposed development requires the legally recorded route of the RoW to be diverted because it cannot be accommodated on the legal line within the scheme, then this should be addressed under the relevant provisions within the Town and Country Planning Act 1990 for the diverting/stopping up of public rights of way affected by development. An application way under this act should be made to the Planning authority and is a separate application to the planning permission

- The existing boundary hedge/tree line directly bordering the development/boundary etc is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuing that it is cut back so as not to interfere with right of way.
- Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption.

<http://www.nottinghamshire.gov.uk/transport/licences-and-permits/scaffolding-hoarding-and-advertising-boards>

If this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks notice is required), email countryside.access@nottscc.gov.uk

- If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit.

<http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit>

and also ensure that the RoW can still be accessed appropriately by the users permitted by its status i.e. equestrians if a on bridleway, motorised vehicles if on a byway open to all traffic

These comments have been provided by Via East Midlands Limited on behalf of Nottinghamshire County Council, in its capacity as Highway Authority, through Vias continuing role of providing operational services on behalf of the County Council

Thanks

Helen

Helen Spencer

Area Rights of Way Officer

Environmental Management and Design Team

Via East Midlands Ltd

working in partnership with Nottinghamshire County Council

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Sutton in Ashfield



Nottinghamshire
County Council

Scale 1:10000

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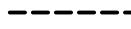
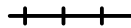
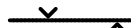

Date: 19/03/2020



NOT DEFINITIVE

Queries about path alignment should be made to the Definitive Map Team on 0115 9773708.

Public Rights of Way:

-  Footpath
-  Bridleway
-  Byway Open to All Traffic
-  Restricted Byway

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