

## Alexandra Battle

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**From:** Lance Concannon <Lance.Concannon@viaem.co.uk>  
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**To:** Planning  
**Subject:** 20/01122/COU Planning Portal Ref: PP-09047345

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No Objection.

I have checked the Definitive Map for the footpath 124/10/1 and can confirm that the proposed application runs adjacent to the footpath on the site edged in red on the site location plan.

The correct legal alignment of the public right of way can be checked by carrying out an official search, contact [row.landsearches@nottsc.gov.uk](mailto:row.landsearches@nottsc.gov.uk). Inaccuracies or misalignments of the routes on a legal diversion may result in two paths being legally recorded, generating further inaccuracies and problems.

The Rights of Way section has no objection to the proposal, the Design and Access Statement (or whatever the document is – could be Transportation and Highways) acknowledges the existence of the Right(s) of Way. However, the Rights of Way team would like the applicant to take note of the informatives below

No development/breaking of the ground shall commence that obstructs the public right of way until such time as an application has been made to the LPA to divert/extinguish the path

- There should be no disturbance to the surface of the footpath without prior authorisation from 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 a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon.
- No materials or contractor's vehicles should be stored/parked on the path prevent access to or along the path at any time (unless a temporary closure of the path has been applied for and granted)
- The existing boundary hedge/tree line directly bordering the development/boundary/ 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. [licences@viaem.co.uk](mailto:licences@viaem.co.uk)

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](mailto: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

No Objections – development has maintained RoW in current location to acceptable terms.

**On all application responses:**

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

**Lance Concannon**

Rights of Way Officer

**Via East Midlands Ltd**

**Working in partnership with Nottinghamshire County Council**

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