

**From:**Sue Jarczewski  
**Sent:**28 Jul 2020 15:36:47 +0100  
**To:**planning  
**Subject:**20/01242/FULM, Solar Farm, Halloughton  
**Attachments:**20200728\_planofRoW\_PA\_20\_01242\_FULM\_solarfarm.pdf

Dear Honor,

Thank you for consulting the Rights of Way Team. I have checked the working copy of the Definitive Map of recorded Public Rights of Way and can confirm that Southwell Public Footpath No. 42, Southwell Public Footpath No. 43 and Southwell Public Bridleway No 74 all cross the land edged in red on the location plan. Southwell Byway No.80 which becomes Halloughton Byway No. 9 at the parish boundary is adjacent to the south-west corner of the site. I attach an extract of the working copy of the Definitive Map for your reference. We acknowledge the applicant has included the Public Rights of Way on the Site Layout and Planting Proposals plan (DRWG No. P18-2917\_12).

The Rights of Way Team have no objection to the proposal however we would request that the applicant is advised of the following:

- The Public Rights of Way should remain open, unobstructed and be kept on their legal alignment at all times. Vehicles should not be parked on the Public Rights of Way or materials unloaded or stored on the Public Rights of Way so as to obstruct the path.
- There should be no disturbance to the surface of the Rights of Way without prior authorisation the Rights of Way team.
- The safety of the public using the paths should be observed at all times. A Temporary Closure of the Public Rights of Way 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, the applicant should ensure that the appropriate width( there may be a recorded width as part of the Definitive Map statement) is given to the path and that any fence is low level and has an open aspect to meet good design principles. As a guide the following minimum widths should be applied unless a recorded width exists: Footpaths 2m surface with 1m wide grass verge on either side, Bridleways 3m surface with 1m wide verge on

either side. We note on the proposed planting plan (DRWG No. P18-2917\_12) that the applicant proposes planting a new hedgerow to screen the development from Southwell Public Bridleway No.74. We welcome this proposal however we would request that the hedge is planted so as not to encroach on the width of the bridleway □ the minimum widths should be applied with the established hedgerow in mind (i.e. a mature hedgerow is likely to be 2m wide) this should not impact on the minimum width of the Public Bridleway.

- 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
- Where the right of way runs across the site, there are currently open fields on either side with no adjacent boundary. This open aspect should be retained as far as is practicable as part of any development, with good practice design principles applied to either ensure that the route does not become enclosed and/or is incorporated it as part of a greenspace corridor.
  - The applicant should be made aware that both existing hedgerows and trees alongside Public Rights of Way are the responsibility of the owner/occupier of the land. Future maintenance of the boundary hedges and trees should be planned into any maintenance programme so as to prevent them interfering with the use of the Public Right of Way.

**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 □**

**Sue Jarczewski**

Area Rights of Way Officer (Central)

Environmental Management and Design Team

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**We are still working under restrictions as a result of the COVID 19 pandemic, and with the high use of the Public Rights of Way network generating more issues, there is a back log of issues to be resolved. Please bear with us as we work hard to clear this as soon as possible. Thank you for your patience.**