

From: James Cook [REDACTED]
Sent: 20 August 2024 15:17
To: Amy Davies
Cc: Charlotte Nash
Subject: 23/01837/FULM | Proposed ground mounted photo voltaic solar farm and battery energy storage system with associated equipment, infrastructure, grid connection and ancillary work. | Land To The West Of Main Street Kelham

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Amy,
I have copied the comments from the Rights of Way Team (in blue) regarding the above application, to which I provide the applicant's response.

I've checked the working copy of the Definitive Map of recorded Public Rights of Way (PROW) and can confirm that the site edged in red is crossed by two recorded PROW. Kelham Footpath No. 4 follows the route of an existing farm track from Broadgate Lane in Kelham. Averham Footpath No. 6 is also within the eastern boundary of the site.

The applicant has acknowledged both PROW. It is recommended that the applicant contact Nottinghamshire County Council as the surveying authority to obtain confirmation of the legal line of the PROW. Use following email address: row.landsearches@nottscc.gov.uk. The applicant proposes new hedgerow and tree planting. Where this is alongside the PROW it will need to be set far enough back so as to avoid illegally obstructing the PROW when the hedgerows and trees grow.

Noted

The applicant proposes minimal maintenance of existing and new hedgerows however those hedgerows alongside the PROW will need to be regularly maintained to avoid illegally obstructing or impeding the use of the PROW. The applicant's maintenance proposals will need to be updated to reflect this.

Management of existing and proposed hedgerows and trees will be detailed in a Landscape and Ecology Management Plan (LEMP) which can be conditioned as part of any decision. The applicant would (at that stage) also engage with the RoW Team for the definitive alignment of the footpaths on site.

The applicant is proposing a permissive bridleway route around the perimeter of the site for the duration of the solar farm. The proposed permissive route is also the route of the existing Public Footpaths. The Rights of Way team request that the permissive route be separate from the Public Footpath in order to prevent the natural surface being damaged/poached by the permissive users (equestrians/cyclists).

The proposed permissive route around the perimeter of the site has an approximate width of c10m, this is between the existing/proposed vegetation and the proposed fencing. Whilst there are no minimum widths that apply to public rights of ways, as a guide they need to be wide enough to allow two legal users to comfortably pass each other which can be regarded as 2 metres for a footpath and 3 metres for a bridleway. Having made provision for a 10m width where the permissive bridleway and public footpath run parallel should allow sufficient space for the users.

Should you have any further queries please let me know.

Regards,



James Cook | Associate Planner | Planning

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