
From: Katharine Barnes <Katharine.Barnes@cambridgeshire.gov.uk>
Sent: 23 October 2023 08:56
To: DevelopmentControl
Subject: 22/02162/FUL

Good morning, apologies for the delay,

22/02162/FUL | Erection of four 5m poles (shown as squares on plan) with cameras for CCTV | Buckden Marina Mill Road Buckden

Thank you for consulting with the Definitive Map team at the County Council on the above planning application.

Public Footpath 13, Buckden, runs through the application site. To view the location of the ROW please view our interactive map online which can be found at <http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>.

Whilst the Definitive Map Team has **no objection** to this proposal, the footpath must remain open and unobstructed at all times.

Informatives

Should you be minded to grant planning permission we would be grateful that the following informatives are included:

- Public Footpath 13, Buckden, must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).
- The Public Footpath must not be used to access the development site unless the applicant is sure they have lawful authority to do so (it is an offence under S34 of the Road Traffic Act 1988 to drive on a Public Footpath without lawful authority)
- No alteration to the Footpath's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).
- Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).
- The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).
- The Highways Authority has a duty to maintain Public Rights of Way in such a state as to be suitable for its intended use. (S41 Highways Act 1980 and S66 Wildlife & Countryside Act 1981). If the surface of the Footpath is damaged as a result of increased motorised vehicle usage, the Highways Authority is only liable to maintain it to a Footpath standard. Those with private vehicular rights will therefore be liable for making good the surface of the Public Right of Way.

Furthermore, the applicant may be required to temporarily close public rights of way whilst construction work is ongoing. Temporary Traffic Regulation Orders (TTROs) are processed by the County Council's Street Works Team and further information regarding this can be found on the County Council's website at <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highway-licences-and-permits/>

Kind regards,

Kat Barnes (She/her) [Why have I put this here?](#)

Definitive Map Officer

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Cambridgeshire Highways



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