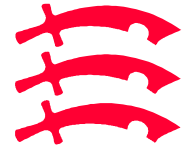


Your Ref: S62A/2024/0045
Our Ref: 49437
Date: 26th July 2024



Essex County Council

Director for Highways
and Transportation

To: Section 62A Applications Team,
The Planning Inspectorate,
3rd Floor, Temple Quay House,
2 The Square, Temple Quay,
Bristol,
BS1 6PN

County Hall
Chelmsford
Essex CM1 1QH

Recommendation

Application No.	S62A/2024/0045
Applicant	Mr G Hilton
Site Location	Land To The North-West Of Bishops Stortford Farnham Road Farnham
Proposal	Erection of a Solar Photovoltaic Farm with supporting infrastructure and battery storage, inverters and transformers, fencing, landscaping works and connecting cable.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following measures:

1. Prior to development commencing, a detailed scheme shall be agreed with the planning authority, for the management of the crossing point on Public Right of Way Bridleway no 20 (Farnham), to include but not limited to, visibility splays at the crossing point, temporary surfacing if necessary, signage (to include additional wording that indicates priority is given to the PROW users), fencing and new planting. **Reason:** To ensure the continued safe passage of the public on the definitive right of way and accessibility.
2. The public's rights and ease of passage over Bridleway no 20 (Farnham), Bridleway no 21 (Farnham), bridleway no 14 (Farnham), bridleway no 15 (Farnham) and footpath no 31 (Farnham), shall be maintained free and unobstructed at all times. **Reason:** To ensure the continued safe passage of the public on the definitive right of way and accessibility.

The above conditions are required to ensure that the development accords with the National Planning Policy Framework (NPPF) 2023 and the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Informative:

- i. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.
- ii. The applicant is advised to contact Essex Highways Highways Records Team to confirm the routes and widths of the PROW affected by the proposal – highwayrecords@essexhighways.org.
- iii. The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over Bridleway no 20 (Farnham), Bridleway no 21 (Farnham), bridleway no 14 (Farnham), bridleway no 15 (Farnham) and footpath no 31 (Farnham), shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

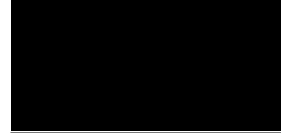
The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

A footpath is a highway over which the public has a right of way on foot. In this regard the County Council are obliged to ensure that the surface of the right of way is safe and suitable for the public users but are not responsible for making good damage or wear and tear on paths that has been caused by those exercising their private rights. The County Council is also not responsible for providing access suitable for the private rights. For instance, if a public footpath or bridleway forms vehicular access to land or property, we have no duty to ensure it is suitable for vehicles, because a public footpath or bridleway carries no public vehicular rights.

In such instances, residents or landowners possessing private rights for vehicular access are entitled to make this access useable for their purposes, but all works must be approved in advance by the Highway Authority, and only suitable contractors may be used, because the right of way is a highway.

- iv. Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.

- v. There shall be no discharge of surface water onto the Highway.
- vi. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.



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pp. Director for Highways and Transportation
Enquiries to Eirini Spyratou