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Thank you for the consultation.

The site is bounded on the east side by public bridleway NU27, and I believe that, although there is no direct impact on the path by building works, a development such as proposed would inevitably result in an increase in use and demand for this path and for this to be of a different nature to the current use, being more of a utilitarian link to New Ash Green than the current entirely recreational use.

This would lead to an increase in the maintenance burden for the County Council, as Highway Authority for the path.

Whilst I have no objection to the proposed development, I would wish to see our interests protected as follows:-

- My preference would be for s.278 works to improve the surface of the bridleway between the northern edge of the site and The Drove Way. This length is approximately 450m and we would be looking for a surfaced width of 3.0m or the maximum width available, whichever is the lesser. The construction would be of a compacted unbound aggregate, the specification for which to be agreed at a later date. The reason for requesting s.278 works is that access to the path from the southern end is restricted due to the current development taking place and the fact that the access is via the busy road to the recreation ground and housing.

- If the s.278 works are not a viable option, then we would wish to see a s.106 contribution of £35,000 to enable us to carry out the work ourselves subject to either of the following, i) the funding to be provided and work carried out prior to the commencement of development, so that we can access the bridleway from the development site and avoid the problems of using the southern access road or, ii) the funding to be provided but work not carried out until after the completion of the development but with provision made through the site for access for plant and materials to carry out the work and an indemnity against the need to make good any damage to the site arising from having to cross it to access the path after completion.

- The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then this office will deal on the basis that:

- The applicant pays for the administration costs
- The duration of the closure is kept to a minimum
- Alternative routes will be provided for the duration of the closure.
- A minimum of six weeks notice is required to process any applications for temporary closures.

This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

Yours sincerely

David Munn, West Kent Area Manager - Public Rights of Way & Access Service, West Kent
PROW Team, Kent County Council, Growth Environment and Transport,