

NYCC Local Access Forum working group - Rights of Way and the planning process

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Sent to NYCC Highways Dept

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Highways:

**Q 1 Does Highways take into consideration the rights of way network or travel connections for those without a car that might be associated with an application, and look for enhancement when possible? Always/Sometimes/Never Would this be better split into 2 questions?**

**Response** - Always. The LHA would proportionately consider the PRoW network when looking at the sustainability of development in respect of walking, cycling, public transport, in the main for commuting purposes, but also for wider public benefit, health etc.

Unfortunately, when it comes to PRoW there are limitations as to the improvements that can be made and relied upon, as the responsibility of the surface / styles/gates etc rests with respective landowners and routes on the definitive map simply have to be 'fit for purpose'. This often can mean that utilisation of existing routes is challenging if third parties do not engage.

**Q2 If not always is it because NYCC does not encourage extras due to associated expense or is too time-consuming or for some other reason?**

**Response** - n/a – the consideration of upgrade or amendment to existing routes would however have to be proportionate to the scale of development as per planning law.

**Q3 At present, are the 7 different Local Plans taken into account when making your highway decisions? When the new Council eventually has a central Local Plan, will this impact differently on how you respond to consultations? If so, in what way do you expect?**

**Response** - The council is beginning preparation for a new county wide local plan. How this work will be delivered is still emerging however the LHA will still be statutory consultee to the process and its work will be delivered in this context.

**Q4 Bearing in mind the increased awareness of the importance of sustainable transport and healthy lifestyles, do you think there is sufficient liaison between highways, planning and rights of way at the moment?**

**Response** - The council has introduced sustainable travel officer roles, one of which is dedicated to auditing and monitoring travel plans. It is important to stress that the three functions you refer to have distinct remits within the planning process, however where there are matters which are critical to all, appropriate conversations are held and it is expected this role has become a critical point of contact across teams relating to the delivery of sustainable travel in the planning context.

The Public Rights of Way Team is consulted by the LPA's on all planning applications, so it has the opportunity to engage in the process. The PRow team would have to be engaged if a diversion is necessary be it temporary to permanent. This is an advisory statement included in planning responses as it is outwith the town and country planning act.

**Q5 Looking to the future, can you suggest how the new Council might bring together planning with highways and rights of way to reflect this importance to best effect?**

**Response** - One council will clearly bring opportunities for closer working. There are established relationships and processes operating in planning however all parties are looking forward to working under one council structure and exploring the benefits it will bring in the future.