

Matter 11 – ICKLEFORD, LOWER STONDON, LITTLE WYMONDLEY, CODICOTE		
Action	Date on which Action Completed	Examination Doc Reference No.
<p><b>In respect of Policy IC2, NHDC to:</b></p> <p>(a) propose modification to require safe access to the site in the form of a crossing point</p> <p>(b) correct typo - “Consider and mitigate against any adverse impacts <u>upon</u> key features of interest”</p>	MM269	
<p><b>NHDC to propose amendment to Policy IC3 and/or supporting text to explain school provision options and preferences. This should include possible retention of Ickleford School in its existing format and location, and possibility of a new 1FE school on IC3</b></p>	MM270	
<p><b>NHDC to propose amendment to Policies IC1, IC2 and IC3 requiring detailed drainage strategy similar to that set out in Policy KB2</b></p>	MM268, MM269 & MM270	
<p><b>NHDC to propose amendment to wording of LS1 to incorporate supporting text at paragraph 13.244 (facilitation of access) in the policy itself</b></p>	MM302	
<p><b>NHDC to propose amendment to wording of WY1 bullet point 3 to:</b></p> <p>(a) clarify that the site is not required to bring about an amelioration of pre-existing flooding issues, although this might be a collateral benefit of the development</p> <p>(b) reconsider wording proposed in LP3 in relation to addressing flood risk and surface water issues. Stevenage BC and Hertfordshire County Council in capacity as Lead Local Flood Authority to be consulted</p>	MM367	
<p><b>NHDC to propose amendment to wording of Policy CD5 and supporting text (and to consider inclusion of similar wording in Policies CD1, CD2 and CD3) to explain timing of new school provision in site CD5 and the fact that it will serve CD1, CD2 and CD3</b></p>	MM224, MM225, MM226 & MM227	
<p><b>NHDC to check existence of PRoW across site CD3 that is not currently reflected on the Submission Proposals Map</b></p>	Enclosed as Appendix M11(Co)-1	ED148B

Matter 11 – ICKLEFORD, LOWER STONDON, LITTLE WYMONDLEY, CODICOTE

<b>Action</b>	<b>Date on which Action Completed</b>	<b>Examination Doc Reference No.</b>
<b>NHDC to insert wording proposed at paragraph 6 of NHDC Codicote statement into Policies CD1, CD2, CD3 and CD5 themselves instead of supporting text</b>	MM224, MM225, MM226 & MM227	

**Appendix M11 (Co) – 1**

**ED148B : Note on Public Rights of Way at site CD3**

## **North Hertfordshire Local Plan Examination Note to Inspector**

### **Public Rights of Way at Site CD3 - Land north of The Close, Codicote.**

1. At the Matter 11 hearing session for Codicote on 27 February 2018, Cllr Helena Gregory of Codicote Parish Council made reference to a reinstated Public Right of Way (PRoW) footpath at site CD3 that was not reflected on the policies map. Following discussion, the following action was specified:
  - NHDC to check existence of PRoW across site CD3 that is not currently reflected on the Submission Proposals Map (ED96, p.2)
2. This note clarifies the position.

#### Public Rights of Way

3. The online Rights of Way Map, hosted by Hertfordshire County Council<sup>1</sup>, shows PRoW 007 running from The Close along the inside of the southern boundary of the site then turning north-eastwards to run along the eastern boundary where it meets PRoW 008.
4. PRoW 008 continues to run in a north-easterly direction inside the site boundary while PRoW 007 branches off in a north-north-easterly direction across the site and exiting through the site boundary.
5. A screenshot of the on-line map is attached as Appendix 1.
6. There are no further Public Rights of Way.
7. The landowner has made an application to Hertfordshire County Council to say that they do not intend to dedicate any further public rights across their land other than those that are already recorded<sup>2</sup>.

#### The submission Local Plan

8. The Local Plan as submitted makes reference to both Rights of Way in the site-specific criteria for Site CD3 (LP1, p.153):

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<sup>1</sup> <http://webmaps.hertfordshire.gov.uk/row/row.htm>

<sup>2</sup> This can be viewed at <https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/countryside-access/rights-of-way/applications-and-how-to-make-them/register-of-landowner-deposits.aspx> under "Codicote - Land to the North East of The Close 2017"

*Sensitive incorporation of Footpaths Codicote 007 and 008 as perimeter features around the site and a connection from the High Street to the wider countryside.*

### Policies Map

9. The submission Policies Map uses the 1:10,000 Ordnance Survey base map, in accordance with the relevant regulations<sup>3</sup>. This base map is not produced by the District Council who therefore cannot make amendments to it. It does not show all PRoWs or necessarily map those PRoWs in strict accordance with the Definitive Map.
10. The base map shows only the broad alignment of a path inset from the south-eastern boundary of site CD3. It does not show the precise alignments of either Footpath Codicote 007 or Footpath Codicote 008 over the site.
11. However, this does not affect the existing of the Rights of Way shown on the Definitive Map or the consideration of those Rights of Way required by the plan.
12. An extract of the submission Policies Map is attached as Appendix 2.

### Evidence at the Examination

13. At the examination, Cllr Helena Gregory representing Codicote Parish identified that the landowner had recently reinstated access to an authorised footpath not shown on the plan, including the creation of a gap in the hedge.
14. It is understood that Cllr Gregory's reference to "the plan" was to the submission Policies Map.

### Site visit / situation on the ground

15. A further site visit has been conducted to clarify the position on the ground. From this, it can be confirmed that:
  - There is a well established footpath leading from the Close around the south-west and south-east perimeter of the site. This appears to correspond to Footpath Codicote 007 as far its junction with Footpath Codicote 008 and then follows the route of the latter.

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<sup>3</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012, Regulation 9(1)(a) states that Policies map should be reproduced from, or be based on, an Ordnance Survey Map

- Footpath Codicote 007 immediately beyond the junction with Footpath Codicote 008 is not clearly established on the ground.
  - What appears to be a relatively new gap in the hedge and posts have been created / sited along the north-eastern boundary corresponding with the point where Footpath Codicote 007 is shown to exit site CD3 on the Rights of Way map. Cllr Gregory has subsequently confirmed that this gap is the 'reinstated access' referred to at the Hearing Session.
  - There are a number of further informal paths / desire lines around and across site CD3. However, these are not Rights of Way.
  - There are site notices advertising the landowner application referred to in Paragraph 7 above.
16. An annotated photo taken from the approximate location of the junction of Footpaths Codicote 007 and 008 as shown on the Rights of Way Map is attached as Appendix 3.


#### Implications for the Plan

17. From the above, it is concluded that:

- There are two recorded Rights of Way across site CD3. These are footpaths Codicote 007 and Codicote 008;
  - These are shown on the County Council's Rights of Way map but are not fully reflected on the submission Policies Map;
  - The Council cannot amend the Ordnance Survey base map used to create the Policies Map;
  - The 'reinstatement' referred to by Cllr Gregory at the hearing session relates to the point where Footpath Codicote 007 exits the site;
  - The site-specific criteria for Site CD3 in the submitted Plan correctly refer to both of the Public Rights of Way present within the site.
18. Any development of the site will need to address the alignment of both PRowS within the site and accommodate any access/egress points on the boundary. It is proposed to amend the wording of the 3rd bullet point to clarify that both PRowS run through the site. Other than that the policy would still stand as the site specific criteria refer to PRow numbers and not their alignment:

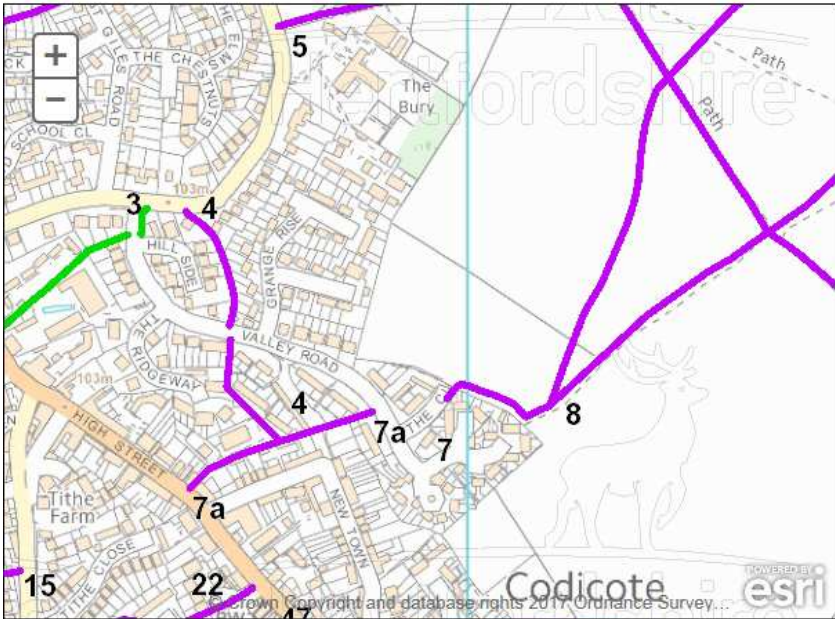
*Sensitive incorporation of Footpaths Codicote 007 and 008 as ~~perimeter~~ features ~~around~~ **within** the site ~~and~~ **providing** a connection from the High Street to the wider countryside.*

**Appendix 1 – Screenshot of on-line Rights of Way map**


Hertfordshire County Council

Maps and geographic info
Public Sector Mapping Agreement
OS Copyright
Disclaimer
Metadata

**Rights of Way Map (This is not the Definitive Map)**



**Legend**

- Byway Open to All Traffic
- Restricted Byway
- Bridleway
- Footpath
- Temporary Footpath
- Temporarily Closed Footpath
- Unmetalled Unclassified County Road
- Rights of Way PTRO

**Note**

The Rights of Way information on this plan is based on information from the Definitive Map of Public Rights of Way. The accuracy of this plan cannot be guaranteed. If in doubt the Definitive Map should be consulted.

The Definitive Map is only legally conclusive at the scale it was drawn at, which is 1:10,000, so the lines on this webmap viewer will disappear when zooming in beyond that scale.

**Data**

To download the HCC data shown, click [here](#).

**Local Transport Plan Live**

The Rights of Way Improvement Plan can be found on [LTP Live](#).

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Find Settlement or Postcode:

Enter Postcode with space (e.g. AL4 9EB or SG13 8DQ)

Settlement
  Postcode
  County Councillor
  Division
  Highway ID
  Road Name

**Using the map**

To zoom in and out use your mouse wheel or the zoom controls on the map.

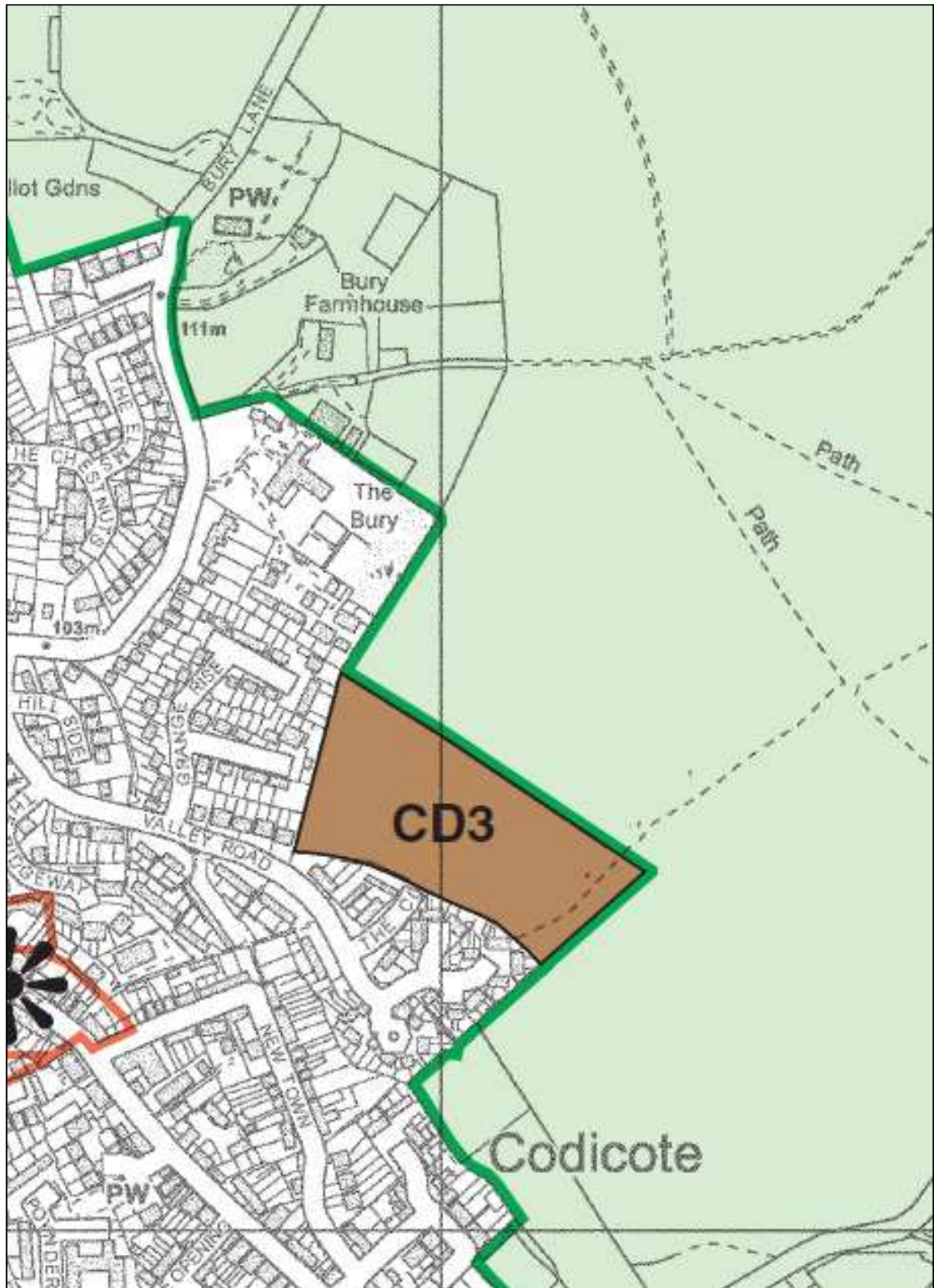
You can drag the map to move to a different location.

Click on a symbol on the map to see the details of that location. Where there are two settings at the same location there are 2 pages of details to see, click on the to see the next page.

If all the details are not all visible drag the map to bring them into view.

<http://webmaps.hertfordshire.gov.uk/row/row.htm>, accessed 26 April 2018

**Appendix 2 – Extract from submission Policies Map**





**Appendix 3 – Annotated site photo**

