Williams, Karen

From: Ward, Dominic (F&C) <dominic.ward@staffordshire.gov.uk>
Sent: 11 February 2019 10:57
To: Planning (SMDC)
Cc: ECU Consultations (Place)
Subject: SMD/2019/0025

SMD/2019/0025

Public Footpath No. 37 Biddulph Town Parish runs to the north of the application site. It does not appear from the application documents that this right of way will be affected by the proposals.

The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

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