From:
To:
Cc:
Subject: EC3210SM - SMD2021/0212 - Old Engine Farm, Perkins Lane, Dilhorne - extension, alteration & conversion of former agricultural building to provide additional accommodation to dwelling house - Rights of Way
Date: 18 May 2021 11:26:37

To whom it may concern,

Rights of Way

The application documents don't recognise the existence of Public Footpath No. 4 Dilhorne Parish which runs through the farm, north and west of the proposed development site. The attention of the applicant should be drawn to the existence of the path and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. However, it does not appear from the provided documents that the footpath will be directly affected by the development.

It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion.

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.

Kind Regards,

Julie Hall
Spatial Information Officer
Staffordshire County Council

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