

From: [Hall, Julie \(F&C\)](#)
To: [Planning \(SMDC\)](#)
Cc: [ECU Consultations \(Place\)](#)
Subject: EC3210SM - SMD/2021/0352 - Land East of Cellarhead Battery Site, Rownall Road, Wetley Rocks - Adoption of an Environmental Impact Assessment Screening Opinion - Rights of Way
Date: 14 June 2021 08:09:01

To whom it may concern,

Rights of Way

Staffordshire County Councils Definitive Map of Public Rights of Way shows the following public footpaths within or near to the boundary of the project:

Public Footpath No 53 Cheddleton Parish

Public Footpath No 47 Cheddleton Parish

Public Footpath No 43 Cheddleton Parish

Public Footpath No 42 Cheddleton Parish

The applicant should also undertake their own search of the Definitive Map to ascertain which paths may potentially be affected by the proposals.

The attention of the applicant should be drawn to the existence of the paths 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 network. It is important that users of the paths are still able to exercise their public rights safely and that the paths are reinstated if any damage to the surface occurs as a result of the proposed development. The County Council is only responsible for the footpaths for pedestrians, not vehicles, and the applicant should be made aware of this.

If a temporary diversion or closure is required on any of the routes then this will be undertaken using the Road Traffic Regulation Act 1984. The highway authority can authorise a temporary closure/diversion for a maximum of 6 months although the Secretary of State does have powers to extend the closures if required.

If any of the footpaths do need diverting as part of these proposals, the developer would need to apply to your Council under section 257 of the Town and Country Planning Act 1990 to divert the footpath to allow the development to commence.

The County Council will need to be formally consulted on the proposal to divert the footpath(s). 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. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09).

Without any further details of the proposals we are unable to provide any further advice on what information will be required for the scoping opinion.

Kind Regards,

Julie

Julie Hall

Spatial Information Officer

Staffordshire County Council

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