

From: [Lisa Jackson](#)
To: [Planning \(SMDC\)](#)
Subject: FW: EC3210 SM - SMD/2023/0032 - Home Farm, Bradshaw Lane, Ipstones ST10 2LJ - Proposed Replacement Dwelling - Rights of Way
Date: 31 January 2023 09:10:18

Ho Comments for logging and web please. SMD/2023/0032.

Thanks

Lisa

From: Hall, Julie (E,I&S) <>

Sent: 31 January 2023 08:59

To: Lisa Jackson <

Subject: EC3210 SM - SMD/2023/0032 - Home Farm, Bradshaw Lane, Ipstones ST10 2LJ - Proposed Replacement Dwelling - Rights of Way

Dear Lisa,

Rights of Way

The Definitive Map of Public Rights of Way for Staffordshire shows a public right of way running along the access track to the property, north of the proposed development. From the submitted documents it does not appear that it will be directly impacted by the proposed development.

The following should be brought to the attention of the applicant and noted in the planning consent if granted:

Public Footpath No.33 Ipstones Parish runs along the access track to the application site (occupying the full width of the track between boundaries), heading northwards, to the east of Sharpcliffe Hall.

The granting of planning permission does not constitute authority for any interference with the public right of way and associated items - or obstruction (temporary or permanent).

The term obstruction, in this context, also applies to items such as gates or stiles which are regarded as licenced obstructions which must be sanctioned by the highways authority.

NPPF 100. states that: Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

Users of the path must be able to exercise their public rights safely and at all times and the path be reinstated if any damage to the surface occurs as a result of the proposed development.

Where private rights exist that allow the use of vehicles along a public right of way, drivers of vehicles must give way to pedestrians

In the absence of private rights, driving a vehicle on a public right of way is a criminal offence.

Staffordshire County Council has not received any application to add to or modify the Definitive Map of Public Rights of Way in that vicinity.

The possibility of the existence of a currently unrecognised public right of way, makes it advisable that the applicant pursue further enquiries and seek legal advice regarding any visible route affecting the land, or the apparent exercise of a right of way by members of the public.

Kind Regards,

Julie Hall

**Definitive Map and Spatial Information Officer
Staffordshire County Council**

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