

Consultation response - Rights of Way, Staffordshire County Council

EC3210SM - SMD/2022/0245 - Land opposite 1 Dorian Way, Endon - proposed detached new build bungalow - REVISED PLANS - Rights of Way

The Definitive Map of Public Rights of Way for Staffordshire shows a public right of way along the boundary of the application site.

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

- Public Footpath No.74 Endon and Stanley Parish runs along Dorian Way, and partially along the western boundary of the application site.
- 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.

The granting of planning permission does not constitute authority for any interference with the public right of way and associated items - or its 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.

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.

If the footpath needs diverting as part of these proposals the developer must apply to your council under section 257 of the Town and Country Planning Act 1990 to divert the public rights of way to allow the development to commence. For further information the applicant must read section 7 of DEFRA's Rights of Way Circular (1/Consultation response 09). It is also strongly suggested, in order to avoid unwanted complications, that guidance should be sought from Staffordshire County Council as Highways Authority, regarding the exact position of the Public Right of Way shown on the Definitive Map.

Should this planning application be approved and any right of way require a temporary closure please see the County Council website for guidance and an application form. 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

8th Jan 2024