

EC3210SM - SMD/2024/0087 - The Woodyard, off Draycott Cross Road, Brook Houses, Cheadle - Erect steel portal unit for dry wood store and associated machinery. Installation of 4 no. biomass boilers - Rights of Way

Dear Chris,

Rights of Way

The Definitive Map of Public Rights of Way for Staffordshire shows a public right of way crossing the application site. From the information submitted, it does not appear 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. 18 Cheadle Parish runs across the application site, through the turning circle area and immediately west of the biomass boilers.

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.

NPPF 104. 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 footpath, drivers of vehicles must give way to pedestrians. This needs to be stressed in signage on the site.

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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