

[REDACTED]

From: Hall, Julie (E,I&S) <[REDACTED]>
Sent: 11 March 2026 14:57
To: Planning (SMDC)
Cc: ECU Consultations (Place); LegalROW Allocations
Subject: EC3210SM - SMD/2026/0100 - Land Adjacent to 24 Cauldon Close, Leek -
Permission in principle application for the construction of a detached low cost
energy efficiency house - Rights of Way (Amended)

Dear Arne,

Rights of Way

The Definitive Map of Public Rights of Way for Staffordshire shows a public right of way running along the access to 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. 27 Leek Town runs along the access to the application site (partially along the driveway), and immediately west/south west of the proposed development.

Public Footpath No. 26 Leek Town runs west of the proposed development.

(Rights of way in Staffordshire may be seen on our online web map here: [Staffordshire County Council Public WebMap](#))

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). This is the case both during the building stage or once the development is completed should the permission be granted. The term obstruction, in this context, applies to items such as gates or stiles which are regarded as licenced obstructions which must be sanctioned by the highways authority, and also to any vehicles parking on the right of way, including those associated with construction.

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.

Any hedging/trees/shrubs planted within 3 metres of the public right of way are the responsibility of the landowner not the Highways Authority (including maintenance and liability).

Where private rights exist that allow the use of vehicles along a public footpath, 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.

If any public right of way requires 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 \(1/09\)](#). In such an instance 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](#). **Please note:** a minimum of 8 weeks notice is required for temporary closures.

Staffordshire County Council has received an application under Section 53 of the Wildlife and Countryside Act 1981 to add to the Definitive Map of Public Rights of Way in this vicinity (Application reference: LK649G – Alleged footpath from Cauldon Close to Ladydale Well, Leek). You will need to make further enquiries regarding the status of this definitive map modification order with our legal colleagues on legalrowallocations@staffordshire.gov.uk

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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