

From: RM PROW Planning [<mailto:PROWplanning@suffolk.gov.uk>]

Sent: 26 January 2017 13:16

To: customer.services <customer.services@westsuffolk.gov.uk>

Cc: Harry Grace <Harry.Grace@suffolk.gov.uk>

Subject: RE: Planning Consultation - DC/16/2755/FUL,The Vixen, Millfields Way, Haverhill - PM

Our Ref: W301/003/ROW7979/16

For The Attention of: Penny Mills

Public Rights of Way Response

Thank you for your consultation concerning the above application.

Public footpath 3 is recorded adjacent to the proposed development area.

We have **no objection** to the proposed works.

Informative Notes: "Public Rights of Way Planning Application Response - Applicant Responsibility" attached for the applicant

Regards

Jennifer Green

Rights of Way and Access

Resource Management, Suffolk County Council

Endeavour House (Floor 5, Block 1), 8 Russell Road, Ipswich, IP1 2BX

Public Rights of Way

Planning Application Response - Applicant Responsibility

1. There must be no interference with the surface of the right of way as a result of the development.
2. The right of way must be kept clear and unobstructed for users and no structures, eg gates, placed upon the right of way.
3. Planning permission does not give you permission to alter or change the surface of a public right of way. The Area Rights of Way Office must approve any proposed works to the surface of the route(s). For further information and advice go to <http://publicrightsofway.onesuffolk.net/assets/Traffic-Regulation-docs/Appl-form-guidance-for-works-on-ROW-01-12.pdf> or telephone 0345 606 6067.
4. Any damage to the surface of the route(s) as a result of the development must be made good by the applicant.
5. The Highways Authority is not responsible for maintenance and repair of the route beyond the wear and tear of normal use for its status and it will seek to recover the costs of any such damage that it has to remedy.
6. The applicant must have private rights to take motorised vehicles over the public right of way. Without lawful authority it is an offence under the Road Traffic Act 1988 to take a motorised vehicle over a public right of way other than a byway. We do not keep records of private rights.
7. If the public right of way is temporarily affected by works which will require it to be closed, a Traffic Regulation Order will need to be sought from the County Council. A fee is payable for this service. For further information and advice go to <http://publicrightsofway.onesuffolk.net/assets/Traffic-Regulation-docs/Guidance-to-applicants-on-applying-for-temp-closures-01-12.pdf> or telephone 0345 606 6067.
8. There may be other public rights of way that exist over this land that have not been registered on the Definitive Map. These paths are either historical paths that were never claimed under the National Parks and Access to the Countryside Act 1949, or paths that have been created by public use giving the presumption of dedication by the land owner whether under the Highways Act 1980 or by Common Law. This office is not aware of any such claims.
9. Public rights of way are protected by law. If you wish to build upon, block, divert or extinguish a right of way within the development area marked on the planning application an order must be made, confirmed and brought into effect by the local planning authority, using powers under s257 of the Town and Country Planning Act 1990.

There are four different statuses of public rights of way:

- **Public footpath** – this should only be used by people **on foot**, or using a mobility vehicle.
- **Public bridleway** – in addition to people on foot, bridleways may also be used by someone on a **horse** or someone riding a **bicycle**.
- **Restricted byway** – this has similar status to a bridleway, but can also be used by a ‘non-motorised vehicle’, for example a **horse and carriage**.
- **Byway open to all traffic (BOAT)** – these can be used by **all vehicles**, including motorised vehicles as well as people on foot, on horse or on a bicycle.

More information about Public Rights of Way can be found via <http://publicrightsofway.onesuffolk.net>