Your Ref: DC/26/1430/FUL
Date: 14 October 2026
PRoW Green Enquiries to: PROWplanning@suffolk.gov.uk

Suffolk County Council

All planning enquiries should be sent to the Local Planning Authority.
Email: **planning.help@westsuffolk.gov.uk**

Dear Cara Fieldhouse

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN:
DC/26/1430/FUL
PROPOSAL: Planning application - a. multi-use games area (MUGA) b. 3 metre high perimeter fencing c. shallow grassed swale for surface water runoff
LOCATION: Churchill Special Free School Chalkstone Way Haverhill Suffolk

Thank you for your consultation concerning the above application.

There is a public right of way (PROW) in the vicinity of the proposed site: **Haverhill Footpath 003**.
The working copy of the Definitive Map for this parish can be located at https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/view-definitive-maps-of-public-rights-of-way/.

Notice is hereby given that the Public Right of Way & Green Access recommends that any permission which that Planning Authority may give should include the conditions shown below:

We do not object to this proposal provided the following is taken into account:

Informative Note 1: PROW MUST remain open, unobstructed, and safe for the public to use at all times, including throughout any construction period. If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed (please see points 4 and 5 below).

Informative Note 2: PROW are divided into the following **classifications**:

- Public Footpath – only for use on foot or with a mobility vehicle
- Public Bridleway – use as per a public footpath, and on horseback or by bicycle
- Restricted Byway – use as per a bridleway, and by a 'non-motorised vehicle', e.g. a horse and carriage
- Byway Open to All Traffic (BOAT) – can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle

All currently recorded PROW are shown on the **Definitive Map** and described in the **Definitive Statement** (together forming the legal record of all currently recorded PROW). There may be other PROW that exist which have not been registered on the Definitive Map. These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact definitivemap.enquiries@suffolk.gov.uk.

Informative Note 3: The applicant, and any future owners, residents etc, must have **private rights to take motorised vehicles over a PROW** other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not

responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.

Informative Note 4: The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface, or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances and will take 8 weeks to process. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:

- **To apply for permission to carry out work on a PROW**, or seek a temporary closure – https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/ or telephone 0345 606 6071. PLEASE NOTE, that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.
- **To apply for permission for structures** such as gates to be constructed on a PROW – contact the relevant Area Rights of Way Team - contact the relevant Area Rights of Way Team https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/ or telephone 0345 606 6071.

Informative Note 5: To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/ PLEASE NOTE, that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.

Informative Note 6: Under Section 167 of the Highways Act 1980 any **structural retaining wall** within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.

Informative Note 7: Any **hedges adjacent to PROW** must be planted a minimum of 2.0 metres from the edge of the path in order to allow for annual growth. The landowner is responsible for the maintenance of the hedge and hedges must not obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any **fencing** should be positioned a minimum of 0.5 metre from the edge of the path in order to allow for cutting and maintenance of the path and should not be allowed to obstruct the PROW.

Informative Note 8: There may be a further requirement to enhance the PROW network relating to this development. If this is the case, a separate response will contain any further information.

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In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/.

Thank you for taking the time to consider this response.
Yours Sincerely,

Public Rights of Way Team
Growth, Highways and Infrastructure
Suffolk County Council
Phoenix House, 3 Goddard Road, Ipswich IP1 5NP
PROWplanning@suffolk.gov.uk