Your Ref: **DC/25/1990/RM**
Date: **23 January 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 **Charlotte Waugh**

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN:
DC/25/1990/RM
PROPOSAL: Reserved matters application - a. submission of details under outline planning permission DC/15/2151/OUT - means of access, appearance, landscaping, layout and scale for 250 dwellings (including 72 affordable) (parcels A14; and A15); allotments (parcel E2); associated internal roads, car parking, amenity and public open space; pumping station and diversion of overhead HV cable; b. including application to partially discharge conditions 4; 6; 7; 8; 9; 15; 28; 30; 37; 38; and 44
LOCATION: Land Ne Haverhill English Way Haverhill Suffolk

Thank you for your consultation concerning the above application.

Notice is hereby given that Public Rights of Way and Green Access does wish to recommend a **HOLDING OBJECTION** the grant of permission due to the application having a detrimental effect upon the Public Right of Way network.

There is a public right of way (PROW) **Haverhill Footpath 037, Kedington Footpaths 020 and 001** affected by the proposed site. 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/ but a more detailed plot of public rights of way **must be** requested by the applicant to accurately plot PROW on relevant plans. Please contact definitivemap.enquiries@suffolk.gov.uk for more information. Note, there is a fee for this service.

We OBJECT to this proposal for the following reasons:

SCC Public Rights of Way (PROW) raise a holding objection to the proposal for the reasons set out below.

1. **The PROW's have not been plotted on the submitted layout drawings. The definitive routes (not walked routes) must be clearly shown on all relevant plans and should be obtained from the Definitive Map Team.** definitivemap.enquiries@suffolk.gov.uk

2. **The submitted drawings indicate that the proposed Sustainable Drainage Systems (SuDS) overlap with the PROW. This is not acceptable. Any attenuation basins must be set back a minimum of 5 metres from the PROW.**

3. **Hoggin has been proposed (in part) as the surface treatment for the PROW. This is not acceptable and was discussed with the applicant at pre-application stage. SCC PROW will only accept the SCC specification for granite fines, as detailed in drawing reference DM-1100-50.** **https://www.suffolk.gov.uk/asset-library/dm-1100-50-path-tim.-edge.pdf**

4. **All surfacing works to the PROW will need to be delivered under a Section 278 agreement and agreed/signed prior to any works taking place.**

5. **There appear to be no formal pedestrian or cycle links through to the existing residential development to the west. Connections through to existing developments should be considered for inter-connectivity. Any proposed PRoW must connect both ends to an adopted highway (carriageway, footway or public right of way).**

6. **It was discussed at pre-application stage that a natural surface bridleway along the eastern side would be delivered as part of the scheme. SCC PROW are disappointed that this has not been included. This bridleway would provide a safe, off-road walking and cycling route for residents, supporting access to the country park for leisure, health and wellbeing, as well as northward connections for commuting to work and school.**

7. **The landscape plans show proposed trees located too close to the PROW. All trees and hedging must be set back a minimum of 2 metres from the PROW. See Informative Note 7.**

8. **We would request a PROW access and movement plan to clarify the details, such as at grade crossings (where existing and proposed PRoWs are crossed by roads), PROW upgrades, existing and proposed PROW's and signage. It should also be noted that any proposed PROW's must connect into a highway to be acceptable, it is not clear if this is the case. It would also appear that a previously proposed PROW (to the southeast of the proposed development, adjacent to the allotments), as shown in Appendix 4 of the travel plan, has been omitted from the proposed plans, this is disappointing and would provide good circular routes and alternative routes for schools, employment and shops.**

Until the above matters are satisfactorily addressed, SCC Public Rights of Way are unable to support the application.

This response contains standard requirements or conditions in respect of developments on or near public rights of way (PRoW). A separate response may follow with further details on, for example, traffic movements or PRoW improvements.

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.

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
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PROWplanning@suffolk.gov.uk