Your Ref: **DC/25/1990/RM**
Date: **24 April 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 topartially 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, 021 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.

A consultation response letter previously submitted on 23 January 2026 is no longer applicable and is superseded by this updated response.

We OBJECT to this proposal for the following reasons:

We thank the applicant for providing the drawings illustrating the crossing levels where the PROW intersects with the road network, along with the schematic plans of the overall PROW scheme as agreed at outline stage.

For the purposes of clarity and to assist in the efficient assessment of the proposals, we would be grateful if the plans could be updated to clearly identify all existing PROWs and their respective status, alongside the proposed PROWs and their status. Once this information is clearly presented, we will be better placed to consider the drawings and advise on appropriate planning conditions.

We would also like to highlight that hoggin is currently indicated as a surface material for some PROWs. This material is not acceptable. Should the Local Highway Authority be expected to adopt the PROWs, they will need to be constructed in accordance with the LHA's specifications.

Finally, if the LPA is minded to approve the application, we kindly request that they liaise with the PROW Planning team, as there are additional conditions that we would request to see applied which seek clarity and protect the safety of the PROW users.

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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
Phoenix House, 3 Goddard Road, Ipswich IP1 5NP
PROWplanning@suffolk.gov.uk