

Stones, Pavla

To: DMSPLAN
Subject: Consultation: MO/2020/2167 Recreation Ground, Barnett Wood Lane, Ashtead (Leatherhead: Public Footpath No. 42) OBJECTION

From: Mary Ann Edwards **On Behalf Of** Rights of Way/ENV/SCC

Sent: 29 January 2021 15:29

To: Planning

Subject: Consultation: MO/2020/2167 Recreation Ground, Barnett Wood Lane, Ashtead (Leatherhead: Public Footpath No. 42) OBJECTION

Thank you for advising us of the above planning application, which affects Leatherhead FP42. This public right of way is carried diagonally across the development site, shown as a yellow dashed line in the map snip attached, but I note the plans do not show it. As the proposed pitches will be fenced I must OBJECT to this application on the grounds that fencing around the most easterly pitch will obstruct the legally recorded line of the public highway.

It may be possible for the the right of way to be diverted under Town and Country Planning legislation 'to allow development to take place'. The process is normally administered by the Planning Authority (sometimes delegated to SCC as Highway Authority), it is subject to public consultation and there is a charge. Should consent be given and the development proceed without the necessary Order to divert the path, we would have to consider this an unlawful obstruction to the public highway. The applicant should therefore contact the Countryside Access Officer who will give further advice on this process.

In addition, I would make the following comments:

- While development is underway, safe public access must be maintained along the public footpath at all times. Drivers should be reminded that public users have the right of way.
- There are to be no obstructions on the public right of way at any time, this is to include vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals.
- Should the applicant feel they are unable to ensure public safety while work is underway, a temporary closure may be necessary. A minimum of 3 weeks' notice must be given and there is a charge. Please contact the Rights of Way Access Officer if this is required.
- Access along a public right of way by contractors' vehicles, plant or deliveries can only be done if the applicant can prove that they have a vehicular right. The applicant must consult with Countryside Access should they propose any change to the surface of the right of way.

If the applicant is unsure of the correct line and width of the public footpath, the Countryside Access department will mark out the route on the ground. Applicants are reminded that the granting of planning permission does not authorise obstructing or interfering in any way with a public right of way. This may only happen with the prior permission of the Highway Authority (Surrey County Council, Countryside Access Group).

For further information, please contact Mary-Ann Edwards, Countryside Access Officer (East Surrey)



Regards -

Claire Saunders
Senior Countryside Access Officer
Tel: Contact Centre 03002 001 003

Due to current advice from the government the Countryside Access Team are presently remote working. Therefore, we may have limited access to emails and telephone. Please call the Surrey Contact Centre on 0300 200 1003 or report an issue via our web page.

Please note that in the interests of open government, all correspondence may be disclosed to the public and may be summarised for inclusion in committee reports. If you do not wish for your personal details (i.e. name and address details) to be made public please notify me of your intentions in your response.