

MEMORANDUM

Mike Ashworth
Strategic Director

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**To: Michael Green - Planning Applications
Manager**
Ref: HPK/2014/0119

Telephone: (01629) 539828
Facsimile: (01629) 533308
Our Ref: 414784
Your Ref:
Date: 22 April 2014

From: Henry Woolley - Public Rights of Way

**Re: Planning Application Ref. HPK/2014/0119 – Up to 107 Dwellings,
Linglongs Road, Whaley Bridge**

Thank you for your consultation of 10/04/2014 regarding the above.

I can advise that Whaley Bridge Footpath No 57 crosses the boundary of the site outlined in red on the site location plan. An extract from the Working Copy of the Definitive Map is attached and I should be grateful if you would make the applicant aware of the legal alignment of the path. The applicant should be advised as follows:-

- The route must remain open, unobstructed and on its legal alignment at all times.
- There should be no disturbance to the surface of the path without prior authorisation from Mark Atherton, the Rights of Way Inspector for the area.
- Consideration should be given to members of the public using the path at all times.
- A temporary closure of the footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information may be obtained by contacting Simon Riddington (01629 539798) in the Rights of Way Section.
- If a structure is to be erected adjacent to the public footpath, it should be installed within the site boundary so that the width of the right of way is not encroached upon.
- Affects of dust / extraction: It seems likely that the proposed construction work will indirectly affect the public rights of way and the applicant will need to ensure that consideration is given to members of the public using the paths whilst work is in progress.
- For Housing / TCPA Development: If the applicant wishes the public rights of way to be diverted, an application under Section 257 of the Town and Country Planning Act must be made to the Planning Authority, in this case HPBC. The Order will need to be confirmed before any work may commence which would obstruct the right of way. Once the Order has been

legally confirmed, a temporary closure of the path may be granted if necessary to facilitate public safety.

I hope this information is of assistance.

Yours faithfully

Henry Woolley

Public Rights of Way - Senior Digitiser

