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**From:** Glen Donaldson (Place)  
**Sent:** 30 November 2023 13:43  
**To:** Planning Comments (HPBC)  
**Subject:** HPK/2023/0469 HOLLY FARM Briargrove Road Birch Vale  
**Attachments:** Proposed.pdf

**Categories:**

**NEW APPLICATION: HPK/2023/0469**

**LOCATION: HOLLY FARM Briargrove Road Birch Vale**

**PROPOSED DEVELOPMENT: Demolition of existing buildings and erection of replacement dwelling**

Hello.

The above application has been forwarded to this Authority for highway considerations and I have the following comments to make :-

The submitted application form states (see extract below) that the applicant is altering the vehicular/pedestrian access onto the public highway, but no information has been provided relating to the access alterations except for the wording (again see below) '*PO2 Site Plan As Proposed*'. However '*PO2 Site Plan As Proposed*' has not been uploaded onto the planning portal, but PO4 has (attached), so can I assume this is an error?

### **Pedestrian and Vehicle Access, Roads and Rights of Way**

Is a new or altered vehicular access proposed to or from the public highway?

- ☒ Yes  
☐ No

Is a new or altered pedestrian access proposed to or from the public highway?

- ☒ Yes  
☐ No

Are there any new public roads to be provided within the site?

- ☐ Yes  
☒ No

Are there any new public rights of way to be provided within or adjacent to the site?

- ☐ Yes  
☒ No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

- ☐ Yes  
☒ No

If you answered Yes to any of the above questions, please show details on your plans/drawings and state their reference numbers

18025-C4P-ZZ-ZZ-DR-A-0108\_P02\_Site Plan As Proposed.

Although the applicant has indicated no changes to the Public Right of Way (PRoW), according to the Highway Authority's records, public footpath No 56 runs through the site in question. It is therefore recommended the applicant contacts this Authority's public rights of way team for advice prior to any consent being granted – please see advisory note below.

*'Public Right of Way, New Mills Footpath No. 56, as shown on the Derbyshire Definitive Map, must remain open, unobstructed and on its legal alignment at all times. There should be no disturbance to the surface of the route without prior authorisation from the Rights of Way Inspector for the area. Consideration should be given to members of the public using the route at all times. A temporary closure of the route may be granted to facilitate public safety subject to certain conditions. Further information may be obtained by contacting the Rights of Way Section – ETE.PROW@derbyshire.gov.uk. If a structure is to be erected adjacent to the right of way, it should be installed within the site boundary so that the width of the right of way is not encroached upon.'*

The County Council would wish to see the highway issues addressed prior to determination, however, should the LPA be minded to approve the application in its current form we would be grateful if the LPA could reconsult the Highway Authority so that consideration can be given to formulating an appropriate response.

Regards

**Glen Donaldson** | Project Engineer | Highways Development Control

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Tel: | Ext:

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