

From: planningcomments@highpeak.gov.uk
To: [Planning Comments \(HPBC\)](#)
Subject: Comment Received from Public Access
Date: 19 January 2024 16:07:15

Application Reference No. : HPK/2023/0337

Site Address: SHIRE HILL HOSPITAL Bute Street Glossop Derbyshire SK13 7QP

Comments by: john wilkinson

From:

Broomside
Blackshaw Clough
Old Glossop
Glossop
Derbyshire
SK13 7QR

Submission: Objection

Comments: Blackshaw Clough Concerns

Blackshaw clough and its impact on:

HPK/2019/0215 ; LAND EAST OF BUTE STREET

HPK/2022/0259 ; 7 HOUSES ON BUTE STREET

HPK/2023/0337 ; 30+ HOUSES ON SHIRE HILL HOSPITAL SITE

All these proposed houses are directly impacted by Blackshaw Clough access and egress.

There has been constant communication with Derbyshire County Council with regards to this road. Evidence to follow of this communication and historic events which support concerns over the road ;Blackshaw Clough;

I am resident of one of the two houses on Blackshaw Clough. This lane has no drainage, streetlights or pavements and has been maintained by the residents (Broomside and Keyford Cottage) and United Utilities. This is a single-track road with no passing places and no facility to turn round. It is in poor condition with the retaining wall to the field (Hawkshead Estate) collapsing along its entire length to Cote Lodge reservoir. Some of the large coping stones are detached and in the field 8; below. (Photographic evidence are shown at the end of this document).

Evidence

1. 5.12.1960 letter stating this is not a county road maintainable by public expense.
2. 15.12.1967 letter from Manchester Corporation Waterworks stating that the maintenance is split between the department and residents of the lane.(B)
3. During 1978-2001 North West Water Authority tarmacked the lane to make it better access for maintenance, This is a single track road and the access/egress for the two properties: Keyford Cottage and Broomside, it is also an important/emergency access for the Water Authorities and the reservoir. The gate was put on and this sign was erected. Pre NWWA company changing its name in 1996 to United Utilities PLC

WORDING:

NORTH WEST WATER

PRIVATE ROAD

FOOTPATH ONLY

NO VEHICLE ACCESS

GATE LIABLE TO BE

LOCKED AT ANY TIME

4. 1991 Sale of Property to current owners: Broomside .H.M. Registry showing a red line as land and property purchased.

5. 2012 Sale of property to current owners

NO ADOPTION OF THE ROAD SHOWN ON ANY CONVEYANCING SEARCHES MADE DURING PURCHASE.

6. 2024 (accessed) This lane is part of public footpath No 45

7. 29.7.2019 Information obtained from H.M. Land registry ¿ Lane between Swineshaw Reservoir and Bute Street Glossop ¿ no registered estate.

8. 4.9.19 Contact with solicitors David Blank & Furniss. Letters sent trying to obtain information from DCC regarding adoption of highway ¿ information and proof of dates when adopted. Letters sent 7th & 18th February.

9. 18.2.2020 An email response from Deb Spencer ¿ Economy Transprt & Environment DCC.

¿Blackshaw Clough is broken down into non-classified highway and as part is a public footpath it is only maintained to a public footpath standard only¿.

10. Letter from Solicitor responding to DCC response asking for evidence when Blackshaw Clough was adopted and by what procedure, NO RESPONSE HAS EVER BEEN RECEIVED.

11. We were not notified of intention of adopt, and all evidence presented that it was unadopted. It would be expected that DCC would inform the residents and United Utilities that the lane was to be adopted.

¿ On 13.8.2019 (Ross Evans) expressed that ¿United Utilities have a clear legal rights of access over this track, we are not the owner of this specific track.¿

¿ Current owners of Broomside property and Keyford Cottage have never been contacted regarding adoption of the lane.

¿ 27.8.2019. previous owners Mr & Mrs Davidson (Broomside) were never contacted regarding adoption of the lane. Nor did The Haynes Family at Broomside.

12. In July 2019 evidence that Blackshaw clough was not adopted. H.M. Land Registry

13. DCC map supplied highlighting the in green the adopted road. This includes the Land and property of Broomside in the marked area. This map is not a legal document. It has not been registered or approved and does not appear on any deeds or land registry.

DCC has never maintained Blackshaw Clough. It has been the residents of Blackshaw Clough that have maintained the potholes and overhanging trees, United Utilities have also maintained Ashe die back, by felling the trees.. There are still a number of trees from the land on Cote Lodge side that are a danger to walkers.

There is an area on Blackshaw Clough before Cote Lodge that the Lane has collapsed; this was mentioned earlier in this document. Photos are shown below.

Along the extent of Blackshaw Clough is subsiding.

It is suggested that planners come to view this road to see the full extent of damage on this road. If this is the standard of collaborative approach that DCC Highways authority, it is extremely worrying for any of the new proposed planning applications to have road/public highways that are fit for purpose, and accommodate all the demands on them including all movements by all modes.

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