

From: [Vicky Killeen \(Place\)](#)
To: [Planning \(HPBC\)](#)
Subject: Application Ref: HFP/2024/0001
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Proposal: Application for the diversion of a Public Right of Way – PROW HP8/18/4 in Chinley, Buxworth and Brownside Parish.

Location: Footpath/Bridleway/Restricted Byway Number: HP8/18/4 Brierley Park.

Thank you for your consultation.

The Rights of Way Section does not object to the basic principle of a diversion of Chinley, Buxworth and Brownside Public Footpath No. 18 (Part), and the proposed alternative alignment would be acceptable. However, there are concerns about the proposed width of the new section of path.

The route will be shared with farm vehicles, will be approximately 103 metres long, and will feature a corner which is likely to be blind, due to the proposal to erect 1.8 metre high fencing along much of the length of the diverted section (according to the layout plans within the documents for HPK/2021/0044). The Design and Access Statement within those documents says that the proposed width that has been 'determined to allow the passage of farm vehicles' is 4.5 metres. However, the diversion application states that a width of 3 metres is proposed. In addition, drawing no. 534.22D shows the new path width as 2.4 metres. As the planning approval states in condition 1. that the works must be carried out in accordance with this drawing (among others), it appears that there will not be space for a 3 metre wide path, let alone a 4.5 metre wide path which would be preferred for the above reasons. In addition, a tree is to be retained at the side of the proposed alternative route, which may result in a pinch point. If so, then this will need to be mentioned. The plans also show that a 900mm high stone wall will be built between plot 3 and the path, planted with hawthorn hedge behind. Does this mean that the hawthorn hedge will be on the path or within plot 3? If it is to be on the path side of the wall, this will encroach on the available width of the path.

The proposed available width for the path therefore does require clarification. However, if it is proposed to have a 3 metre wide path, with no passing places, and the possibility of vegetation further encroaching on the width in places, then the Rights of Way Section would have to object to an Order, if one is made on that basis.

I hope that this information is of assistance.

Kind regards

Vicky Killeen

Rights of Way Assistant
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