

From: [Vicky Killeen \(Place\)](#)
To: [Planning \(HPBC\)](#)
Subject: Planning Application Ref: HPK/2023/0192
Date: 19 August 2024 15:21:01

Application Ref: HPK/2023/0192

Proposal: Construction of 99 dwellings with associated landscaping and engineering works.

Location: Land at Hogshaw, Fairfield, Buxton.

Thank you for your consultation.

I am pleased to see that Buxton Public Footpath No. 1 is now correctly labelled on the revised planning layout. However, tree planting is proposed on the legal line of footpath 1 in the south eastern corner of the development site. To avoid obstructing the legal line of the PROW, either a diversion onto the proposed line of the path, or an amendment to the proposed planting, is advised. If a diversion is deemed necessary for the development to proceed as proposed, the applicant should apply to your council for the requisite diversion. If no diversion is proposed, the full widths of the legal lines of both Buxton FP 1 (1.37 metre width according to a 1972 Diversion Order) and FP 2 (width assumed to be 2 metres) must remain open and available in perpetuity. Questions about the proposed footpaths still remain. Such as, what widths and surfacing are proposed? How will the safety of path users be protected where FP 2 crosses the access road?

In the meantime, I should be grateful if you would advise the applicant as follows: -

- The footpaths must remain open, unobstructed and on their legal alignments and/ or used alignments.
- There should be no disturbance to the path surfaces without prior authorisation from the Rights of Way Section.
- Consideration should be given to the safety of members of the public using the paths during the works. A temporary closure of paths will be permitted on application to DCC where the path(s) remain unaffected on completion of the development, which includes the paths remaining on their legal alignments, as shown on the attached plan.
- If required, an application can be submitted for the diversion of a public footpath in advance of planning permission being granted.
- There should be no encroachment of the paths, and no fencing should be installed without consulting the Rights of Way Section.

I hope this information is of assistance.

Kind regards

Team Leader – Public Rights of Way
Network Planning - Highways
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