

**Statement of Case**

Whalley Parish Council

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9<sup>th</sup> December 2023

**RE: Objection to the diversion of the Public Right of Way.**

**Application Number: 3/2022/1044**

**Proposal: Diversion of Public Right of Way 3-45-FP51 from the rear of the former Queen Mary Terrace and Bridge Terrace to the front of the proposed new dwellings approved under planning permission 3/2021/0076.**

**Location: Public Right of Way to the rear of former Queen Mary Terrace and Bridge Terrace Mitton Road Whalley BB7 9JS**

1. Whalley Parish Council object to the proposed diversion order as the impact of the development, as granted permission, is too severe on the footpath Public Right of Way 3-45-FP51 as is proposed in the diversion order.
2. The proposed diversion is a longer route and runs very close to and re-joins the heavily trafficked Mitton Road, making the route less safe.
3. The existing footpath took users away from the traffic providing the community with access to natural surroundings. The proposed diversion threatens to compromise these benefits, adversely affecting the well-being of residents and visitors who use the path.
4. Whilst the local authority has the power under Section 257 of the Town and Country Planning Act 1990 to divert or stop-up of any footpath, bridleway, or restricted bridle way, it should consider the impact on the local environment, and wildlife habitats along with the pedestrian users of long-standing Public Rights of Way without compromising public access and community well-being.
5. Long standing Public Rights of Way have historical value for the community and proposed diversions should consider the potential impact and its importance to residents.
6. The alternative is not a suitable replacement for the existing footpath.
7. Whalley Parish Council ask that the Order is refused.

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