### Nicola Gunn

From: Planning

**Subject:** FW: 3/2022/1158 Land South of Accrington Road Whalley

From: Paton, Julie < Sent: 06 March 2023 19:11

To: Planning <planning@ribblevalley.gov.uk>

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**Reference** 3/2022/1158

**Location** Land South of Accrington Road Whalley

**Proposal** Erection of 17 dwellings and 57 apartments with associated access,

roads, car parking, landscaping and infrastructure, including a public

car park to serve Whalley town centre

Hello Stephen

### Lancashire County Council - Public Rights of Way provides the following comments;-

The Reduced Development Proposal Drw No. 015/R-OAK/01 and Phase 1 Drainage Layout removes the previously proposed footpath round the southern boundary of the development repurposing the south east corner of the site for SUDS features, including a series of drainage outlets running under Footpath FP0345027 into the River Calder.

To protect and enhance the public right of way and provide opportunities to promote walking, it is request the footpath be reintroduced into the development linking to FP0345027 on the eastern boundary of the site and in the south west corner behind 21 Westfield View. The paths here mentioned be a minimum width of 2m with a bound surface.

If the original proposed footpath is omitted from the development there must be a minimum width of 3 meters between the northern edge of Footpath FP0345027 and the SUDS features.

#### S106 funding

To support the mental health of residents by providing opportunities to promote walking (NPPF Para 104 (c) £36,960 of Section 106 funding is requested to improve the surface condition of Footpath 3-45-FP28 and its continuation to Spring Wood Picnic Area from Accrington Road.

It is further requested that a pedestrian crossing be installed on Accrington Road to secure the safe passage of residents between Footpath 3-45-FP28 and Footpath 3-45-FP27.

# **Ground level/drainage**

Any changes in ground level or installation of drainage should ensure that surface water is not channelled towards or onto a public right of way either within the proposed development site or in close proximity – this is to ensure public rights of way are not exposed to potential flooding or future maintenance issues.

# Landscaping

If the applicant intends landscaping they need to ensure that any trees or bushes are at least 3 metres away from a public right of way to prevent any health and safety issues and potential maintenance issues e.g. Overhanging branches or roots coming through the surface of the footpath concerned either within the proposed development or in close proximity.

# **Temporary closure**

If works relating to the proposed development are likely to cause a health and safety risk to users of a public right of way a temporary closure order must be made and in effect prior to commencing those works. Applications should be made 4 weeks before commencement to avoid delay to the works.

#### **Diversion**

If a diversion is needed or intended the applicant needs to ensure that the diversion is in place prior to any work commencing on a public right of way. Any disturbance of the existing route, without the appropriate confirmed Diversion Order would be liable to enforcement action taken against the developer.

#### Obstruction

A public right of way should not be used to store materials, vehicles or machinery and if found to do so would be deemed an obstruction and the applicant would be subject to enforcement proceedings to remove.

# **Publicity of Application**

All applications that affect a public right of way (footpath, bridleway or byway), must be publicised by site notice in at least one place on or near the land to which the application relates for not less than 21 days; and by publication of the notice in a newspaper circulating in the locality in which the land to which the application relates is situated.

Julie Paton
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