

Ribble Valley Borough Council
Planning Section
Council Offices
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Your ref: 3/2023/0421
Our ref: D3/2023/0421
Date: 12 July 2023

For the attention of Lucy Walker

Planning Application No: 3/2023/0421

Grid Ref: 365139 432087

Proposal: Proposed alterations and extension to existing dwelling including single storey rear/side extension, raising of roof pitches to rear, new chimney, fenestration changes to front and new parapet wall and rooflights to rear.

Location: Fairfield Farm, Longsight Road, Clayton-le-Dale BB2 7JA

Having reviewed the documents submitted, the Highway Development Control Section objects to this application due to the obstruction of the public rights of way network.

Proposal

The proposal is for various alterations to the existing dwelling including a single storey rear/side extension.

Public Right of Way

Although not shown on any of the submitted plans Public Footpath ref FP-03-13-001 (Clayton-le-Dale) passes through the site immediately adjacent to the existing dwelling on its Eastern boundary in a North-West/South-East orientation. This is shown on the extract from the county council's Public Rights of Way records (Figure 1). Historic images from Google Streetview also show the existence of a Public Footpath finger post in the grass verge in front of Fairfield Farm.

The proposed side extension would obstruct the recorded route of the above Public Right of Way, which the highway authority cannot support.

Public Rights of Way must not be obstructed during the proposed development. It is the landowner's responsibility to ensure that the necessary procedures are followed for the legal diversion of the Public Right of Way. The granting of planning permission does not constitute the diversion of a Definitive Right of Way. A temporary closure of a Public Right of Way will only be granted where it is the intention to re-open the right of way upon expiration of the closure on the route recorded on the Definitive Map of Public Rights of Way.

Lancashire County Council

Phil Durnell
Director of Highways and Transport
PO Box 100, County Hall, Preston, PR1 0LD



The development must not commence until the necessary procedures are in place, either allowing the development to take place without affecting the right of way as recorded on the Definitive Map of Public Rights of Way and subsequent diversion orders and side roads orders. Or, if it is necessary to divert the above listed Public Right of Way, then the necessary Orders must be confirmed prior to construction to avoid enforcement action should the above Public Footpath become affected. There is no provision under the Town and Country Planning Act 1990 to allow a retrospective diversion of paths that are already affected by either partially completed or completed development.



Figure 1 – extract from Public Rights of Way map

Details of the application have also been sent to the county council's Public Rights of Way team who have been requested to respond direct to the planning authority.

Janet Simpson
Assistant Engineer
Highways and Transport
Lancashire County Council

