

Nicola Gunn

From: Neville, Julie <Julie.Neville@lancashire.gov.uk>
Sent: 12 November 2024 18:05
To: Planning
Subject: 3/2024/0618 Bolton Fold Farm Alston Lane Longridge PR3 3BN
Attachments: 3 2024 0618 Overlay.pdf

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Reference 3/2024/0618
Location Bolton Fold Farm Alston Lane Longridge PR3 3BN
Proposal Proposed change of use of a building and yard from agricultural to industrial storage and hardstanding. Replacement of existing walls and roof with new cladding and new roller shutter doors

Dear Planning Department

Lancashire County Council Public Rights of Way Team is not supportive of the plans / raises no objection /objects to the application and provides the following.

Comments/Objections

Footpath FP0302069 is recorded along the southern boundary of the application, as shown on the attached plan. The plan also highlights the obstruction of the footpath from supplemental buildings erected over the right of way, which is a criminal offence and something that would impact the sale and potential value of the holding. This being so, the proprietors obstructing the right of way may wish to consider pursuing a Public Path Order under the provisions of Highways Act 1980 Section 119, administered by Lancashire County Council. An application to divert a public right of way under Section 119 of the Highways Act 1980 can be made by emailing the Public Path Orders Officer adrian.ibison@lancashire.gov.uk

It is advised that the HWA80 S119 procedure includes a statutory period for objections. If objections are received and not withdrawn, the Order would need to be referred to the Planning Inspectorate for determination and the legal alignment of the right of way will not change until the appropriate legal Order has come into effect. It should be further noted that there can be no guarantee of the success of any Public Path Order.

Obstruction

The infringement or obstruction of the existing public rights would be a criminal offence, as such the right of way should always remain clear, not to be excavated nor used to park or store materials, vehicles or machinery.

Ground level/drainage

Any changes in ground level or installation of drainage should ensure that surface water is not discharged 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.

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. Further details on closure can be found at [Request a temporary closure of a public right of way - Lancashire County Council](#)

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.

Publicity of Application

All planning 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.

Regards

Public Rights of Way

Planning & Environment

Lancashire County Council

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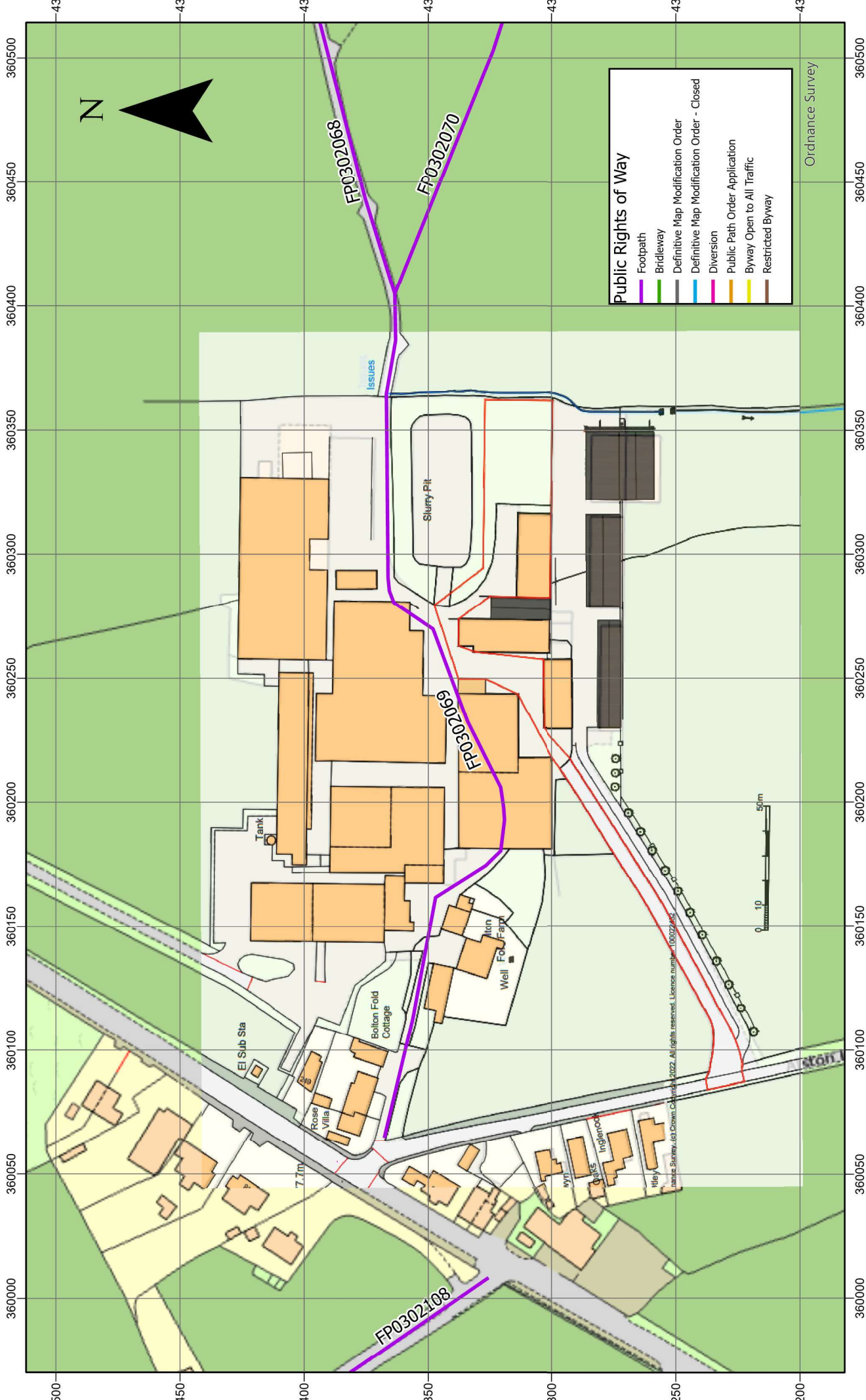
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 PROW@lancashire.gov.uk
 01772 530317

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