

Nicola Gunn

From: Neville, Julie [REDACTED] >
Sent: 06 October 2025 11:59
To: Planning
Subject: 3/2025/0507 Lower Reaps Farm Whinney Lane Mellor BB2 7EL
Attachments: 3 2025 0507 Overlay b.pdf

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Reference 3/2025/0507
Location Lower Reaps Farm Whinney Lane Mellor BB2 7EL
Proposal Application for Planning Permission for conversion of barn to create new dwelling.
Construction of garage block. Demolition of existing farm block.

Dear Planning Department

Lancashire County Council Public Rights of Way Team is not support of the application and provides the following.

Comments/Objections

Footpath FP03250043 is recorded along the access to proposed development connecting to FP03250041, FP03250044 and FP03250048 which pass through the curtilage of Lower Reaps Farm, as shown by the indicative line on the attached overlay.

The National Planning Policy Framework 2024 places an obligation on developments to protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users. It is the view of the Public Rights of way Team that the development does not meet this requirement as the proposed parking for the dwelling will obstruct the right of way. The granting of planning consent does not entitle the developer to obstruct the Public Right of Way and as such the plans require amendment to prevent this obstruction, which would be a criminal offence. The right of way should always remain accessible and not used to park or store materials, vehicles or machinery during or proceeding construction.

The Public Right of Way team is responsible for the surface of these footpaths being in a condition that is safe and fit for pedestrians, it does not maintain them to a standard that is appropriate for vehicle use. The team have no record of any public vehicular rights along the agricultural track recorded as footpath FP03250043, which will serve as access to the dwelling. The applicant should be certain that they have private vehicular rights along this public path before driving on it either during construction or for subsequent access. Without private vehicular rights or permission from the owner it is a criminal offence to drive a motor vehicle on the public path.

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 Traffic Regulation Order (Temporary Closure Order) must be made and in effect prior to commencing those works. Applications should be made 8 weeks before commencement to

avoid delay to the works. Further details on closures can be found at [Request a temporary closure of a public right of way - Lancashire County Council](#). **A Temporary Closure Order cannot be made unless the proposed works are lawful. To justify a temporary closure, evidence of a 'confirmed diversion Order' must accompany an application to permanently obstruct the right(s) of way.**

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
W: www.lancashire.gov.uk
FB: www.facebook.com/LancsECP
Public Rights of Way Reports ProwReports@lancashire.gov.uk

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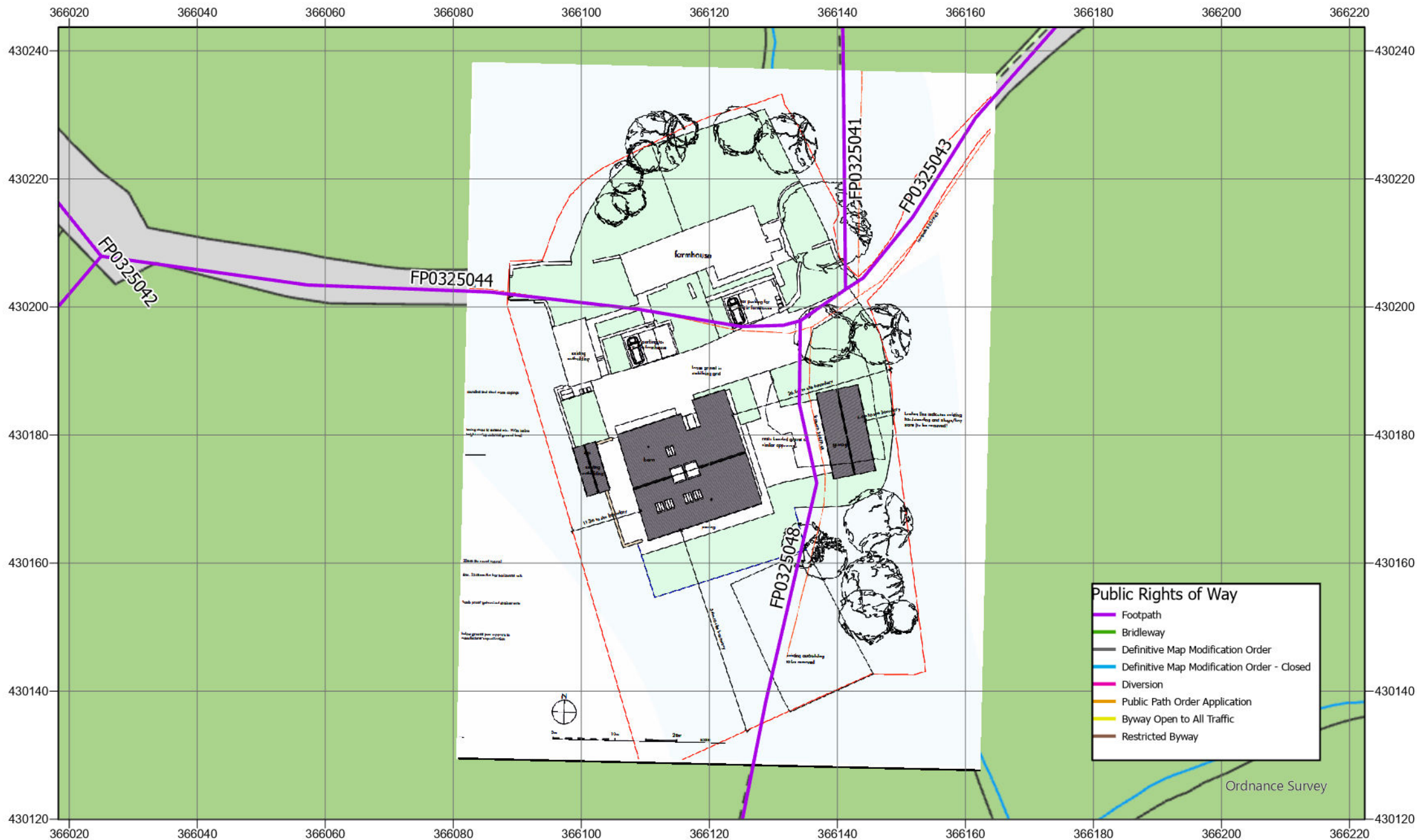
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