



Ribble Valley  
Borough Council  
[www.ribblevalley.gov.uk](http://www.ribblevalley.gov.uk)

## APPLICATION FORM FOR THE STOPPING UP OR DIVERSION OF PUBLIC RIGHT(S) OF WAY(S) SECTION 257 TOWN AND COUNTRY PLANNING ACT 1990

**Please read the attached notes carefully before completing this form.**

Return completed form and all supporting documents to: Planning Department, Ribble Valley Borough Council, Council Offices, Church Walk, Clitheroe BB7 2RA  
[planning@ribblevalley.gov.uk](mailto:planning@ribblevalley.gov.uk)

<b>1. Applicant Details</b>	
<b>Your/Applicant's name and address</b>	
Propsect (GB) Ltd, Unit 5 Meridian Business Village, Hansby Drive, Liverpool, L24 9LG	
Lead contact - Andrew Denton, Head of Land, Prospect (GB) Ltd	
<b>Tel No</b>	
<b>Email</b>	
<b>Name/Address of Planning Agent/Architect if applicable (our response will be sent to this address)</b>	
N/A	
<b>Tel No</b>	
<b>Email</b>	

The applicant/agent as stated above, requests the Council to make an Order under the provisions of **Section 257 of the Town and Country Planning Act 1990** for the diversion of the Public Right of Way, described in Part 2.

The application for the diversion is made on the grounds that the existing public right of way should be diverted to allow development to take place in accordance with any planning permission granted.

<b>2. Highways to be diverted or stopped up</b>	
<b>a)</b>	<b>Status of the Highway:</b> Footpath/Bridleway (please delete if applicable)
	Footpath
<b>b)</b>	<b>Number of Right of Way to be diverted</b>
	3-45-FP51

<b>c)</b>	<b>Description of location of Right of Way to be diverted (include grid references)</b>
	A - SD 7266 3755, B - SD 7261 3735, C - SD 7261 3734, D - SD 7257 3715, F - SD 7255 3713
	G - SD 7255 3713, H - SD 7255 3713, I - SD 7257 3713, J - SD 7257 3713, K - SD 7257 3712
	L - SD 7267 3753, M - SD 7267 3744, N - SD 7265 3731, O - SD 7261 3712
	See S257 Plan enclosed
<b>d)</b>	<b>Parish(es)</b>
	Whalley
<b>e)</b>	<b>Length(s) in metres of section(s) to be Diverted or Stopped Up:</b>
	Referring to the letters on the enclosed plan:- 234m A-B, 223m C-K and 41m D-H
<b>f)</b>	<b>Existing surface of the route</b>
	Mixture of hardstanding and unmade ground
<b>g)</b>	<b>Existing furniture on route (stiles, gates, fences etc)</b>
	x1 Stile
<b>h)</b>	<b>Are you applying to i) divert or ii) stop up the public right of way?</b>
	Divert

<b>3. Planning Permission</b>
<b>Has Planning Permission been applied for which necessitates the Diversion or Stopping Up of the Highway(s)?</b>
If Yes,
<b>Application number:</b> 3/2021/0076
<b>Date of Consent:</b> 11 February 2022
<b>Address and description of development:</b> Queen Mary Terrace and Bridge Terrace Mitton Road Whalley BB7 9JS
Proposed demolition of 34 existing dwellings and the erection of 50 new dwellings with vehicular accesses, landscaping and other associated works.
<b>Expected start date for development:</b>
Works started in June 2022 on parts of the development not interfering with the Right of Way

#### 4. Applicant's case for the proposal

**a) Describe the development and why it necessitates the Stopping Up or Diversion of the Highway(s).**

The Right of Way would be blocked by permanent structures (houses, fences etc) that are to be built as part of the development approved under planning consent 3/2021/0076

**b) Please supply a copy of the approved (or proposed) site layout plan with the site boundary edged red and the existing highway boundary, within the site, edged blue.\***

enclosed - \* existing highway is indicated by a continuous bold line and the proposed diversion by a dashed line

**c) Please supply a copy of an up to date plan based on an Ordnance Survey plan. All plans must clearly show a north point, and use a scale of 1:2500 or 1:1250**

#### 5. Existing Path

- a) Give full name(s) and address(es) of all landowners, occupiers and other persons with any legal interest in the land which is crossed by the length(s) of existing path(s) subject to this application

Name(s) and interest in land	Address(es) and contact details
The applicant - Prospect GB Ltd	Unit 5 Meridian Business Village, Hansby Drive, Liverpool, L24 9LG
George Wimpey City 2 Ltd	Gate House, Turnpike Road, High Wycombe, Buckinghamshire, HP12 3NR
Mersey Care NHS Foundation Trust	V7 Building, Kings Business Park, Prescot, Liverpool, L34 1PJ

Continue on another sheet if necessary	
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<b>b) Is any of the land registered? If so, please give title numbers and names on title.</b>
LAN261848 - PROPRIETOR: PROSPECT (GB) LIMITED (Co. Regn. No. 4192419).
LA864367 - George Wimpey City 2 Ltd (Co. Reg. No. 00718741)
LA754966 - Mersey Care NHS Foundation Trust
<b>c) Does anyone else use any of the existing path(s) to gain access to land or property? If so, please give name and contact details.</b>
No
<b>d) Have you obtained the consent of every person having an interest in land crossed by the existing path(s) (including persons named at 5a &amp; 5c)?</b>
Written to and dicussed the matter with each; their consent to follow.
<b>e) Will a related compulsory purchase order, or other statutory action, be involved? If yes, please give details.</b>
No

<b>6. Proposed Path</b>	
<b>a) Give full name(s) and address(es) of all landowners, occupiers and other persons with any legal interest in the land which is crossed by the length(s) of <u>proposed</u> path(s) subject to this application</b>	
<b>Name(s) and interest in land</b>	<b>Address(es) and contact details</b>
Only the applicant - Prospect GB Ltd	Unit 5 Meridian Business Village, Hansby Drive, Liverpool, L24 9LG
Continue on another sheet if necessary	
<b>b) Is any of the land registered? If so, please give title numbers and names on title.</b>	
All registered under title LAN261848	
<b>c) Does anyone else use any of the existing path(s) to gain access to land or property?</b>	

<b>If so, please give name and contact details.</b>		
No		
<b>d) Have you obtained the consent of every person having an interest in land crossed by the existing path(s) (including persons named at 5a &amp; 5c)?</b>		
Yes - the applicant is the freeholder		
<b>e) Will a related compulsory purchase order, or other statutory action, be involved?</b>		
<b>If yes, please give details.</b>		
No		
<b>f) Is the proposed path i) a footpath? ii) a bridleway?</b>		
Footpath		
<b>g) Details of the new Highway:</b>		
<b>i) Length(s) in metres of section(s) to be created:</b>		
<b>ii) Description of surface:</b>		
i) Referring to the letters on the enclosed plan: 98m L-M and 190m N-O		
ii) predominantly tarmac - footways, shared drives and carriageway plus a short section of grassed lawn		
<b>g) Please give details of any proposed new structures e.g. type of gate(s), stile(s), fence(s), explain their purpose (e.g. stock control) and clearly mark the locations on a plan.</b>		
<b>Type of Structure</b>	<b>Point on Plan</b>	<b>Purpose</b>
non proposed		

## 7. Public Utilities

**a) If you have carried out consultations with the Public Utilities please indicate those with apparatus or interests affected by the Diversion or Stopping Up and enclose a copy of any correspondence received:**

## 8. Declaration

\*I/We the undersigned understand that no authority for the stopping up/diversion of any Right of Way is conferred unless confirmed by Ribble Valley Borough Council/Secretary of State.

Signed.. [redacted] ..... Dated..... 17/10/2022 .....

\*I/We declare that the Right of Way to be diverted is in no way obstructed\* and shall be in no way obstructed before the Order is confirmed.

- \* not obstructed by any permeant structures

Signed.. [redacted] ..... Dated..... 19/10/2022 .....

\*I/We undertake to put new paths in place to the standards of Lancashire County Council should the proposals succeed

Signed [redacted] ..... Dated..... 19/10/2022 .....

\*I/We apply for the diversion/stopping up of the highways as described above and declare that to the best of \*my/our knowledge all particulars inserted on this form are true and accurate.

Signed [redacted] ..... Dated..... 19/02/2022 .....

### Objections to the Order

\*I/We recognise that if objections are received to a published Order, the Council may:

- a) Request that the Secretary of State determine the Order
- b) Represent the case at Public Inquiry, hearing or through written representations
- c) Request that the applicant represent themselves at Public Inquiry, Hearing or written representations.

Signed [redacted] ..... Dated..... 19/02/2022 .....

## 9. Costs

\*I/We understand that Ribble Valley Borough Council is entitled to recover the costs incurred in the making of a Public Path Order under "The Local Authority (Recovery of costs of PPOs) Regulations 1993" as amended by the Local Authorities (charges for Overseas Assistance and Public Path Orders) Regulations 1996".

Signed [redacted] ..... Dated..... 19/02/2022 .....



**\*I/We undertake the pay:**

- a) the associated costs and expenses incurred by Ribble Valley Borough Council (including the cost of any statutory adverts)
- b) any compensation which may become payable as a consequence of the diversion coming into operation
- c) the costs of any works necessary in consequence of the coming into operation of the Order so that the diverted route may be brought up to the necessary standard
- d) the full costs of investigating, making and confirming the Order

Signed [REDACTED] ..... Dated..... 19/10/2022 .....

**\*I/We understand that these costs will remain payable should the Council resolve not to make the Order or the Order is not confirmed for any reason.**

Signed [REDACTED] ..... Dated..... 19/10/2022 .....

**\*I/We are aware that, although at present the minimum costs of a straightforward application (which has received no objection) are approximately £1500.00 this figure is for each order and cannot be guaranteed.**

Signed [REDACTED] ..... Dated..... 19/10/2022 .....

**If more than one Order is required to achieve your aim, then additional costs will occur.**

