

Town & Country Planning Act 1990, Section 257.
Public footpath Batley 40 (part) at Howley Walk, Soothill, Batley. Path
Diversion application- Explanatory Statement

Under the Town & Country Planning Act 1990, local authorities have the power to make orders to stop up or divert public rights of way if they are satisfied that it is necessary to do so in order to enable development.

An application has been received to divert part of public footpath at Howley Walk, Soothill Batley. The application is made on the grounds that it is required to implement planning consent 2020/93489 for demolition of existing garages and erection of 7 dwellings (modified proposal)

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2020%2F93489>

Part of the alignment of public footpath Batley 40 proposed to be diverted is currently obstructed.

Any proposed diversion order would come into effect only after it has been confirmed: this is a preliminary consultation process and simply provides an opportunity for views to be expressed.

The length of paths to be stopped up is shown by the bold solid line, whilst the path to be created is shown by the bold dashed line. The sections of unaffected footpaths are shown by the continuous line with short bars at intervals.

THIS EXPLANATORY STATEMENT IS PART OF A PRELIMINARY CONSULTATION ON THE APPLICANT'S PROPOSAL AND NO DECISION OR ORDER HAS BEEN MADE BY THE COUNCIL.

To make an order Kirklees Council will need to be satisfied that the proposal complies with the following grounds and tests in the Town & Country Planning Act:

- It is necessary to divert the part of the path in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town & Country Planning Act 1990.
- It is in accordance with the Kirklees Council Rights of Way Improvement Plan.
- The council must also consider the effect that the Order would have on users of the path..

Comments on the proposal should be made in writing by 17 May 2021 to Public Rights of Way Kirklees Council, Public Rights of Way, Flint Street, Fartown, Huddersfield, HD1 6LG. Email publicrightsofway@kirklees.gov.uk . Enquiries only may be made by telephone on 01484 221000 and ask for Giles Cheetham