

**TOWN AND COUNTRY PLANNING ACT 1990
WILDLIFE AND COUNTRYSIDE ACT 1981
KIRKLEES COUNCIL (PUBLIC FOOTPATH DEWSBURY 146 (PART) AT LAND OFF
CHIDSWELL LANE, SHAW CROSS, DEWSBURY) PUBLIC PATH DIVERSION AND
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2026**

Explanatory Statement

Under section 257 of 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. A notice that an order has been made has to be advertised on the site of the public right of way in question and in the local press. This provides an opportunity for the public to make representations or objections to the proposed change.

Kirklees Council has made an order to divert part of public footpath Dewsbury 146. This statement has been prepared to explain various aspects of the order. The diversion would be required to implement planning consent 2024/92310 for outline application for custom/self build residential dwelling

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2024%2f92310>

The part of Dewsbury 146 to be stopped up commences off Chidswell Lane adjacent to the former Huntsman pub and is shown by the bold solid line. The footpath to be created is shown by the bold dashed line and runs along the current informal footpath approximately 19 metres further south along Chidswell Lane. The unaffected part of Dewsbury 146 is shown by the continuous lines with short bars at intervals.

The definitive alignment has not been available for approximately 14 years having previously been the pub beer garden.

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

Kirklees Council is satisfied that the order complies with the following grounds and tests laid down 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 has also considered the effect that the Order would have on users of the path.

The order will come into effect only after it has been confirmed: making and advertising the order simply provides an opportunity for representations or objections to be made.

Any representations or objections to the order may be sent or delivered in writing to Harry Garland, Kirklees Council Legal Services, PO Box 1720, Huddersfield HD1 9EL quoting reference D112-352, no later than 02 April 2026.

If you want to discuss your concerns about this order, contact Public Rights of Way, PO Box 1720, Huddersfield, HD1 9EL. Email publicrightsofway@kirklees.gov.uk or telephone 01484 221000 and ask for Sharon Huddleston

The right of objection to an order is a statutory right, but it should be exercised in a reasonable

manner.

If no representations or objections are received, or representations or objections which are made are subsequently withdrawn, the Council can confirm the order. If representations or objections are made and not withdrawn then the Council will refer the order to the Planning Inspectorate for determination. An inspector from the Planning Inspectorate will hear the objections at a public hearing or inquiry, or in writing if the objectors agree. The inspector can confirm an order, confirm it with modifications, or refuse to confirm it.