

Town & Country Planning Act 1990, Section 257. Public footpath Dewsbury 146 (part) at land off Chidswell Lane, Shaw Cross, Dewsbury WF12 7SW. Public footpath diversion order 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 for an order to divert part of public footpath Dewsbury 146 off Chidswell Lane, Shaw Cross. The application is made on the grounds that it 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>

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

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

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 line with short bars at intervals.

The applicant is proposing to remove the existing stile from Chidswell Lane and the new route will be 2 metres surfaced in tarmac.

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 application.
- 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.

Any comments on the proposal should be made in writing by 5 November 2025 by email to publicrightsofway@kirklees.gov.uk or by post to Kirklees Council, Public Rights of Way, PO Box 1720, Huddersfield, HD1 9EL. Enquiries only may be made by telephone on 01484 221000 and ask for Sharon Huddleston