

**KIRKLEES COUNCIL  
TOWN AND COUNTRY PLANNING ACT 1990  
HIGHWAYS DEVELOPMENT MANAGEMENT**

**PLANNING REF** 2018/62/90773/E0/ET  
**CATEGORY** Minor

**PROPOSAL** ERECTION OF FORESTRY  
BUILDING

**LOCATION** LAND OFF WOOL ROW LANE  
SHELLEY  
HUDDERSFIELD

**APPLICANT** ASSENT PLANNING  
CONSULTANCY LTD

**HDC Ref. No.** K17-7/4  
**Highway Officer** Chris Bembridge  
**O. S. Ref.** 212 120  
**Date Received** 19/04/2018  
**Target Date** 10/05/2018  
**Date Returned** 22/05/2018  
**Decision**  
**Route No.** C564  
**Road Name** WOOL ROW LANE  
**Adopted** Yes  
**Footpath** KIR130-20  
**Footpath** prow emailed19/4/18  
**Highway scheme** No

**Potential Committee**

**Local Plan Allocatio** No

**Checked by / date** Sam Lewis 19/04/2018

This application is for the erection of a forestry building to safely store vehicles and machinery on land occupied by an existing forestry business off Wool Row Lane, Shelley. The access off Wool Row Lane is via 75m of unmade farm track approximately 3.5m wide, this track also carries PROW KIR130-20.

The development proposals are not expected to generate any additional traffic at the site and are reached through an existing access that is currently used by the forestry business.

The access is shared for approximately 75m with PROW KIR130-20 and this wasn't acknowledged on any of the application documents and no information was provided to say how the application proposals will interact or impact on the PROW including preservation of the PROW, access rights and safety of the users of the PROW. Impacts on a PROW are a material consideration and should have been mentioned on the application.

A plan acknowledging the PROW and providing brief information on how the PROW, its access and its users will be protected from the forestry use should be submitted for approval by the PROW team. Before this is submitted and approved HDM cannot support this application due to the lack of relevant information.

If you are minded to approve this application prior to this additional information being submitted we would kindly ask that a condition is added to request this information and that the usual footnote regarding PROWs are added to any planning permissions granted.

**Condition**

No part of the development hereby approved shall commence until a scheme for the protection of footpath KIR130-20, its access rights and safety of its users has been submitted to and approved by the local planning authority in consultation with the Public Rights of Way team and that this scheme has been completed in accordance with the scheme details and the appropriate legal procedure and retained thereafter. Reason: For highway safety reasons and to ensure that PROW KIR130-20 is protected.

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Footnote

Public footpath number KIR130-20, which shares the site access, shall not at any time prior to, during or after construction of the proposed development be unofficially obstructed or closed without prior written consent of the Local Planning Authority and the granting of planning permission does not in itself constitute authority for the interference with the right of way or for its closure or diversion. In the event of planning consent being granted, the applicant will still be required to enter in to a separate legal process, with separate costs, in order to divert or close the public footpath.

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