

**Town & Country Planning Act 1990, Section 257. Holmfirth public footpath 60 (part)
at Wolfstones Heights Farm, Wolfstones Road, Upperthong.
New Public 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. Kirklees Council has received a new application from Mr Butterfield to divert part of the above public footpath under Section 257 of the Town & Country Planning Act 1990.

The diversion application is being made on the basis that it would be required to implement planning consents 2014/92814 and 2017/91374. These consents have been amended by non-material amendments 2018/93302 and 2018/93277.

<http://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2014%2f92814>

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2017%2f91374>

Details of this new diversion application including supporting statement and Highways report submitted by the applicant will be posted on the 'Involve' section of the Councils website www.kirklees.gov.uk/involve

The length of the public footpath Holmfirth 60 proposed to be stopped up commences by the property on Wolfstones Road and is shown by the bold solid line on the enclosed plan whilst the path to be created commences at a point approximately 120 meters north along Wolfstones Road and is shown by the bold dashed line.

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 9 July 2019 to Giles Cheetham, 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.