

Town & Country Planning Act 1990, Section 257. Public footpath Spensorough 24 (part) at land west of the M62 and south of Whitehall Road, Cleckheaton. 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 so in order to enable development.

An application has been received to divert part of public footpath at land west of the M62 and south of Whitehall Road, Cleckheaton. The application is made on the grounds that it is required to implement planning application 2021/92603 for the erection of storage and distribution unit (use class B8) with ancillary offices, car parking, servicing landscaping and access

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2021%2F92603>

A new link is proposed to the greenway at the eastern edge of the site. The application proposes that the section of footpath will be upgraded to bridleway the new greenway link.

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 path to be stopped up commences at its junction with Whitehall Road and is shown by the bold solid line. The footpath to be created is shown by the bold dashed line and the bridleway to be created by the bold dashed line with cross bars. The sections of unaffected footpaths are shown by the continuous line with short bars at intervals.

A new link is proposed to the Spen Valley Greenway at the northern eastern edge of the site. An additional cycle route is proposed through the site connection Whitehall Road and Whitechapel Road.

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 1990:

- 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.

Any comments on the proposal should be made in writing by 28 July 2022 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.