

Deferred PROW item for planning sub-committee (Huddersfield area) 12 October 2017  
Application to extinguish claimed paths and provide alternative routes – Clayton Fields.

Update to report item from 31 August 2017 sub-committee

**Summary:**

The joint applicants Seddon have amended the proposal for the Woodland Walk. This amendment is appended as described in their letter of 11 September 2017 and the compromise plan.

The Seddon proposal also includes reference to the landscaping of the proposed public open space, in response to consultee's requests. The gates at the end of Deveron Grove have been opened. These two particular aspects are not relevant to the s257 report for decision before members.

Officers have received further representations from Marsh Community Forum, Clayton Fields Action Group and a local resident which are appended.

**Officer recommendation** is similar to that described in the original committee report of 31 August 2017, save that the alignment of the "Woodland Walk" (Y-Z in appended plan 2) to be included in the order be delegated to the service Director, Legal Governance & Commissioning.

**Background**

- Why is the sub-committee being asked to decide this application?

Planning consent has been granted for the residential development of land at Clayton Fields. Planning committee decided on 11 June 2015 that the layout of the site was acceptable, as part of its consideration of the council's position to the appeal. The layout included the footpaths proposed for the site.

The council has now received an application to enable that development to be carried out, by dealing with the claimed pedestrian routes over the site, permanently closing some routes and providing alternative routes that match the planning consents.

The numerous new routes provided would fit in with the proposed layout of the site. They would connect to Edgerton road, Queens Road, Deveron Grove and public footpath 345, which would also be widened.

- What about the DMMO applications to claim routes at Clayton Fields as public footpaths that have not been investigated and determined?

The owners of the land and the prospective developers have made this application for an order to extinguish any public rights over the claimed routes. It is not considered necessary to go through a lengthy, formal process to decide if the claimed routes should be recorded as public footpaths before making an order to change them.

If the current section 257 application before members is successful, it would deal with all the DMMO application routes within the site, and provide numerous new routes through the site.

## **Compromise situation update**

Latest position from the objectors – the objectors have indicated no material change from their position at the time of the sub-committee meeting of 31 August. Latest submissions are appended.

Latest position from the applicants – please see Seddon's letter of 11 September 2017, which describes the changes they propose as a result of the consultation process and their comments on the consultee's other requests for change that they feel they can't accommodate.

Officers consider that a compromise satisfactory to all parties is unlikely.

Since the previous sub-committee, Seddon has proposed to amend the proposal before members to match that discussed in the compromise meetings. As far as this application before members is concerned, this would change the proposed Woodland Walk alignment so that it was further away from Clayton Dyke, nearer the rear fences of plots 25-34. Although this does not appear to have satisfied the consultees, it is nearer to their preferred line and close to the route of claimed path 183.

### **Blockage by metal gates preventing pedestrian access to Clayton Fields from Deveron Grove.**

The metal gates have been opened and bollards erected to protect against undesirable vehicular access. Pedestrian access to the site is now possible from Deveron Grove.