



### BARNSELY MBC - Environment and Transport

NB: Please note that additional public rights may subsist / have been acquired which are not recorded on the definitive map and statement or subject to a formal application. If you have any questions about any unrecorded paths, please contact the Public Rights of Way Team at [publicrightsofway@barnsley.gov.uk](mailto:publicrightsofway@barnsley.gov.uk).



Good afternoon

These comments are in response to the hybrid planning applications 2021/1089 *and* 2021/1090.

Several public rights of way cross this site. All of these must be either accommodated or else formally diverted and will also need to be managed throughout the course of the development. Furthermore, a number of new multi-user routes are proposed; the status, location and build specifications of which will need to be agreed. Given the nature of the proposed routes, it is likely that these will need to be agreed by PROW in conjunction with Highways DC.

For any routes that require permanent diversion, temporary closure or which are proposed to be offered as new public rights of way (PROW), full details should be provided to [publicrightsofway@barnsley.gov.uk](mailto:publicrightsofway@barnsley.gov.uk) for consideration. This is separate to the planning process. Even if planning permission is granted, works may not take place on PROW without approval.

The key issues affecting PROW are as follows:

### General comments

#### 1. Permanent diversions.

Several PROW require formal diversions to accommodate the proposed development. PROW diversions are subject to a separate legal process, open to public consultation, and no PROW may be moved, obstructed or built over without an approved diversion in place.

The supporting documents state that permanent diversions will be sought 'upon completion of construction' (Outline Construction Environmental Management Plan 5.1.4). I am not sure when this means (following earthworks?). Typically, a confirmed diversion is required before permission will be granted to temporarily close a PROW for earthworks, as the earthworks will change the topography to such an extent that the original routes cannot be restored. In any case, the diversion proposals for PROW should be discussed and agreed with the Council as early as possible, including the proposed status of the alternative routes, effect of earthworks on gradients and basic specification requirements. I have attached the current application form and guidance notes for PROW diversions for information. Multiple applications will be required as several PROW are affected.

Some of the proposed new routes follow alignments that the PROW department would seek to amend to provide a more direct / natural alignment – this must be discussed and agreed.

Steps are shown in some locations. The Council does not accept the introduction of new steps on PROW that do not currently include steps as this would reduce accessibility. Where this is proposed, full details should be submitted explaining how the proposed gradient changes affect the PROW, while all possible alternatives to steps should be considered.

#### 2. Temporary closures during construction.

The application states that existing PROW will be closed during earthworks and construction. However, given that the estimated construction timeframe is 11 years., completely closing several PROW for such a long period of time is unlikely to be acceptable. Furthermore, the Council cannot guarantee that such a long term closure can be confirmed – the Council can only authorise an initial 6 month temporary closure, after which the Department for Transport must give approval for any extensions.

It is therefore necessary to identify as closely as possible which paths will need to be closed, for what periods, and what alternative routes can be provided during construction. Temporary alternatives may help make the closure more acceptable to the public.

Proposals for the necessary permanent diversions should be agreed well before any temporary closure application is submitted.

Details of the management of permanent diversions and temporary closures of PROW should be included in the Construction Management Plan for the development.

### 3. Other new routes.

A large number of new links are shown. However, the proposed future status and maintenance responsibilities on these routes are not clear. The developer should address the following:

**Status:** several routes are shown as primary or secondary 'multi-user' routes, stated to be for pedestrians and cyclists. However, footway/cycleways are not a category of PROW that can be recorded on the definitive map. Therefore, any footway/cycleways would need to be agreed with Highways DC and taken on by Highways.

'Informal routes' are also shown. What does this refer to?

Categories of PROW are:

Footpaths (for pedestrians)

Bridleways (pedestrians, horse riders and cyclists).

PROW encourage multi-user access on key connecting routes through the site.

**Maintenance:** are the new routes intended to become PROW, included in the Highways adoption agreement or maintained by a management company?

**Location:** some of the proposals appear more useful than others and PROW should be consulted on the layout of any new links. Some of the proposed looped and zig-zagged alignments are undesirable for PROW.

Would it be possible to condition that the applicant submits a plan confirming which routes are to be privately maintained and which are intended to become PROW / taken on by Highways, to be agreed with PROW and Highways DC? This should be accompanied by details of how it will be made clear to the public that privately maintained paths are not intended to be dedicated to the public. (Notices would be requested – details can be discussed).

### Comments on specific routes.

#### 4. Phase 1.

Darton FP 11 enters the site from Avon Close to the west. A formal stopping-up / diversion order is required to allow development. This should be submitted and have passed through public consultations before a temporary closure will be granted to allow works on site. The plans also show the introduction of new steps on this path, although there are no steps at present, which runs against Council policy, while the zig-zag ramped route is undesirable. Full details should be provided about how the proposed new gradients will affect the public footpath and the alternative ways available to deal with that level change.

A new link is shown into the site from Longley Street. Status and future maintenance must be confirmed before it can be agreed. If a footway/cycleway, this will need to be included in the Highways Adoption agreement for the site.

Routes within the estate. Again, status and future maintenance should be made clear. If footway/cycleways, these will need to be adopted by Highways.

No connection is shown to Barugh Green Road from the northern end of Phase 1, though a link is shown in the masterplan for the wider site. Such a link would be very useful from an

early stage of development, at what stage will this be delivered?

#### 5. Other routes.

The route connecting Farm House Lane (Gawber, eastern boundary of the site) to the new link road could be upgraded from footpath to bridleway to encourage multi-user access across the site (this is encouraged).

A similar connection following the eastern boundary of the site to Barugh Green Road may also provide a good link, although ideally this would not run flush to the site boundary and should not include sharp direction changes as per the plans.

Church Street / Hermit Lane is well used by walkers and cyclists. When this road is stopped up, will an access remain in place for non-motorised vehicles?

Steps, and zig-zagged routes down steep embankments, should be avoided wherever possible.

#### 6. Landscape design statement.

##### Para 3.3 Connectivity Strategy.

**States:** Proposed primary routes are to be a minimum of 3m wide. These are identified as multi user shared routes for cycle and foot traffic. The gradients of which vary between 1:21 and 1:14. Where level access has not been achievable due to level changes then stepped access has been introduced.

Such routes would be cycleways and the responsibility of Highways, not PROW. Must be confirmed in discussion with Highways DC and PROW.

**Also states:** Proposed secondary routes are to be a minimum of 2m wide are also multi user routes. The gradients of these routes vary between areas of flat access to areas that have gradients between 1:21 and 1:10. This type of route also includes wooden board-walks located across and around the detention basins. The existing Greenway along Hermit Lane falls within this category. This is proposed to be stopped up for vehicle access and diverted as a pedestrian / cycle link serving as an important link to Gawber.

As above for 'primary routes'.

'Informal routes' are also shown – it is unclear what this refers to. Must be clarified.

**Para 3.4 Existing PROW Access states:** Some routes require minor diversion, whilst others require full diversion such as 13, 40, 249 and 250.

Any proposed changes to the existing PROW are subject to formal diversion orders and must be agreed with PROW.

Para 3.5 Proposed PROW Access refers to a number of proposed changes. All of the new routes are subject to agreement and public consultations. They are not agreed as part of this consultation. NB: PROW would want to avoid the zig-zag alignments, loops and parallel routes shown as much as possible. Materials to be agreed.

Para 3.6 Phased PROW delivery refers to PROW changes to be provided in phases 1 & 2, then subsequent phases. However, there is some crossover here that would leave some of the routes as 'dead end' routes until the end of works. More detail is / will be required on the works as part of each phase of development.

#### 7. Earthworks Strategy.

Should refer to temporary closures of PROW and any alternatives that can be provided.

#### 8. Materials..

Sarah, please provide comment on the proposed materials. The main pedestrian/cycle routes are proposed to have a resin bound gravel surface.

#### 9. Section 106 funding requests.

Sarah, please also provide details of any section 106 funding that you wish to request from

this development.

Definitive Map Officer  
Barnsley Metropolitan Borough Council