

Kate Whitfield

Subject: FW: Application DMPA/2021/1725 : Land at Riding Bank, Cockshut Lane, Derby, DE73 8DG
Attachments: 20220324_155920_resized.jpg; Highways comments (4).pdf; Permission (gate) 2003_0699.pdf; Street View 2009.PNG; Street View 2019.PNG

From: Sue Highley (Place) <Sue.Highley@derbyshire.gov.uk>
Sent: 30 March 2022 10:49
To: Kate Whitfield <Kate.Whitfield@southderbyshire.gov.uk>
Cc: SDDC Planning Applications <Planning.Apps@southderbyshire.gov.uk>
Subject: RE: Application DMPA/2021/1725 : Land at Riding Bank, Cockshut Lane, Derby, DE73 8DG

I note that the applicant has submitted a number of photographs of a closed gate at the entrance to Riding Bank and a Decision Notice from 2003.

In my experience of visiting and driving past the site the gate has remained open and this is also evidenced on Street View, a couple of clips from which I have attached for your information.

With regards to the 2003 Decision, the condition was included in good faith, however, as Riding Bank carries the route of a Public Right of Way (Bridleway 19 in the parish of Melbourne as shown on the Derbyshire Definitive Map), the condition cannot be enforced as closing the gate would obstruct the route. The legal route of a PROW is deemed to be boundary to boundary i.e. in this case, the full width of the track between the hedges on each side.

In view of the above comments, the Highway Authority maintains that approval of the proposal would result in the introduction of onerous manoeuvres within the public highway leading to potential conflict and confusion, as detailed in correspondence relating to the previous application (DMPA/2019/1236), to the detriment of highway safety.

Kind regards

Sue Highley | Project Engineer - Development Control | 01629 538697 | 0791 773 9339
Economy, Transport and Environment | Derbyshire County Council
County Hall, Matlock, Derbyshire, DE4 3AG

CONTROLLED