

**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 247**

**PROPOSED STOPPING UP AND DIVERSION OF FOOTPATH 60 HOLMFIRTH**

**(Public Inquiry scheduled 24<sup>th</sup> August 2021)**

**SUMMARY of PROOF OF EVIDENCE**

**RUSSELL DICKSON EARNSHAW**

**July 2021**

**TOWN AND COUNTRY PLANNING ('TCPA') 1990 - SECTION 247  
PROPOSED STOPPING UP AND DIVERSION OF PART OF FOOTPATH 60  
HOLMFIRTH**

1. I am **Russell Dickson Earnshaw**. I am a Chartered Architect (ARB number: 041160D and RIBA number: 3029407) and have been so for 50 years. I am an owner, director and architect at ADP Architecture and Design Ltd of The Old Police Station, 16 Bridge Lane, Holmfirth, West Yorkshire HD9 7AN. My contact details are supplied.
2. I have been the appointed architect on matters concerning Wolfstones Heights Farm ('WHF') and the adjacent Wolfstone Heights ('WH')<sup>1</sup> since 1995 and have managed several planning applications on behalf of Mr. Butterfield. Mr. Butterfield owns both WHF and the WH building and land. I believe that HM Land Registry information is provided already to the DfT.
3. In my Proof of Evidence, I describe the contemporary history of the planning applications on the site, why the stopping up and diversion of Footpath 60 is required and how the relevant planning applications and their associated works fit into this requirement.
4. I also described dealings with Council officers and in particular input from the Council's PROW Section during the planning applications and how the form of the diversion route came to be and why it is the most appropriate route, including why it is where it is and why it does what it does. I describe that planning and other officers and even Members had facilitated and even supported (or certainly not objected) the relevant proposals affecting Footpath 60 and requiring the stopping up and diversion of the relevant part of the Footpath. There is no question to my mind that the diversion route is in the right place, hence why I have never deviated from it in all iterations of planning applications on this site
5. I acknowledge that I do indulge in touching on why the diversion route is a safer route for pedestrians compared with the existing route but more generally why functionally, aesthetically, and architecturally, the diversion footpath is a far superior route, compared with the area which is the subject of the stopping up.
6. I do describe why the diversion route was put in place, completely at Mr. Butterfield's risk and extinguish the local myth that Mr. Butterfield had not left the way of the existing Footpath 60 open; which I find was something that was disingenuously allowed to circulate.
7. I finally provide my opinion that on completion of the relevant works and where landscaping works will have fully taken hold, this will be one of the best bits of footpath in the area.
8. The simplicity is that Planning Permissions have been granted and cannot be fully implemented without this diversion. There is not in my view a good reason not to make this final Order and allow this stopping up and diversion.

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<sup>1</sup> The residential building, not the 'Wolfstone Heights' viewing point across the road owned by the Holme Valley Land Charity and Holme Valley Parish Council of the same name