

# Proposed Diversion of Public Footpath No. 8 (part) in the Parish of Mavesyn Ridware

Cabinet Member for Housing, Biodiversity and Climate Change

Date: 20 June 2022

Agenda Item:

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Key Decision? No

Local Ward Members  
Cllr Shirley Barnett



## REGULATORY AND LICENSING COMMITTEE

### 1. Executive Summary

- 1.1 To consider an application received from Fisher German LLP/Mr & Mrs B Wainwright for the diversion of public footpath No. 8 (part) in the Parish of Mavesyn Ridware. The application is to be considered under the Town and Country Planning Act, Section 257.

### 2. Recommendations

- 2.1 To approve the proposed diversion of Public Footpath No. 8 (part) in the Parish of Mavesyn Ridware as set out in Appendix A.

### 3. Background

- 3.1 An application has been submitted under the Town and Country Planning Act 1990 from Fisher German LLP for the proposed diversion of Public Footpath No. 8 in the Parish of Mavesyn Ridware.
- 3.2 The application has been made in connection with planning applications 16/00420/PND and 19/00832/PND and seeks to enable the change of use from agricultural building to two dwellings (one four bedroom and one three bedroom). Details of the planning permission may be found on the District Council's website.
- 3.3 An assessment of the proposals suggests that the diversion is necessary to enable the approved development to take place. It is to be noted that original line of the footpath was built over a number of years ago and has not been available for use. This redevelopment of the site is therefore allowing for the obstruction issue to be resolved.
- 3.3 Attached at Appendix A is a plan showing a route for Footpath No. 8 (part). The footpath route is shown as points A to B with a dashed black line. Following completion of the development it is proposed that this diverted route will become permanent.

#### Alternative Options

1. Leave the footpath as it is which will not allow for the development of the site

#### Consultation

1. An informal consultation has taken place with Outside Bodies and Local Ward Members and there are no outstanding objections.

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| Financial Implications          | 1. No financial implications for the Council have been identified. Administrative and advertisement cost will be incurred in the making of the Public Footpath Order, these will be met by the Applicant. |
| Approved by Section 151 Officer | Yes   |

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|--------------------------------|-------------------|
| Legal Implications             | 1. Not applicable |
| Approved by Monitoring Officer | Yes               |

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| Contribution to the Delivery of the Strategic Plan | 1. By enabling growth and development, footpath diversions contribute to the 'Delivering Prosperity' strategic objective. |
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| Equality, Diversity and Human Rights Implications | 1. None identified |
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| Crime & Safety Issues | 1. Not applicable |
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| Environmental Impact | 1. Ensuring the protection of public rights of way by rerouting the footpath to enable development, rather than removing the footpath. |
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| GDPR / Privacy Impact Assessment | 1. Not applicable |
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|   | Risk Description & Risk Owner   | Original Score (RYG) | How We Manage It   | Current Score (RYG) |
|---|---|----------------------|--|---------------------|
| A | Footpath diversion process not followed correctly and being challenged. | Green                | We have an agreed process which follows the relevant legislation and also legal advice if required | Green               |
| B |   |                      |  |                     |
| C |   |                      |  |                     |
| D |   |                      |  |                     |
| E |   |                      |  |                     |

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|  | <b>Background documents</b><br>Appendix A – Map of Proposed Diversion (Town and Country Planning Act 1990 Section 257) |
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|  | Relevant web links |
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