

Proposed Diversion of Public Footpath No. 7 (part) in the Parish of Elford

Cabinet Member for Housing, Biodiversity and Climate Change

Date: 20 June 2022

Agenda Item:

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Key Decision? **NO**

Local Ward Members
Councillors Leytham, Warburton and White



REGULATORY AND LICENSING COMMITTEE

1. Executive Summary

- 1.1 To consider an application received from Elan Homes & George Hodgetts Farms for the diversion of public footpath No. 7 (part) in the Parish of Elford. 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. 7 (part) in the Parish of Elford as set out in Appendix A.

3. Background

- 3.1 An application has been submitted under the Town and Country Planning Act 1990 from Elan Homes & George Hodgetts Farms for the proposed diversion of Public Footpath No. 7 in the Parish of Elford.
- 3.2 The application has been made in connection with planning application 19/00662/REMM for the approval of Reserved Matters for appearance, landscaping, layout and scale for the erection of 25 dwellings including new access and vehicle turning area in accordance with application 17/01379/OUTM. Details of the planning permission may be found on the District Council's website. An assessment of the proposals suggests that the diversion is necessary to enable the approved development to take place.
- 3.3 Attached at Appendix A is a plan showing a route for Footpath No. 7 (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.

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

Legal Implications	1. Not applicable
Approved by Monitoring Officer	Yes

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				

	Background documents 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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