

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: 18 December 2014
title: CONFIRMATION OF FOOTPATH DIVERSION FOR FP76, CHIPPING
submitted by: DIRECTOR OF COMMUNITY SERVICES
principal author: PHIL JOHNSON

1 PURPOSE

- 1.1 To request that Members formally confirm the Public Path Diversion Order under Section 257 of the Town and Country Planning Act 1990, for Footpath Number 76 at Abbot Barn Farm, Chipping.
- 1.2 Relevance to the Council's ambitions and priorities
 - The Order will help to make people's lives healthier by protecting and enhancing access to suitable footpaths within the countryside.

2 BACKGROUND

- 2.1 A planning application (numbered 3/2011/0887) was granted consent for the renovation and conversion of a barn into a single dwelling in 2011. In order to follow through with this planning consent it was deemed necessary to divert the public footpath from what was originally a farm yard, to run on the other side of the farm buildings. This diversion also has the effect of making the public footpath safer and more easily accessible.
- 2.2 On 25th November 2013 Ribble Valley Borough Council received a formal application for the diversion of the public footpath 76 in accordance with the provisions of the Town and Country Planning Act 1990 Section 257.
- 2.3 An informal consultation took place with all statutory consultees in June 2014. There were no objections to the diversion of the footpath 76.
- 2.4 On 3rd September 2014 the Footpath Diversion Order was made, signed and sealed, and the formal consultation period began. 1 objection was received but was later withdrawn.

3 ISSUES

- 3.1 1 objection was received from Peak and Northern due to the proposed width of the new section of footpath not being stated within the order. This objection was withdrawn when written confirmation was received confirming that the footpath would be maintained at a minimum width of 2 metres. No further objections were made by any statutory consultees, and Lancashire County Council support the proposed diversion.

- 3.2 If the Order is confirmed there will be a further period of 6 weeks for the confirmed Order to be advertised, this will be sent to all statutory consultees as well as being advertised on the site, with the Parish Council, and at the Council offices.
- 3.3 On the completion of the 6 week confirmation period diversion work will begin, the existing path will not be extinguished until the new section has been confirmed as completed by both Ribble Valley Borough Council and Lancashire County Council.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications

- Resources – The Council charges for work relating to footpath diversions/extinguishments.
- Technical, Environmental and Legal – No implications identified.
- Political – No implications identified.
- Reputation – No implications identified.
- Equality & Diversity – No implications identified.

5 RECOMMENDED THAT COMMITTEE

5.1 Agree to the confirmation of the Public Path Diversion Order under Section 257 of the Town and Country Planning Act 1990, for Footpath Number 76 at Abbot Barn Farm, Chipping.

PHIL JOHNSON
COUNTRYSIDE OFFICER

JOHN HEAP
DIRECTOR OF COMMUNITY SERVICES

BACKGROUND PAPERS

See attached copy of the Map and Order.

For further information please ask for Phil Johnson, extension 4505.

REF: PJ/P&D/DATE ?

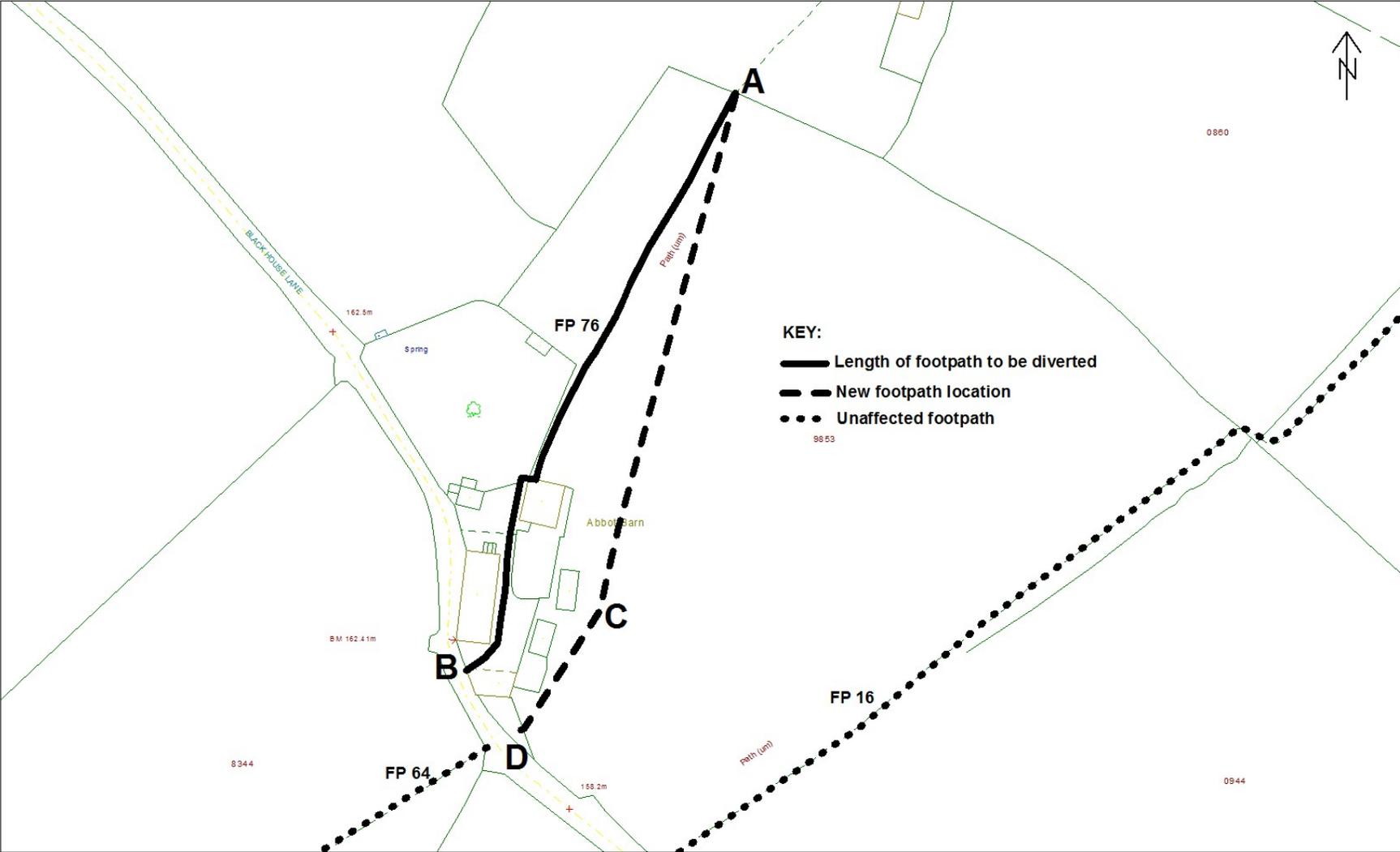
PUBLIC PATH DIVERSION ORDER
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
RIBBLE VALLEY BOROUGH COUNCIL
FOOTPATH NUMBER 76
AT ABBOT BARN FARM, CHIPPING

This Order is made by Ribble Valley Borough Council under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 namely: *Planning Permission No. 3/2011/0887 barn conversion.*

BY THIS ORDER:

1. **The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this Order ("the Schedule") shall be diverted as provided below.**
2. **There shall be created to the reasonable satisfaction of Ribble Valley Borough Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.**
3. **The diversion of the footpath shall have effect on the date on which Ribble Valley Borough Council certify that the terms of Article 2 above have been complied with.**
4. **The following works shall be carried out in relation to the highway described in Part 1 and Part 2 of the Schedule: Provision and installation of new agricultural two-way opening gate between two new sections of fence-line (point C on plan), provision and installation of new one-way gate giving access to Black House Lane (point D on plan) immediately opposite continuation of the public footpath (FP 64) on opposite side of lane.**
5. **St. Bartholomew's Church, Chipping is hereby required to pay the cost of carrying out the said works.**
6. **Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.**

Town and Country Planning Act 1990 Section 257, Public Footpath Diversion Order 2014, Footpath No. 76 Chipping



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 Ribble Valley Borough Council LA 100018641
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14 August 2014
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