

DELEGATED REPORT

REGENERATION AND ECONOMIC DEVELOPMENT



17 MARCH 2017

Public Footpath No 16 Sedgefield Parish,
Proposed Diversion Order

Report of Adrian White – Head of Transport and Contract Services

Purpose of the Report

To consider changes to the Public Rights of Way network.

Public Footpath No. 16 Sedgefield Parish, proposed Diversion Order

Background

An application has been received from Story Homes to divert Public Footpath No 16 Sedgefield Parish, to enable the development of residential dwellings and associated infrastructure at land south of Eden Drive, Sedgefield, in accordance with planning permission granted in October 2016 following a Public Inquiry, as shown on the attached plan.

Footpath No.16 currently runs in a roughly north-westerly direction from the A689 across the development site. Full planning permission has been granted for the erection of eighty residential dwellings, affecting the area currently occupied by the footpath. As a consequence the applicant is seeking to divert the footpath to follow new footways, constructed to adoptable standard, within the development site. The proposal is to divert the south-eastern section of the footpath to a generally more southerly line. The Order is therefore necessary to enable development to proceed in accordance with granted planning permission.

Consultations have been carried out with the Local Members for Sedgefield, the Cabinet Portfolio Holder, the Town Council, the Ramblers' Association and other user groups. No objections have been received.

Details of any alternative options considered and rejected when making the decision

Retention of the footpath on its current alignment is not possible without preventing the implementation of the planning permission. This is the minimum diversion possible to enable the development to proceed whilst maintaining the integrity of the public rights of way network. The proposal retains and protects public access at this location.

Recommendations and reasons

The proposal is in accordance with the Council's policy and the statutory framework on the diversion of public rights of way. It is RECOMMENDED that a Diversion and Definitive Map and Statement Modification Order be made under the provisions of the Town and Country Planning Act 1990 and the Wildlife and Countryside Act 1981 to divert Public Footpath No. 16 Sedgefield Parish, and the Order shall subsequently be either confirmed or referred to the Secretary of State for determination, and that the Corporate Director of Resources be informed accordingly, as per table 5, paragraph 5 of the Constitution of the County Council.

Decision

Signed on behalf of Ian Thompson, Corporate Director, Regeneration and Economic Development

Reasons: Agreed to the Diversion Order as detailed in the Delegated Decision.

Background papers

Correspondence and consultations – F:\Rights of Way\ Public Path Orders and Agreements\On going Orders\ Sedgefield 16

Contact: Mike Ogden Tel: 03000 265331

Appendix 1: Implications

Finance – The applicant will cover the administrative and advertising costs for making the Orders and will cover the costs of the physical works required on the ground.

Staffing – N/A

Risk – N/A

Equality and Diversity / Public Sector Equality Duty - The new Footpath will be fully accessible.

Accommodation – N/A

Crime and Disorder – N/A

Human Rights - All those affected by this proposal have the opportunity to submit objections and represent their case at a Highways Committee and/or Public Inquiry.

Consultation - Consultations have been carried out with Local Members, the Cabinet Portfolio Holder, the Town Council, Ramblers' Association, other user groups and Utility Companies. No objections have been received. If the Orders are made the initial consultations are followed up by a Statutory Consultation Period.

Procurement – N/A

Disability Issues – See Equality and Diversity.

Legal Implications – N/A



Ian Thompson
Corporate Director
Regeneration and
Local Services
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County Hall
Durham DH1 5UQ

**Proposed diversion of
Public Footpath No 16,
Sedgefield**

New Footpath



Footpath to be extinguished



Scale 1: 2,000

**Public Rights of Way /
Highways not affected by
the proposal**

- Footpath
- |-|-|-| Bridleway
- ^ ^ ^ ^ Byway
- █ Adopted Highway

Drawn: 14 February 2017

Postcode: TS21 2EB

