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<b>REPORT TO:</b>	<b>Environmental Services Committee</b>	<b>AGENDA ITEM:</b> 7
<b>DATE OF MEETING:</b>	<b>22 August 2002</b>	<b>CATEGORY:</b> <b>DELEGATED</b>
<b>REPORT FROM:</b>	<b>Planning Services Manager</b>	<b>OPEN</b> <b>PARAGRAPH NO: N/A</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>Derrick Kinsey ext 5725</b>	<b>DOC:</b> <b>commrepf6sut22Aug02</b>
<b>SUBJECT:</b>	<b>Proposed Diversion of Public Footpath No 6 (Part) Parish of Sutton on the Hill</b>	<b>REF: DK/JM/E/7/3/98</b>
<b>WARD(S) AFFECTED:</b>	<b>North West</b>	<b>TERMS OF REFERENCE: ES 06</b>

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## **1.0 Recommendations**

1.1 It is recommended that an order be made under the provisions of the Town and Country Planning Act 1990, Section 257 to divert part of the definitive line of Public Footpath No 6 Parish of Sutton on the Hill (Part) to the proposed line on the enclosed plan.

## **2.0 Purpose of Report**

2.1 To determine an application to divert part of Public Footpath No 6 Parish of Sutton on the Hill.

## **3.0 Detail**

3.1 An application has been received from Mr G A Thomson of High Barn, Church Lane, Sutton on the Hill, Ashbourne, Derbyshire, DE6 5JA to divert a section of the above public right of way. The diversion is required to facilitate building operations following a successful planning application for conversion and extension of outbuildings to form a dependant relative unit.

## **3.2 The Definitive Line**

The definitive line which is approximately 310 metres long goes from Church Lane in a south easterly direction to Hall Lane west of Devils Elbow.

The footpath is moderately used.

### 3.3 The Proposal

The proposed diversion (under the Town and Planning Act 1990 Section 257) relates to the approximately 75 metre section marked A to B shown as a bold solid line on the enclosed plan, the alternative route is shown as a bold broken line between points C to B.

A wicket gate will be provided at Point C (adjacent to the field gate). A 1.8 metre width will be required on the field edge.

### 3.4 Assessment

My assessment of the proposal is as follows:

- The proposed line would be only a few metres away from the original line.
- The proposed line would not alter the termination of the footpath.
- The whole of the new proposed line would still have a natural surface.
- The pleasant views would remain the same.
- The applicant will provide a wicket gate for easy access.

### 4.0 Financial Implications

4.1 There are no direct financial implications for the council as the costs associated with the order are met by the applicant.

### 5.0 Corporate Implications

5.1 The Rights of Way Officer has completed the informal consultation and no objections have been received. Subject to the Committee approval, the application, will be referred to the Legal and Members Services to complete the order making process.

### 6.0 Background Papers

14/02/02 application, 19/6/00 informal consultation.