

| Report of | Meeting | Date |
|----------------------------|-------------------------------|------------|
| Director of Transformation | Development Control Committee | 16/11/2010 |

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257 CHORLEY BOROUGH COUNCIL PUBLIC FOOTPATH NO. 4 AND PUBLIC FOOTPATH NO.19 CHORLEY PUBLIC PATH DIVERSION ORDER 2010

PURPOSE OF REPORT

1. To consider confirmation of a Public Path Diversion Order made on 14 September 2010 in order to facilitate the development of residential housing.

RECOMMENDATION(S)

2. That the Director of Transformation be authorised to confirm as an unopposed Order the Chorley Borough Council Public Footpath No. 4 and Public Footpath No. 19 Chorley Public Path Diversion Order 2010, made pursuant to Section 257 of the Town and Country Planning Act 1990, formally authorising the diversion of Public Footpaths No. 4 and 19 Chorley in order to permit development to be carried out in accordance with the grant of planning permission, namely the construction of residential housing.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

3. The proposal to effect the diversion of Public Footpaths No. 4 and 19 Chorley was approved by the Development Control Committee on 30 March 2010. The Order was first made on 8 July 2010 with advertisement in the local press, notices posted on site and statutory consultation. A local resident brought to officers' attention a mistake in the route of the diversion as shown on the Order Map compared with the path as laid out within the development. The Order was remade with corrections to the Order Map on 14 September 2010 and no objections were received following publication of the Order in the press, posting of notices on site and notification to all statutory consultees.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. The only other alternative is to refuse to confirm the Order, notwithstanding the previous approval of the Development Control Committee, the agreement of Lancashire County Council and the fact that there were no objections to the proposal by the public or any of the various statutory consultees,

CORPORATE PRIORITIES

5. This report does not relate to any of the following Strategic Objectives:

| | | | |
|--|--|---|--|
| Put Chorley at the heart of regional economic development in the Central Lancashire sub-region | | Develop local solutions to climate change. | |
| Improving equality of opportunity and life chances | | Develop the Character and feel of Chorley as a good place to live | |
| Involving people in their communities | | Ensure Chorley Borough Council is a performing organization | |

BACKGROUND

1. Public Footpath No. 4 Chorley runs from Crosse Hall Lane in a generally northerly direction across land sandwiched between the Black Brook and the M.61 Motorway to From Street. The land over which the footpath runs was formerly pasture land.
2. Public Footpath No. 19 Chorley runs from Eaves Lane, by way of Canal Walk, in a generally easterly direction across an undeveloped expanse of open land to the Black Brook, which is crossed by means of a foot-bridge, whereupon the Footpath joins up with public Footpath no. 4.
3. Planning permission was granted to Morris Homes Ltd several years ago to develop the parcel of land bounded by the Leeds-Liverpool Canal on the west, the M.61 Motorway on the east, Crosse Hall Lane on the south and From Street on the north for residential housing. The estate is known as Rivington View.

DETAILS OF PROPOSAL

4. The three lengths of Footpath No. 4 forming the subject of the application run for a total distance of 319 metres. The first length to be diverted comprises a 112 metre length running from point A on the map attached in a generally northerly direction to point B, which length is to be diverted on the new estate footpath running from point A by way of point E to point B, a total distance of 141 metres.
5. The second length of Footpath No. 4 to be diverted runs from Point C northwards to Point D on From Street, comprising a distance of about 112 metres, and is to be diverted on to the new estate road, as marked by the line C-F-G and thence on to the new link-footpath, as marked by the line G-H-D, a total distance of approximately 145 metres.
6. The third length of Footpath No. 4 to be diverted runs from point J in a generally southerly direction to point K and to point L on the Order map for a total distance of about 95 metres and is to be diverted onto the estate footpath marked by bold black dashes from point J to point L for a total distance of about 100 metres.
7. The length of Footpath No. 19 to be diverted runs for an approximate distance of about 105 metres. The length to be diverted runs from point M on the map attached in a generally easterly direction to point K, which length is to be diverted onto the footway of the new estate road adjoining the carriageway shown by bold black dashes from point M to point K, a total distance of approximately 130 metres.
8. Although the diversions lead to slightly longer routes, they are not significantly different in nature (i.e. gradients), extent or direction to the existing routes. The end effect of the diversion order will result in the footpaths being encompassed within a fully urbanised environment.
9. A copy of the Order made on 14 September 2010 is attached.

IMPLICATIONS OF REPORT

10. This report does not have any implications in relation to the following areas:

| | | | |
|-----------------|--|--|--|
| Finance | | Customer Services | |
| Human Resources | | Equality and Diversity | |
| Legal | | No significant implications in this area | |

GARY HALL
DIRECTOR of TRANSFORMATION

There are no background papers to this report.

| Report Author | Ext | Date | Doc ID |
|---------------|------|------------------|--------|
| Alex Jackson | 5166 | 16 November 2010 | *** |