

Item No 05:-

19/02661/PROWOR

**Little Paddocks
Kilham Lane
Shipton Oliffe
Cheltenham
Gloucestershire
GL54 4HX**

Item No 05:-

**PROPOSED DIVERSION - Shipton Oliffe Footpath KSN7 at
Little Paddocks
Kilham Lane Shipton Oliffe**

Public Right of Way Order application 19/02661/PROWOR	
Applicant:	Mr Robin Hughes
Agent:	Corinium Planning Services
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Robin Hughes
Committee Date:	9th October 2019

Site Address:

Poultry Barn
Little Paddocks
Shipton Oliffe
Gloucestershire
GL54 4HX

Planning history:

14/02565/AGFO: Replacement agricultural machinery store. Prior approval not required
04.07.2014

19/01619/FUL: Conversion of Former Poultry Barn to Two Holiday Accommodation Units with
Internal Connectivity. Granted 11.09.2019

Footpath Diversion Details

The application proposes the diversion of a public footpath in Shipton Oliffe, no. KSN7, which is requested in connection with the recent decision to grant planning permission for the conversion of a former poultry building into two holiday accommodation units (19/01619/FUL). The application is reported to Committee as the applicant is the local Ward Member, Cllr Robin Hughes.

FOOTPATH TO BE DIVERTED

The entire width of that length of public footpath numbered KSN7 in the Parish of Shipton Oliffe commencing at Point A to the south of Little Paddocks, Kilham Lane at Grid Ref SP 0359 1830 in a south westerly direction to Point B at SP 0346 1822 turning south-south west then continuing in a south westerly direction to Point C at SP 0335 1808 for approximately 336.5m as shown between Points A - B - C on the plan attached to this Order and having an undefined width.

FOOTPATH TO BE CREATED

An alternative length footpath with a width of 3m commencing at Point A to the south of Little Paddocks, Kilham Lane at SP Grid Ref SP 0359 1830 in a south-south easterly direction approximately parallel with Kilham Lane for approximately 199m to SP 0365 1811 (Point D) then in a westerly direction for approximately 310m to SP 0363 1816 (Point C) as shown between points A - D - C.

AGENT COMMENT

Please note that the definitive Footpath route had not been used for in excess of 50 years and was impassable at the time of the applicant's purchase of the land in 2010; however, some of the route is now passable. The informal tolerated route agreed by the previous landowner is free from obstruction and available for and is still in use.

CONSULTATIONS

Consultations were sent to the following consultees:

Auto-Cycle Union
British Horse Society
Byways and Bridleways Trust
The Open Spaces Society
Cyclists Touring Club
Ramblers Association
Parish Council
Gloucestershire County Council Rights of Way Officer
Gloucestershire Highways
Thames Water
National Grid
BT Openreach

3 consultation responses were received as follows:-

Gloucestershire County Council Operations Officer Public Rights of Way:

As you know, I'm familiar with the site and location of this diversion. Although the route is further than the original it is, aesthetically, much more pleasant. The surface running due south from the original path is along hard track and satisfactory as a footpath. The path then turns east and goes up the hill over a grass field. This, too, is satisfactory. As you know the previous path ran behind some chicken sheds (which I know is due to change) and alongside a fence so this diversion makes for a far nicer experience compared to the original.

Gloucestershire County Council Public Rights of Way Public Path Order Officer:

As a thought had you or the applicant considered taking the path almost straight to the road rather than along the track? See my map. It may of course attract unwanted objections but it would take walkers away from the holiday cottages.

A copy of the map showing the suggested route referred to is attached as an Appendix to this report.

National Grid:

No objection

Planning Policies:

Not applicable

Purpose:

To seek authority for Officers to make a Public Path Diversion Order under Section 257 the Town and Country Planning Act 1990. and carry out the required statutory consultation.

The diversion is necessary to enable a permitted scheme for the conversion of a former poultry building to be converted into two units of holiday accommodation. These works would not be compatible with the existing route of the right of way.

Background:

Planning permission was granted on 11th September 2019 for 'Conversion of Former Poultry Barn to Two Holiday Accommodation Units with Internal Connectivity' - application reference 19/01619/FUL.

With regard to the Public Right of Way, the report to Planning Committee commented, at Section 8 d) that: -

'There is a Public Right of Way that runs immediately along the northern side of the building subject to this application, and Members should be aware that the impact of the development upon the users of this right of way is material to the determination of the application.'

Notwithstanding this, there is a concurrent application to divert the Public Right of Way to a different route further away from the building (19/02661/PROROW) that is currently within the public consultation period. The determination of this application does not have to be made at the same time as the current planning application. However, it should be noted that the applicant's intention is to divert users of the Public Right of Way along an alternative route.'

As a result of the implementation of the planning permission, it will be necessary to divert a section of Shipton Oliffe Footpath KSN7, as described in the attached draft order.

Recommendation:

That authority be given to make the Order and carry out the required statutory consultation.



LITTLE PADDOCKS SHIPTON OLIFFE - FOOTPATH KSN7

Scale: 1:2500

Organisation: Cotswold District Council

Department:

Date: 26/09/2019



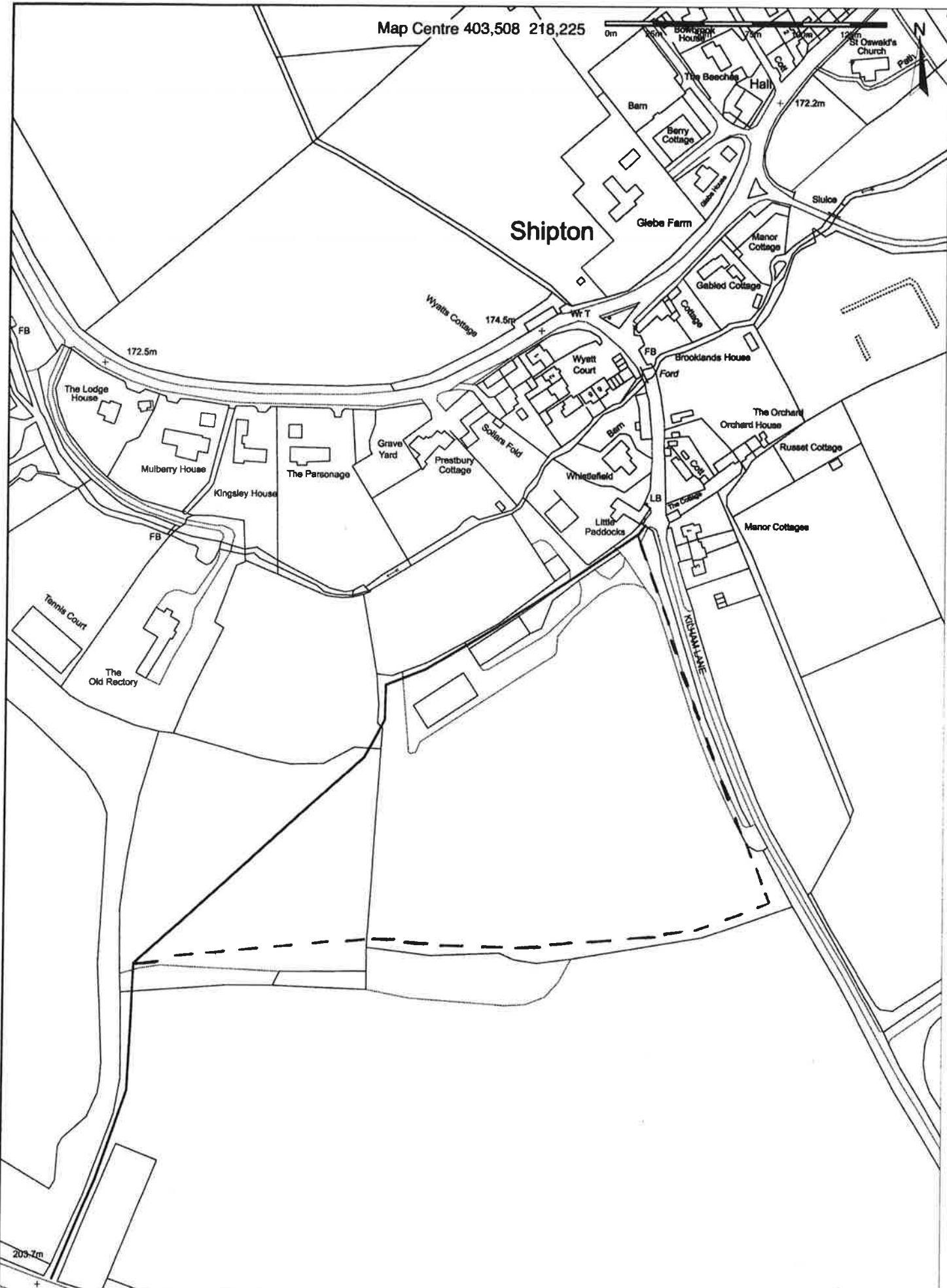
COTSWOLD
DISTRICT COUNCIL



Map Centre 403,508 218,225



Shipton



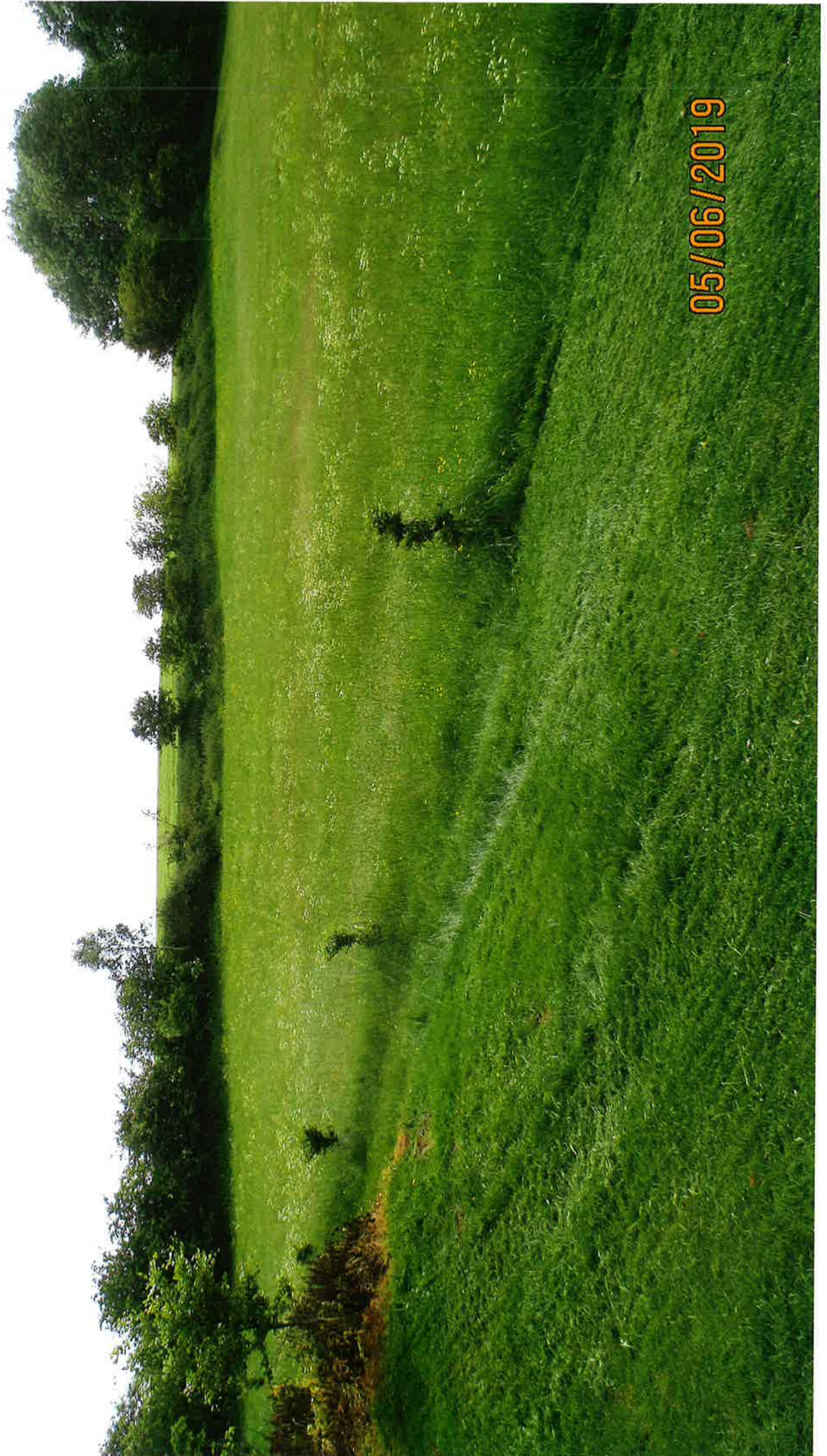
Legend 22-07-19
 - - - - - Proposed Diversion
 ——— Definitive Footpath KSN7

MS 209.8m



05/06/2019

05/06/2019



TITLE:
KSN 7



DRAWN BY: Martine Tyler
DATE: 23rd August 2019
SCALE: 1:2,500

Legend

Footpath to be stopped up



Footpath to be created



Unaffected footpaths



Public Rights of Way
Gloucestershire County Council
The County Council Offices
100 High Street
Gloucester GL1 2TG
Tel: (01452) 328172

