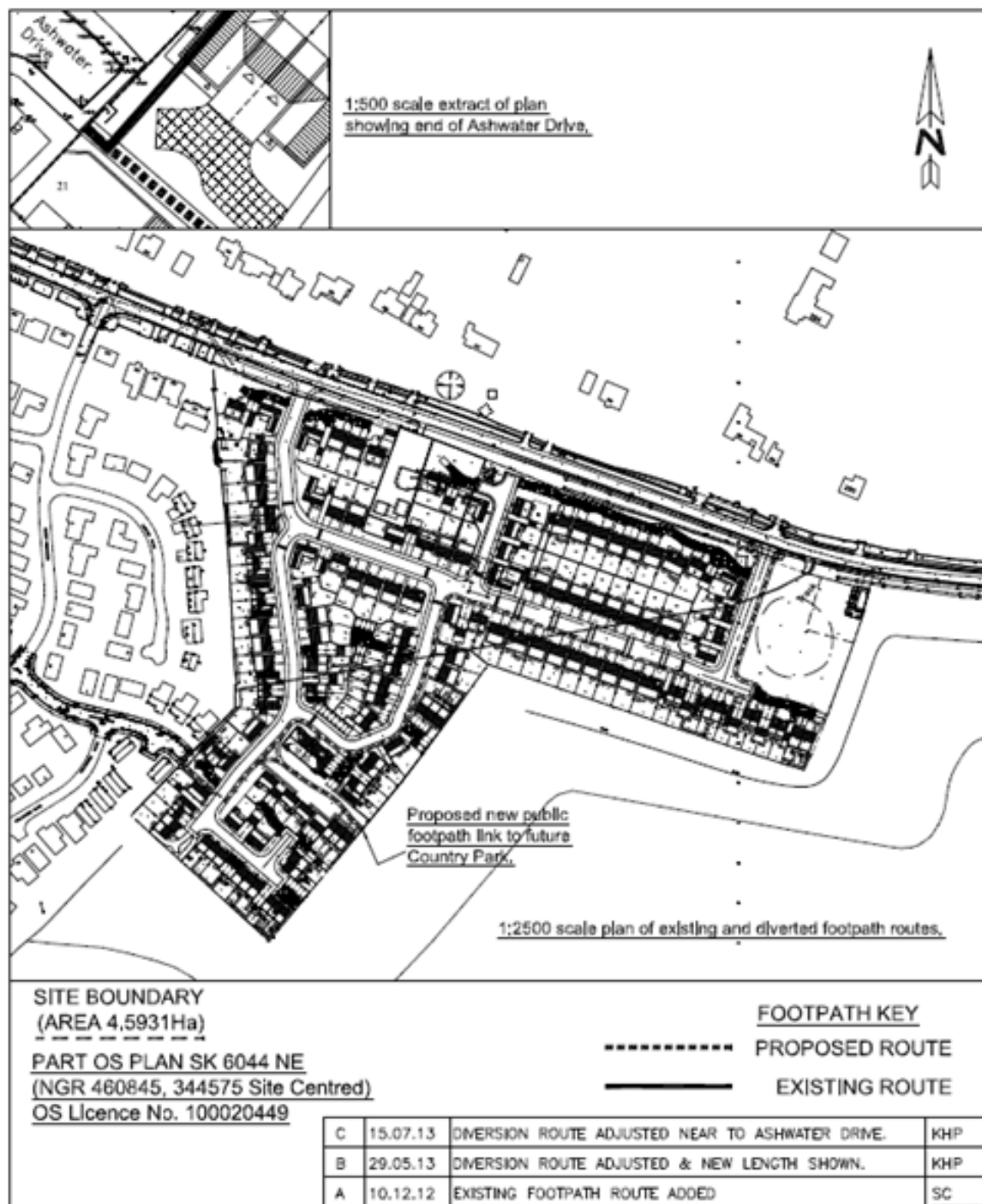


Application Number: 2014/1149
Location: Land Surrounding 315 Spring Lane, Mapperley.



NOTE:

This map is provided only for purposes of site location and should not be read as an up to date representation of the area around the site.
 Reproduced with the permission of the Controller of H.M.S.O. Crown Copyright No. LA 078026
 Unauthorised reproduction infringes Crown copyright and may lead to prosecution of civil proceedings

Report to Planning Committee

Application Number: 2014/1149

Location: Land Surrounding 315 Spring Lane, Mapperley.

Proposal: Footpath Diversion

Applicant:

Agent:

Case Officer: David Gray

Introduction

1. In 2013 the Borough Council received an application for the diversion of part of footpath No 1 which would pass through a development site at Lime Tree Gardens Spring Lane Mapperley Notts NG3 5RR so that the route of the footpath would follow the estate roads of the new development.
2. Initially a Diversion Order was made under the Town and Planning Act 1990 but this had to be abandoned because the development was substantially completed before the Diversion Order had been confirmed and so that legislation no longer applied.
3. A new Order was made under section 119 of the Highways Act and duly advertised. This was the subject of an objection by the Ramblers Association on the grounds that they wished to see the footpath diverted out of the housing estate into Gedling Country Park and from there along an existing path to access Spring Lane.
4. Following lengthy discussions between Borough Council officers, officers from the NCC Rights of Way team and representatives of the Ramblers Association the concerns of the Ramblers Association have been satisfactorily addressed through the footpaths which have been provided through the adjoining new development into Gedling Country Park .
5. The Ramblers Association have now formally withdrawn their objection in writing so the Borough Council may proceed to confirm the Diversion Order as an unopposed Order. It is important that the Borough Council does this and formally brings the diversion into force since otherwise the line of the footpath on the Definitive Footpath map will continue to run through the properties now forming the development causing significant future problems for the owners of these properties.

6. It would be unreasonable for the Council to refuse to confirm the Diversion.
7. There are no financial implications in confirming the Diversion as the costs of making and advertising the Diversion Order are passed on to the developer.

Recommendation:

THAT :

Gedling Borough Council (Carlton Footpath No 1) Diversion Order 2015 be confirmed as an unopposed Order and that officers be authorised to advertise the confirmed Order and take all necessary steps to bring the diversion into effect.

Reasons for Recommendations

To formally divert Carlton Footpath No 1 where it crosses the development site at Lime Tree Gardens Spring Lane to follow the line of the new estate roads.