

REPORT OF THE STRATEGIC DIRECTOR TO THE
DEVELOPMENT CONTROL COMMITTEE
21 MAY 2007

Footpath Diversion Order – Footpath 5 Sparsholt
Northfield Farm Bungalow

1.0 Introduction and Report Summary

- 1.1 The purpose of this report is to consider and give authority, if appropriate, for the Council to make a Diversion Order in respect of Footpath No. 5 Sparsholt under Section 119 of the Highway Act 1980. The proposal is to divert the existing footpath from points A-B shown coloured blue on the plan attached at Appendix 1 to this report to a new route between points B-C shown coloured green on the plan.
- 1.2 The contact officer for this report is Sarah Commins, Senior Legal Officer (telephone number 01235 547613).

2.0 Recommendation

- 2.1 *That authority be given to the Strategic Director and Monitoring Officer to proceed with the Diversion Order Footpath No. 5 Sparsholt.*

3.0 Relationship with the Council's Vision, Strategies and Policies

- 3.1 This report is consistent with the Council's Vision Statement and Aims.
- 3.2 This report does not conflict with any policy or strategy of the Council.

4.0 Background Information

- 4.1 Planning permission for a bungalow for agricultural workers was granted by the Council on 15 February 1985 under reference SPA/8092. Condition (2) of the planning permission stipulated that "vehicular access to the bungalow must make provision for the existing public footpath and must not obstruct footpath in any way".
- 4.2 A Diversion Order should have been instigated at this point, before the bungalow was constructed, but this did not occur.
- 4.3 The current owner purchased the bungalow which forms part of Northfield Farm in December 2003. Searches revealed, at the time of purchase, that the route of the existing footpath on the definitive map actually cuts through a corner of the bungalow.
- 4.4 The current owner would like the existing footpath to be diverted from the existing route to the new route proposed and has duly made an application to this Council to invoke its powers under Section 119 of the Highway Act 1980.
- 4.5 A preliminary consultation exercise was carried out by FDP Savills on behalf of the current owner and the following have confirmed, in writing, that they have no objection to the diversion of the footpath as proposed.

- Sparsholt Parish Council

- Campaign to Protect Rural England – Oxfordshire
- Childrey Parish Council
- The Ramblers' Association
- Open Spaces Society

4.6 Oxfordshire County Council has also confirmed that it has no objection to the proposed diversion of the footpath subject to the path being diverted on to the sealed track which provides access to the farm buildings and way marking.

4.7 The track referred to is the route that the public are currently using. The plan annexed to this report has been drawn in accordance with these requirements and the owner of the bungalow has agreed to arrange for the route to be way marked.

SARAH COMMINS
Senior Legal Officer

TIM SADLER
Strategic Director

Background Papers:

Document 1: Proposed footpath diversion plan

Document 2: Initial letter requesting footpath diversion

Document 3: Confirmation of consent received from Oxfordshire County Council with respect to the proposed footpath diversion

Document 4: Confirmation that the new route will be way marked as requested by Oxfordshire County Council

Document 5 : Letters received confirming no objection to proposed footpath diversion