

AGENT: MIK THOMAS WILKINSON  
PLANNING PROPERTY SERVICES  
07786805977  
info@planningpropertyservices.co.uk  
To: Cambridgeshire County Council acting as agent for the Local Planning Authority

**TOWN AND COUNTRY PLANNING ACT 1990  
APPLICATION FOR AN ORDER TO PERMANENTLY DIVERT  
A PUBLIC RIGHT OF WAY**

Name of applicant FABCO PROPERTIES LIMITED  
Address .....  
.....  
Tel. (work) ..... Tel. (home) .....

I hereby apply for the diversion of the footpath/bridleway\* known as  
SAWSTON [parish] ..... 18 ..... [no.] under s.257 of the Town and Country Planning Act  
1990 and undertake, if an order for the diversion of the path is made, to carry out  
such work on the diverted route of the path as may be required to bring the path into  
a fit condition for public use to the satisfaction of the County Council, prior to the  
confirmation of the order.

(\*Delete the term that does not apply.)

Signed AWM ..... Date 20/06/2011

**Consent of other landowner/s and other requirements**

Written consent of any other landowner/s affected by your proposed diversion (for both the existing line and proposed new line) must be obtained prior to submission.

A copy of the County Council's requirements for making diversion orders can be found at the end of this application form. The County Council will require all of these to be met. Please note in particular:

The requirement for pre-application consultations: The applicant must consult with the relevant Parish Council and local user groups, and must append copies of any correspondence to this application

**The path to be diverted**

Parish SAWSTON ..... No. 18 .....  
From ..... OS grid ref. ....  
To ..... OS grid ref. ....  
General description of path .....

**Landowner**

Name FABCO PROPERTIES LIMITED  
Address .....

**Lessee/tenant**

Name n/a .....  
Address .....

**Occupier**

Name ..... n/a .....  
Address .....

**Reasons for the diversion**

Local Planning Authority: SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL  
Planning application No: S/2435/07/F  
Date of Planning Permission: 4th DECEMBER 2008 (APPEAL REF 2082851)  
Description of proposed development: THE CHANGE OF USE OF THE EXISTING SHOP / DWELLING AND THE ERECTION OF A NEW BUNGALOW

**The proposed new route of the path**

Please enclose a signed and dated plan, preferably at scale of not less than 1:2,500 and based on an Ordnance Survey map.

From ..... OS grid ref. ....  
To ..... OS grid ref. ....

General description of new path ..... 2M WIDE TARMAC PEDESTRIAN FOOTPATH .....

**Landowner**

Name ..... FABCO PROPERTIES LIMITED .....  
Address .....

**Lessee/tenant**

Name ..... n/a .....  
Address .....

**Occupier**

Name ..... n/a .....  
Address .....

**Other Legal Interests**

Please give details of any other person(s) having a legal interest in the land over which the right of way is to be diverted, for example other landowners, mortgagees or other persons having an easement over the land:

..... n/a .....  
.....

Has the written consent of all such persons been obtained?  
Yes/no (Delete as applicable.)

The consents must accompany this application.

## Statement

I hereby agree to put the new route(s) into a fit condition, as approved by the Council, for use by the public within 28 days of a request by the Council to do so.

I hereby undertake to defray any compensation which becomes payable in consequence of the coming into operation of the order, and to pay in full the County Council's administrative costs of making the order and the costs of the public notices.

I also undertake with Cambridgeshire County Council to meet in full the requirements of any statutory undertaker in respect of any apparatus which may be over, in or under the right of way in respect of which I am making this application. I understand that the consent of the statutory undertakers (i.e. gas, water, electricity, telecommunications, the Post Office and the Civil Aviation Authority) is required before the order can be confirmed by the council and that their consent may be conditional on my carrying out works to protect the statutory undertakers' apparatus and/or rerouting it. (The Council will consult with statutory undertakers on your behalf.)

### Data Protection

Applicants' names and addresses will be held by the County Council and will be published in its decision report, which will remain as part of the legal record in the public domain. They may also be published on the County Council's website if regulations so require, but if exemptions are possible applicants will be contacted at that point for their consent.

I have read and understand this application and make my application acknowledging the conditions specified in it.

Signed AWJh ..... Date 20/06/2011

## **Pre-application consultations**

Please append copies of all correspondence with user groups and the relevant Parish Councils. Have any objections been raised?

.....  
.....

## **Works**

Following receipt of this application, the County Council's rights of way officer will contact you to arrange to meet you to inspect the proposed new route and to agree the works that will be needed to bring it into a fit condition for use as a public path. These works will be confirmed in writing following the site inspection. Please note that the Council will require a minimum width of 2m to be provided for the new route of a public footpath, and a minimum of 4m for the new route of a public bridleway. The new path will be signposted and/or waymarked to the extent deemed necessary by the Council.

## **Coming into operation of an alternative route**

Please note that the existing route of the path to be stopped up will **not** be extinguished until an officer of the Countryside Access Team acting on behalf of the highway authority (Cambridgeshire County Council) has certified that the new route of the alternative path has been provided on the ground to a suitable standard for use by the public. It is the applicant's responsibility to ensure that works to provide the new route of the path are completed.

## **Recovery of fees and costs**

Under the 'Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993 as amended by SI 1996 No 1978, the County Council may recover from the applicant the reasonable administrative costs of processing applications for, and making, public path orders. The County Council will invoice you for:

- the administrative costs of processing your application up to the making of a public path order, a charge of £971.60.
- staff travelling expenses @ 45p per mile.
- the cost of inserting one Public Notice in a local newspaper at the time of the making of the order, one Public Notice in a local newspaper at the time of the confirmation of the order and one Public Notice in a local newspaper at the time of the coming into operation of the order

The costs of taking an opposed order to a public inquiry will be met by the County Council or District Council, but the County Council will expect the applicant to provide their own legal representation at the inquiry. Please note that the Council reserves the right to decline to proceed to a public inquiry for an opposed order.

For further information see the County Council's *Public Rights of Way – A guide for planners and developers* available on our website at

<http://www.cambridgeshire.gov.uk/environment/countryside/definitive/>

and *A guide to definitive maps and public rights of way* published by Natural England:

<http://naturalengland.etraderstores.com/NaturalEnglandShop/Product.aspx?ProductID=8f4433c1-0c14-488e-96b6-b7d67bacbfd4>

## **Public Path Diversion Orders – Cambridgeshire County Council requirements for making an order**

### **Diversions**

- pre-application consultations have been carried out with the prescribed bodies
- where possible, a suitable alternative path is provided for every path that is to be stopped up under s257 Town & Country Planning Act 1990
- the proposed new routes of paths are reasonably convenient to the public when compared with the original routes
- the Parish Council does not object to the proposals
- no objections are received to the proposals during the statutory consultation period prior to making an order
- the proposed new route is not less convenient for maintenance than the original
- the maintenance burden on the County Council of the new route is no greater than that of the original
- if the maintenance burden is greater, the landowner may be required to enter into a maintenance agreement with the County Council
- a minimum width of 2m is provided for the new route of a public footpath, and a minimum of 4m for the new route of a public bridleway
- that all works needed to bring the new route of the path into a suitable condition for use by the public are carried out at the expense of the landowner to the Countryside Access Team's specifications

### ***Pre-application consultations***

*Applicants are advised that prior to formally submitting their diversion or extinguishment application to the Countryside Access Team, they must complete informal consultations with the prescribed bodies (list attached). This will identify at an early stage whether the proposal is likely to be accepted by the public, and all responses received should be attached to the application form.*



# Proposed diversion of Sawston FP18



Scale (at A4): 1:1250  
 Date: 02/08/2011  
 By: fh298