

RIGHTS OF WAY COMMITTEE – 26TH JANUARY 2004

SUBJECT: DIVERSION OF FOOTPATHS 54 AND 56 IN THE COMMUNITY OF CAERPHILLY

REPORT BY: DIRECTOR OF THE ENVIRONMENT

Highways Act 1980

Diversion of footpath No.54 and 56 in the Community of Caerphilly

Section 119 of the Highways Act 1980

Former Caradon Catnic site, Pontygwindy Road, Caerphilly

1. PURPOSE OF REPORT

1.1 To advise Committee of a diversion application in respect of footpath Nos. 54 and 56 in the Community of Caerphilly

2. LINKS TO STRATEGY

2.1 Environmental improvements, sustainable development.

2.2 The Authority has a duty to maintain Definitive Map and Statement.

3. THE REPORT

3.1 The site affected by the right of way is indicated on the location plan attached as Document No.1.

3.2 A copy of the definitive map is attached as Document No.2

3.3 The paths are described in the definitive statement as follows

Footpath No. 54 Caerphilly Urban District

Width 457 Width Undefined

Commences on a parish road opposite Gwastad Cottage, Pwllypant and proceeds south-east across fields to Pont-y-Pandy Farm.

Footpath No. 56 Caerphilly Urban District

Width 411 Width Undefined

Commences on the Class I road (A469) immediately south of Tytwmpyn and proceeds eastwards across fields to join footpath 54 north-west of Pontypandy Farm.

The site is shown in more detail on plan attached as Document No. 3.

An application has been received from PSK Prout Tilbrook on behalf of their clients West Quay Developments Ltd., for the diversion of footpath No.56 in the Community of Caerphilly following the granting of a planning consent for office accommodation.

The site for the building works in question is adjacent to Pontygwindy Road, Caerphilly.

Footpath No. 56 enters the site from the east and crosses in a southwesterly direction to terminate on Pontygwindy Road.

The land to the east, forms part of the Caradon Catnic site and is controlled by West Quay Development although tenanted back to Caradon Catnic. The present application would be considered under planning powers, but would require the public to pass between the two sites before continuing west along the access road to Pontygwindy Road.

It has been agreed therefore to include the remaining section of footpath No. 56 to its junction with footpath No.54. In that the definitive route of footpath No. 56 has been obstructed by the Caradon Catnic building, the present owners have requested that this section of footpath No.56 is included within the current diversion.

Although part of the network is affected due to planning it does not prevent the Authority from processing the whole matter under highway powers.

Members will recall considering a similar application by Caradon Catnic and Mr. P. Wells, Mackworth Grange at its meeting on the 23rd June 1998. At that time the application included the section of footpath No.54 to the southeast through Mackworth Grange. An order was subsequently processed but was the subject of objection. This section of the path is omitted from this application.

The existing routes of the paths are indicated on plan by bold black lines A-B and A-C and shown on Document No. 4.

The alternative diversions are indicated on plan by bold black dashed lines A-F-B and A-D-E also on Document No.4.

The applicants have agreed to the following conditions in their letter of the 4th November 2003, Document No.5

1. the new paths to be a minimum of 1.4 metres wide if bounded on one side and 1.8 metres if bounded on both and constructed of blinded hardcore or similar material to a depth of 100mm. The maximum gradient to be no greater than 1:8, if this exceeded then steps to BS shall be agreed and constructed
2. the new routes to be signposted where they terminate on metalled highways and waymarked throughout their routes.
3. the actual administration and advertising costs of between £1,800.00 and £3,500.00 to be borne by the applicant

5. FINANCIAL IMPLICATIONS

5.1 None

6. PERSONNEL IMPLICATIONS

6.1 None

7. RECOMMENDATIONS

That a diversion order be processed under Section 119 of the Highways Act 1980 in

accordance with the following descriptions:-

Description of existing Path or Way (footpath No.56)

That part of footpath No. 56 in the Community of Caerphilly commencing at its junction with footpath No. 54 at a point approximately 110 metres north west of the property known as "Pont-y-Pandy Farm" and proceeding in a west north westerly and west south westerly direction to its termination on Pontygwindy Road at a point approximately 480 metres west north west of the said property a total distance of 395 metres or thereabouts shown on plan by bold black line between points A-C

Description of Alternative path or Way

A new path to a width of 1.8 metres commencing at its junction with footpath No. 54 at a point approximately 110 metres north west of the property known as "Pont-y-Pandy Farm" and proceeding in a south easterly, west north westerly and south westerly directions to its termination on Pont-y-Gwindy Road at a point approximately 445 metres west of the said property a total distance of 367 metres or thereabouts and shown on plan by a bold black dashed line between points A-D-E

Description of Existing Paths or Way to be Diverted

That part of footpath N°54 in the Community of Caerphilly commencing at a point approximately 110 metres west of the centre of the property known as Pont-y-Pandy Farm and proceeding in a general north westerly direction to its termination at the boundary of the Caerphilly Northern bypass at a point approximately 300 metres northwest of the said property a total distance of 200 metres or thereabouts. Shown on plan by bold black line between points A-B

Description of Alternative Paths or Way

A new path to a width of 1.8 metres if bounded on both sides or 1.4 metres if bounded on one, commencing at a point 110 metres west of the property known as Pont-y-Pandy Farm and proceeding in a north north west and westerly directions to its termination at a point on the boundary of the Caerphilly Northern bypass at a point approximately 300 metres northwest of the said property a total distance of 250 metres or thereabouts shown on plan by bold black dashed line between points A-F-B

8. REASONS FOR THE RECOMMENDATIONS

8.1 To facilitate the interests of the landowner whilst retaining the footpath provision.

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Background Papers:

Available at Pontllanfraith Offices

List of Documents

Document No. 1	Location plan
Document No.2	Definitive Map
Document No.3	Detail Plan
Document No.4	Site Layout
Document No.5	Acceptance of Conditions