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Andrew Powell,  
Rights of Way Dept.,  
Pontllanfraith House,  
Pontllanfriath  
Blackwood  
NP12 2YW

Date 3<sup>rd</sup> April 2013

Dear Sir

**Caerphilly County Borough Council: Town and Country Planning Act 1990 Section 257 Proposed Part Diversion of CRoW 89 in the Community of Abercarn.**

The Open Spaces society opposes the plans to divert CRoW 89 in the Community of Abercarn. It is difficult to give details to the objection without knowing whether the application will be made before or after the development is complete.

It is our understanding that on a green-field site, a path can be diverted anywhere that there isn't an existing right of way, if that diversion is necessary to the development. On a green-field site there obviously will not be any existing roads or pavements. However, if the development has already taken place the public footpath cannot be diverted onto an existing road or pavement because the public already has access to roads and pavements. This type of application would effectively be an extinguishment without going through the correct procedures.

There is very good reason why public footpaths should not be diverted onto pavements. One only has to walk around the streets surrounding the planned development, to see that it is commonplace for residents to park cars on the pavements, thus restricting access. I am sure that you would agree that a member of the public would be scoffed at if they were to contact the rights of way department on a daily basis seeking the removal of obstructions. As it is not uncommon to see Police personnel walking past vehicles parked on pavements without taking action, it is unlikely that walkers could call on the Police to solve this problem.

In informal consultations with local residents some months ago it was alleged that the reason for this diversion was that building the houses would create a narrow footpath behind the houses, which would in turn lead to anti-social behaviour and crime. Is there any evidence of unmanageable anti-

social behaviour or crime in this area? If so, maybe the developer should reconsider the siting of this development. From the map of the planned development it appears that the developer wants the land on which the right of way exists in order to make the gardens of eleven houses bigger. No doubt the use of this land allows the developer to fit more houses onto the site and thus make a bigger profit.

It is obvious that local residents use CRoW 89 for access from one community to another and for leisurely walking their dog. Walking on pavements is not the same experience as walking on grass, even if there were not the issue of vehicles obstructing the pavements.

Yours faithfully,

Maggie Thomas – Open Spaces correspondent for Caerphilly County Borough.



**The Open Spaces Society 25a Bell Street Henley-on-Thames RG9 2BA**



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