



RIGHTS OF WAY CABINET – 1ST DECEMBER 2016

SUBJECT: APPLICATION FOR A MODIFICATION ORDER TO AMEND THE MID GLAMORGAN COUNTY COUNCIL DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY IN RESPECT OF ADDING A PATH IN THE COMMUNITY OF GELLIGAER

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To consider and determine an application to ADD a path to the Definitive Map and Statement in the Community of Gelligaer.

2. SUMMARY

- 2.1 The application is made under Section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 which is the discovery of evidence which would suggest the right of way should be recorded. The application could have been made under Section 53(3)(b) which is based upon long use in excess of twenty years.

There is some overlap with these provisions as shown in the case of O’Keefe v Sec of State for Environment and Isle of Wight (1997) which confirmed that in considering an application under sub section 53 (3)(c)(i) an authority can also take into account the establishment of a right of way by long user. The difference is applying under the latter section however is that the evidence need only show that right of way is reasonably be alleged to exist, whereas under 53(3)(b) it must be proven that the right of way exists. If it can the order must be made.

- 2.2 The report sets out the evidence regarding an application to ADD a footpath from number 11 Ogilvie Terrace to rear lane at the rear of number 4 Ogilvie Terrace, Deri to the Definitive Map and Statement together with evidence from land owners disputing its existence.

3. LINKS TO STRATEGY

- 3.1 The Wildlife and Countryside Act 1981 places a duty on the council to maintain an up to date Definitive Map and Statement
- 3.2 The Rights of Way Improvement Act has committed the Council to keeping the definitive map and statement under continuous review.
- 3.3 The Well-being of Future Generations (Wales) Act became law in April 2015. The Act is about improving the social, economic, environmental and cultural well-being of Wales. It requires the Authority to closely consider the long term aim to work better with people and communities and each other, look to prevent problems and take a more joined-up approach in our actions.

3.4 Links can be made to all seven of the Well Being Goals however of these four are probably relevant, these being:-

- A resilient Wales
- A healthier Wales
- A Wales of cohesive communities
- A globally responsible Wales

Links can be made to include the other three Well Being Goals within the Rights of Way improvement Plan and the Countryside Strategy:-

- A prosperous Wales
- A more equal Wales
- A Wales of vibrant culture and thriving Welsh language:-

In addition to the Well Being of Future Generations Act the Rights of Way network has significant links to a wide range of other Acts and Strategies notably the Countryside and Rights of Way Act 2000, the Countryside Rights of Way improvement Plan (2007), the Caerphilly Countryside Strategy and emerging Caerphilly Active Travel Plan. The network and usage of the network has links to various social, economic and environmental strategies.

4. THE REPORT

4.1 Background

This Committee has delegated powers to determine applications for Definitive Map Modification Orders under Section 53 of the Wildlife and Countryside Act 1981. This report relates to an application to ADD a path to the definitive map and statement. Document No. 1 gives an explanation of the term “public rights of way” and the role of this Committee.

The application for a claimed right of way leading from the rear lane at the rear of number 4 Ogilvie Terrace to the footpath in front of number 11 Ogilvie Terrace to, Deri, is being dealt with under the Wildlife and Countryside Act 1981, Section 53(3)(c)(i).

4.2 Introduction

4.2.1 An application has been received under Section 53(3)(c)(i) of the Wildlife and Countryside Act 1981 from Mrs. V Price to modify the Definitive Map and Statement of the Mid Glamorgan County Council by ADDING a footpath leading from number 11 Ogilvie Terrace to rear lane behind number 4 Ogilvie Terrace, Deri. The date when the right of way first came into question was 13th/14th August, 2015, when the proposed developers erected fencing to prevent public access and this was reported to the Authority.

4.2.2 The location of the claimed right of way is shown on Document No. 2 within the circled area. This has been reproduced from the ordnance survey mapping by use of the Authority’s Geographical Information System.

4.2.3 The route of the claimed path can be located in Document No.3 along a bold broken red line shown as A-B. The application W.C.A.5, plans of the area from two utility companies – Wales & West and Transco, together with two photographs were received by the Authority on 3rd August, 2015. (Document No. 4) The photographs showing the claimed right of way in the 1980’s and the 1990’s are shown in Document No. 5.

4.2.4 The Claimed Right of Way commences at the rear lane behind number 4 Ogilvie Terrace, Deri in a diagonal north easterly direction and terminates on the rear lane at the rear of number 4 Ogilvie Terrace. The total length of the claimed path is 30 metres with a width of 1 metre. The local residents refer to the claimed right of way as the diagonal path.

- 4.2.5 The applicant notified the Authority, by submitting Notice W.C.A.7, (Document No. 6) that she had served notice on the landowners, Karina Jayne Gauden and John Vincent O'Connell on 30th August, 2015. A further notice was served on Mr. A Shenkroff as he was identified as one of the landowners in the planning application together with Ms Gauden. This was served on 20th October, 2015 and the applicant notified the Authority by submitting a further Notice W.C.A.7 (Document No. 7)
- 4.2.6 The claim is supported by twenty- eight (28) User Evidence Forms most of which have been completed by the residents of Deri who claim to have used the route on a regular basis.
- 4.2.7 Research has been undertaken to determine the validity of the claim by collating any Documentary Evidence available as well as the User Evidence provided by the local residents.

4.3 Previous Applications

- 4.3.1 In 1997 user evidence forms were submitted to claim two footpaths which were being used on the banking in front of Ogilvie Terrace. One included the path which is the subject of this report from Number 4 to No.11 and another path in front of Number 20 to the main road. This was due to a planning application to build a bungalow in front of Numbers 12 to 15 Ogilvie Terrace. A letter was sent to one of evidence users seeking completion of the relevant forms and the serving of a notice on the landowner but no response was received. Although evidence user forms were submitted as the application was not in the prescribed manner the Authority could take no further action. A copy of the user evidence forms submitted at this time are included in Document No. 8. The information provided in the evidence user forms indicated the number of years use of the path from Number 4 to No. 11 to be over 20 years in 1997.
- 4.3.2 A copy of the planning application and decision is attached as Document No. 9. This also includes the letters of objection from the local residents. They mention the two footpaths subject of the foregoing claimed rights of way in Document No. 8 and how well used they are.
- 4.3.3 Although the application to add the footpath, which was affected by the planning application was not in the correct format, it was included in the notes on the planning application stating that if the path was accepted then it could be diverted.
- 4.3.4 However, if the application to add the footpath through the planning application site had been successful an application could have been made to divert it. An application could have been made to seek a diversion but this would be subject to consultation with local residents. As the diverted route might not have been acceptable to the residents they could have raised objections. This could have resulted in the Diversion Order being sent to the Welsh Ministers for determination as to whether or not the Division Order should be confirmed or rejected.
- 4.3.5 A letter, dated 11th February, 1997, was sent to occupiers in Ogilvie Terrace by Mr. C.G. Mashallsea of Oakfields, Ogilvie Terrace, Deri, Bargoed. CF81 9JB giving notice that a boundary fence was to be erected and refuted the claimed right of way through a section of his land (i.e. from No. 20 Ogilvie Terrace to the main road). (Document No. 10)
- 4.3.6 A further 6 No. evidence user forms to claim the footpath from the rear lane of No. 4 Ogilvie Terrace to the footpath the front of No. 12 Ogilvie Terrace were handed in on the 18th February, 1998. Although W.C.A. 5 had been completed W.C.A. 6 had not been served on the landowner nor had W.C.A. 7 been submitted to this Authority confirming that this had been undertaken. The applicant was sent the relevant forms to be completed but these were never received. Therefore, again this application could not be dealt with due to it not being in the prescribed manner. Copies of the evidence user forms and W.C.A.5 are attached as Document No. 11.

- 4.3.7 Quite a number of the residents had not realised that the application to add the footpath to the Definitive Map had not been progressed due to it being in the incorrect format.
- 4.3.8 A planning application was submitted to erect residential development on land adjoining Ogilvie Terrace, Deri (Document No. 12). The claimed right of way crossed the site. The planning application was refused.

4.4 **User Evidence**

- 4.4.1 Caerphilly County Borough Council received 28 submitted User Evidence Forms (W.C.A.8), all of which have been completed by people who claim to have used the route regularly. All but five reside in Deri and have used the path as a public footpath without interference for a period varying between 10 and 79 years.
- 4.4.2 The user evidence forms have been studied and the Council's CROW Support Officer, Mrs. J.E. Piper, has interviewed the majority of the users who submitted the forms.
- 4.4.3 Copies of the Evidence User forms are attached as Documents No. 13-41.
- 4.4.4 The interview notes are appended to this report as Document No. 42.
- 4.4.5 Detailed in Table 1 are the salient points from the evidence user forms and interviews (Document No. 43). Document No.44 is a chart showing the number of years the claimed right of way has been used by the evidence users.
- 4.4.6 From the evidence provided in the evidence user forms and the interviews, the users believed the footpath to be public as it had been used through the generations as a short cut. They had not asked permission to use the footpath and had not seen any notices stating that it was private. One local resident could recall that the footpath was in existence 80 years ago.
- 4.4.7 The houses in Ogilvie Terrace were built for the Powell Duffryn Company in the 1920s to provide accommodation for the officials of the newly opened mine to live in. Ogilvie Colliery was opened in 1921. Ever since that date people have walked on the land in front of the houses creating several footpaths. These were used as short cuts.
- 4.4.8 The Powell Duffryn Company had a shed on the land where workmen kept their tools to carry out repairs to the houses. They used the path to gain access to the houses. Document No. 45 shows the location of the shed.
- 4.4.9 One of the residents interviewed could recall using the path as a 10 year old in 1947 and losing half a crown in the snow on the way down to the shops. During the heavy snow fall of 1947 deliveries were not able to use Hillside as it was blocked with snow and had to use the path to bring deliveries up to Ogilvie Terrace.
- 4.4.10 Local residents believe there are safety issues in the footpath being removed as Ambulances and Fire Engines are not able to get into Hillside due to the amount of cars blocking the road.
- 4.4.11 It was believed that the steps were built sometime between 1997 and 2001 as one of the local residents could recall the steps being constructed. The steps are not in place on aerial photograph 1991 (Document No. 46) but in place on the aerial photograph of 2001 (Document No. 47).
- 4.4.12 Local residents believed that the steps were constructed by the owner of Oaklands, Mr Marshallsea, in order that he could use them. However, some thought they had been put in to compensate for taking paths away when the bungalow was built. Street lighting was installed at the top and bottom of the steps by the Authority on the 30th April, 2002.

- 4.4.13 Correspondence had been entered into with Mr. Shenkerof to dedicate the steps as a public right of way. However, despite several reminders being sent by the Authority's Legal Department no response was received and the file was closed. The steps therefore were never accepted as a public right of way or adopted highway and the Authority does not maintain them.
- 4.4.14 Enquiries have been made with the Engineering Division to discover whether the steps had been constructed as part of a small works programme. The member of staff who deals with these programmes has no knowledge of any works taking place having checked through the records.
- 4.4.15 The children from Ogilvie Terrace and Hillside played on the open land and they all used the claimed right of way to visit friends and family.
- 4.4.16 Quite a number of residents who lived in Hillside used to use the claimed right of way as they took a short cut through the garden of No. 15 Ogilvie Terrace, Mrs Collins, who didn't mind. As Mrs Collins no longer lives at this address this practice has ceased.
- 4.4.17 It was mentioned by the local residents that the planning applicant and his family also used the claimed right of way.

4.5 **Documentary Evidence**

- 4.5.1 The documentary evidence studied in conjunction with the User Evidence is outlined below. During the investigation of a claimed route a near match to the claimed footpath was looked for on all the maps listed below.

Aerial Photograph dated 1991 (Document No.46)

It can be seen from the aerial photograph that there are a number of other paths in the banking, including some where Oaklands was built.

Aerial Photograph dated 2001 (Document No.47)

It can be seen from the aerial photograph that steps have been constructed and new properties built.

Aerial Photograph dated 2004-5 (Document No 48)

It can be seen from the aerial photograph that Oaklands now has a boundary fence line/wall.

Aerial Photograph dated 2006 (Document No.49)

The route of the claimed right of way can be clearly seen.

Aerial Photograph dated 2010 (Document No.50)

The route of the claimed right of way can be clearly seen.

A photograph from Google Maps dated August 2011 clearly shows the claimed right of way. (Document No. 51)

Aerial Photograph dated 2014 (Document No. 52)

The route of the claimed right of way can be clearly seen.

Photographic Evidence

Photographs showing the claimed right of way together with the alternative route using a section of the adopted highway, steps and back lane. (Document No. 53)

Photo 1

Photograph taken in 1980's which shows the footpath which runs in front of Ogilvie Terrace showing the claimed right of way adjoining. This also shows a car parked up on the grass bank alongside the houses. (Document No. 5)

Photo 2

Photograph taken in 1980's which shows the claimed right of way. (Document No. 54)

Photo 3

Photograph taken on 15th November, 1986, which shows the claimed right of way as a path with a grass surface and then changing to tarmac. (Document No. 55)

Photo 3

Photograph taken in 1987 which shows the claimed right of way behind the parked cars. (Document No. 56)

Photo 4

Photograph taken in 1990's which shows a young girl on the footpath in front of Ogilvie Terrace and the claimed right of way can be seen behind her. (Document No. 5)

Photo 5

Photograph taken in 1992/93 of Mr. Hardacre and his daughter on her wedding day. They were both stood on the claimed right of way which is tarmacked at the top where it joined the adopted footpath in front of the houses. (Document No. 57)

Photo 6

Photograph taken in 1992/93 of Mrs. Hardacre walking down the claimed right of way with the bridesmaids on the day of her daughter's wedding. (Document No. 58)

Photo 7

Photograph of the newly constructed steps which clearly shows the claimed right of way. The applicant provided the photograph and said that this was taken when the steps had been built by Colin Marshalsea. She stated that the claimed right of way went to the top but had been disturbed by the work that had been done. Also the wall had not been erected then but it was done shortly after. From the photograph it can be seen that the street lighting is already in place next to the top and bottom of the steps. (Document No. 59)

4.6 Land Ownership

- 4.6.1 According to the Land Registry the land is in the ownership of Karina Jayne Gauden and John Vincent O'Connell. However, the planning application refers to land owners as Karina Jayne Gauden and Mr A. Shenkroff. Notice WAC 6 was served on Karina Jayne Gauden and John Vincent O'Connell on 30th August, 2015. A further notice was served on Mr. A Shenkroff on 15th October, 2015.

- 4.6.2 One of the current landowners, Mrs. K.J. Gauden, has written a letter disputing the claimed right of way. Document No. 60 is a copy of the letter, dated 11th February, 2016 She states that permissive rights were given to those parties who wished to walk their dogs across the site and others who wanted to take a diagonal route across the site.
- 4.6.3 She states that a footpath with steps was constructed by the Council and this was to be dedicated in substitution for the claimed footpath which is said to cross the site. The Dedication Agreement was never finalised but she suggests that this could be regularised.
- 4.6.4 She states that permissive rights of access were allowed and believed that all local residents knew this was private land and not public land.
- 4.6.5 The applicant for the planning application (15/0978/FULL), Mr. Michael Toms, has sent a letter, dated 11th February, 2016 (Document No. 61) disputing the claimed right of way. He is a long standing resident of Deri with close family members living adjacent to the site. He believes that the site of his proposed property is private land and at no time have the owners given consent for any neighbours to cross it as of right.
- 4.6.6 He believes the claimed right of way is unnecessary because there are footpaths on the northern and western site boundaries and already footpaths to the south and east. He states that the unauthorised use of the claimed right of way has been infrequent. He also states that the landowners never intended for their land to be used as a footpath and no consent was given for neighbours to use it.
- 4.6.7 A statement has been received from Mr. and Mrs C.G. & B.T. Marshallsea (Document No. 62) stating that when he was building his retaining walls during 1999 he recalled making cups of tea for the workmen who were building the steps at this time and who he states worked for the Local Authority. He assumed, therefore, that the steps are the responsibility of the Local Authority. He refutes the statements of local residents who have stated that he was responsible for constructing the steps.
- 4.6.8 The Architect for the site has confirmed that a new footpath will be constructed as part of the development with a dropped kerb and dropped kerbs will be constructed on the existing footpaths to enable easier access for local residents with mobility issues.
- 4.6.9 A copy of the plan showing the proposed site layout is attached as Document No. 63.

4.7 **Planning Application**

- 4.7.1 The planning application was received by this Authority on 5th October, 2015. A copy of Agenda Item 5 – Site Visit and decision is attached as Document No. 64, the Design and Access Statement is attached as Document No. 65 and the letter of permission to erect one dwelling on the land at Ogilvie Terrace is attached as Document No. 66.

4.8 **SUMMARY**

- 4.8.1 The Authority has received an application to add a footpath to the Definitive Map and Statement. Evidence has been submitted that the route has been used by local residents
- 4.8.2 As detailed in Document 1 the evidence submitted needs to show that the footpath has been used for a period of 20 years without interruption and as a right. The date the footpath first came into question is 13th/14th August, 2015 and therefore the 20 year period of use commences from August 1995. However additional use before this period is also taken into consideration and two previous applications identify use of the claimed right of way of over 20 years dating back to 1972/73. The land was owned by Mr. Shenkroff but is now owned by Mrs. Gauden and Mr. O'Connell.

- 4.8.3 The applicant and supporters state that the footpath has been used without interference for a period varying between 10 and 80 years. They confirmed that there has never been any signs stating that the claimed right of way was private and no-one has prevented them from using it until the site was fenced off on 13th/14th August, 2015.
- 4.8.4 The application is supported by 28 supporters who have completed evidence user forms and have used the claimed right of way to gain access to the bus stop; the pub; shops; village; walking the dog; and visiting friends and family.
- 4.8.5 The applicant has provided photographic evidence of the claimed right of way dating back to the 1980's and some which show the route being used by local residents
- 4.8.6 One of the landowners states that during her family's ownership of the land, a period of 45 years, there was no intention to permit or dedicate a footpath across the site. The land had been purchased to build a residential property. Permissive rights were given for those parties who wished to walk their dogs across the site and for others who very occasionally had cause or wanted to use the diagonal route across the site.
- 4.8.7 She states that the footpath with steps and handrail was constructed by the Council and was on the understanding that this was to be dedicated as a footpath in substitution for the claimed footpath which is said to cross the site. Although the Dedication Agreement was not completed she feels this could be regularised.
- 4.8.8 She further states categorically that no permission was given for this to be dedicated a right of way and have always made clear that it was their intention to build on the land.
- 4.8.9 Although permissive access was given all local residents knew this was private land and not public land which they had a legitimate claim to.
- 4.8.10 The planning application applicant states that he was informed by the land owners that they did not give consent to neighbours to cross the land as a right. He believes that the claimed right of way is unnecessary as there are footpaths to the northern and western site boundaries and ready access to footpaths to the south and east. He states that the unauthorised use of the claimed right of way has been infrequent and of little need. He states that the landowners never intended for their land to be used as a footpath and no consent was given for neighbours to use it.
- 4.8.11 Mr. and Mrs. Marshallsea state that although local residents have identified Mr. Marshallsea as the person who constructed the footpath with the steps and handrail this is not the case and the steps were built by the Council. Mr. Marshallsea categorically refutes that he constructed this footpath and he can recall making cups of tea for the Council workmen whilst they built the steps when he was building his retaining wall.
- 4.8.12 Enquiries with the Authority's Engineers has failed to uncover any information as to the construction of the steps. The footpath and steps are not part of the Authority's adopted highway and as such are not maintained.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 This report contributes to the Well Being Goals as set out in Section 3 earlier.
- 5.2 The Act not only identifies goals but advocates five ways of working to ensure that the objectives and sustainability are met and this report has been prepared with that in mind.
- 5.3 Whilst the Public Rights of Way network contributes to all seven Well Being Goals in part the most pertinent four are:-

1. A Resilient Wales

The network extends to over 500 miles and many of these routes have been in place prior to the use of motor vehicles. As such they are often the easiest and most direct routes of access between points. This encourages their use and has benefits in addressing long term issues including health, climate change and poverty all of which assist in making an adaptable but resilient county borough.

2. A Healthier Wales

Usage of the network, be it for recreation or daily business has significant benefits for a physical and mental health and helps address a number of significant health concerns within the county borough notably obesity, cardio vascular and diabetes which are probably problematic in CCBC. Usage of the network is increasing year on year.

3. A Wales of Cohesive Communities

The network links communities and facilities with each other and is usable by the vast majority of residents. A comprehensive and integrated network provides a fully functional and usable access system that benefits all and allows communities to function both directly e.g. ability to access services and individually e.g. through helping prevent or overcome underlying problems such as health and sustainable transport.

4. A Globally Responsible Wales

The carbon impact of the rights of way network is minimal and promotes sustainable transport on a number of counts. Increased local usage has a global effect in terms of slowing climate change and its impacts.

- 5.4 The provision of access helps meet both short and longer term needs and objectives without prejudicing the viability of the network for future generations. Rights of Way and access are fundamental to the daily life of most people and as such the network integrates and is necessary to meet many objectives of the Authority. The designation process, for rights of way, has involved extensive consultation with communities, groups and individuals and collaboration takes place with other interested parties in terms of the management and maintenance of the network. Formal consultation forms part of these processes, including this report.

6. EQUALITIES IMPLICATIONS

- 6.1 An Equalities Impact Assessment is not needed because the issues covered are for information purposes only, therefore the Council's full EIA process does not need to be applied.

7. EQUALITIES IMPLICATIONS

- 7.1 An Equalities Impact Assessment is not needed because the issues covered are for information purposes only, therefore the Council's full EIA process does not need to be applied.

8. FINANCIAL IMPLICATIONS

- 8.1 The cost of an order should Members resolve to support the application, is in the region of £1,800.00. If it is agreed to add the footpaths to the Definitive Map and Statement the cost of the order and the cost of opening of the footpaths would be the responsibility of this Authority. Whatever Members' decision, should representations be received this may result in a public inquiry. This cost may exceed £10,000.

9. PERSONNEL IMPLICATIONS

9.1 None.

10. CONSULTATIONS

10.1 For List of Consultees see Appendix 1. Comments received on the draft report are appended to the report.

11. RECOMMENDATIONS

11.1 On the basis of the evidence and information compiled in the submitted documents, Members are requested to determine the application before them by either :-

- i) Supporting the claim as made that the path be registered
- ii) Rejecting the claim.

12. REASONS FOR THE RECOMMENDATIONS

12.1 To comply with its duty to keep the definitive map and statement under continuous review.

13. STATUTORY POWER

13.1 Wildlife and Countryside Act 1981. This is a Cabinet function delegated to this Committee.

Author: Mrs. June E. Piper, CROW Support Officer

Consultees: See list in Appendix 1

List of Documents:

1. Description of Rights of Way Document No. 1
2. Location Plan Document No. 2
3. Plan showing claimed right of way Document No. 3
4. Application Form WCA5 submitted by Mrs. V.M. Price Document No. 4
5. Photographs of the claimed right of way Document No. 5
6. Form WCA7 served on landowners Document No. 6
7. Form WCA7 served on landowner Document No. 7
8. Application for two claimed rights of way 1997 Document No. 8
9. Permission for Development 19/12/196 Document No. 9 – land adjoining Oakfields, Ogilvie Terrace, Deri
10. Letter from Mr. Marshallsea dated 11th February, 1997 Document No. 10
11. Evidence User Forms submitted in 1998 - Document No. 11
12. Details in respect of Planning Application No. P/01/0440 submitted in 2001 Document No. 12
13. Evidence User Forms submitted in 2015 – Documents 13-41
14. Interview Notes – Document No. 42
15. Table identifying salient points made by users – Document No. 43
16. Table showing the number of years the claimed right of way has been used – Document No. 44
17. Location of workman's hut, shed, former shop, wooden seat and bus stop – Document No. 45
18. Aerial Photograph dated 1991 – Document No. 46
19. Aerial Photograph 2001 Document No. 47
20. Aerial Photograph 2004-2005 Document No. 48
21. Aerial Photograph 2006 Document No. 49

22. Aerial Photograph 2010 Document No. 50
23. Google Maps – Deri – Document No. 51
24. Aerial Photograph 2014 – Document No. 52
25. Photographs of the alternative route - Document No. 53
26. Photograph - Document No. 54
27. Photograph – Document No. 55
28. Photograph dated 1987 – Document No. 56
29. Photograph dated 1992/93 – Document No. 57
30. Photograph dated 1992/93 – Document No. 58
31. Photograph of newly constructed steps – Document No. 59
32. Letter dated 11th February, 2016, from Mrs. K.J. Gauden - Document No. 60
33. Letter dated 11th February, 2016, from Mr. M. Toms – Document No. 61
34. Letter dated 3rd February, 2016, from Mr. and Mrs. Marshallsea – Document No. 62
35. Planning Application - Site layout – Document No. 63
36. Planning Committee – report and decision - Document No. 64
37. Design and Access Statement – Document No. 65
38. Permission for Development – Document No. 66

ETP/ROW/CROW 144 held at Tredomen House