



Public Rights of Way,
Countryside and Landscape Service,
Caerphilly County Borough Council,
Ty Bargoed,
1 St. Gwladys Way,
Bargoed,
CF81 8AB

Our ref: RM/
Your ref: P.R.O.W. N°26 Bedwas

19th November 2018

Dear Sirs,

Section 257 Town and Country Planning Act 1990
Diversion of Footpath N°26 Bedwas.

With reference to the above, I enclose, for your due consideration, the completed application forms and requested documentation.

I should be pleased, therefore, if you could register the application to divert the footpath and confirm that any costs incurred will be met by Messrs. Llanmoor Homes.

Yours faithfully,
Llanmoor Development Co. Ltd.

A handwritten signature in black ink, appearing to read 'R. Milsom', is written over a faint circular stamp.

R. Milsom



**APPLICATION FORM FOR
DIVERSION OR EXTINGUISHMENT OF
PUBLIC FOOTPATH / BRIDLEWAY / RESTRICTED BYWAY**

SECTIONS 118 AND 119 OF THE HIGHWAYS ACT 1980
SECTION 257 OF THE TOWN AND COUNTRY PLANNING ACT 1990

IMPORTANT

No authority for the extinguishment or diversion of a highway is conferred unless and until a Public Path Extinguishment or Diversion Order has been made, confirmed and come into effect. Any preliminary obstruction of, or interference with, the highway concerned may not only be an offence, but may make it impossible to proceed with the making of an Order.

1. NAME AND ADDRESS OF APPLICANT

Name: LLANMOOR HOMES
Postal Address: 63-65 TALBOT ROAD, TALBOT GREEN
PONTYCLUN, RHONDDA CYNON TAFF
Email address george@llanmoor- Telephone No: 01443 226888
homes.co.uk

2. NAME AND ADDRESS OF AGENT(S)

Name: RON MILSON
Postal Address: AS ABOVE
Email Address ronaldmilsom@ Telephone No: 01477409767
btinternet.com

3. PARTICULARS OF RIGHT OF WAY TO BE EXTINGUISHED/DIVERTED*

- a) Footpath / Bridleway /Restricted Byway* No. 26
b) Parish of BEDWAS
c) Length in metres of section to be extinguished/diverted 120M
d) Width in metres of section to be extinguished/diverted UNDEFINED
e) Description of length to be extinguished/diverted by reference to terminal points on plan to accompany this application
LENGTHS OF PATH IDENTIFIED AS A-C
AND D-F ON THE ATTACHED PLAN

- (f) Is the existing route freely available to the public? If NOT, please give reasons:

YES

4. **REASONS FOR THE EXTINGUISHMENT/DIVERSION* OF THE PATH**

TO ALLOW DEVELOPMENT TO TAKE PLACE
IN ACCORDANCE WITH APPROVED PLANNING
APPLICATION NO. 18/0440/RM

Please Note:

- i) A path can be extinguished under **Section 118 of the Highways Act 1980** only if it can be shown that it is no longer needed for public use; or
- ii) A path can be diverted under **Section 119 of the Highways Act 1980** in the interests of the landowner/occupier/lessee, or of the public, or
- iii) A path can be diverted or stopped up under **Section 257 of the Town and Country Planning Act 1990** in order to allow development to take place.

If an extinguishment application, please give details of an alternative route, or the reasons why an alternative route is not considered necessary.

5. **PLANNING APPLICATION DETAILS**

This section is only to be completed if a path is to be extinguished or diverted under 4 (iii) above, please give details of Planning Permission.

- a) Application number 18/0440/RM
- b) Date permission granted 8/8/18
- c) If permission not yet granted, date application submitted _____
- d) Nature of development HOUSING DEVELOPMENT
- e) Date development expected to begin ALREADY COMMENCED

6. **PARTICULARS OF NEW PATH TO BE PROVIDED (if applicable)**

- a) Length in metres 155 M
- b) Width in metres 1.8 M
- c) Surface TARMAC
- d) Description of length to be provided by reference to terminal points on plan to accompany this application
LENGTHS A-B-C AND D-E-F AS
IDENTIFIED ON THE ATTACHED PLAN
- e) What works do you propose to undertake to bring the new path into a condition fit for use by the public?
PATH TO BE CONSTRUCTED TO LOCAL
AUTHORITY ADOPTION STANDARDS

7. **RELEVANT CONSIDERATIONS**

In what way would the proposals affect the following factors, as set out in the PPO Policy:

- a) Connectivity NONE
- b) Equalities Impact NONE
- c) Gaps & Gates NONE
- d) Gradients GRADIENTS TO BE NO STEEPER
THAN LOCAL AUTHORITY REQUIREMENTS
- e) Maintenance DIVERTED PATH TO BE
MAINTAINED AS PART OF PUBLIC HIGHWAY
- f) Safety NONE
- g) Status DIVERTED PATH TO BE ADOPTED
AS PART OF PUBLIC HIGHWAY
- h) Width CONSISTENT WIDTH OF 1.8M
- i) Features of Interest NONE

8. PARTICULARS OF OWNERSHIP

- a) Applicant's interest (*owner/occupier/lessee*) in the land over which the existing path referred to in this application passes.

OWNER

- b) Applicant's interest in the land over which the new path is to be provided

- c) Do any other persons have an interest in the land over which existing or proposed paths pass? If so, give names and addresses of persons and nature of interest

- d) If other persons have an interest in the land affected, please tick to confirm that a copy of their written permission for the proposals to go ahead is enclosed.

9. THIS APPLICATION MUST BE ACCOMPANIED BY A PLAN TO A SCALE NOT LESS THAN 1:2500 (ON A CURRENT ORDNANCE SURVEY BASE) SHOWING-

- i) section of path to be extinguished
- ii) new path to be provided

Please tick box to confirm a plan is enclosed



DECLARATION

I/We understand that no authority for the extinguishment of a public right of way is conferred unless and until any order made has been confirmed and come into effect and notice of this has been published.

I/We declare that the public right of way to be stopped up is not obstructed and that it is fully available to the public. (Subject to Article 3(f) above).

I/We hereby agree that if a diversion/extinguishment order is made I/We will defray any compensation which becomes payable under section 121 of the Highways Act 1980 in consequence of the coming into operation of the Order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

I/We agree to pay the charges for processing the Order once it has been made and once it has been confirmed and agree to pay for the costs of advertising the Order when it is made, when it is confirmed and when it comes into effect if this is different from the date of confirmation. The Authority's Scale for Charges for Public Path Orders is available from Council Offices.

I/We apply for the extinguishment/diversions of the highway described above.

I/We declare that to the best of my/our knowledge and belief all the particulars given are true and accurate.

Signed *R Milson* Date *5/11/18*

Name *RON MILSON*

Signed Date

Name

On completion, this form, should be returned, together with the plan and copies of any consents if appropriate, to:

Public Rights of Way, Countryside and Landscape Service, Caerphilly County Borough Council, Ty Bargoed, 1 St Gwladys Way, Bargoed, CF81 8AB

Town and Country Planning Act 1990 Section 257 Diversion of F.P. No. 26 BEDWAS



EXISTING PATH		DIVERTED PATH		Project Title	Scale	Date	Drawn by	Date
A	C	A	B C	Pandy Road, Bedwas, Caerphilly	1:1250@A3	November 2018	PC	
55 Metres		75 Metres		Drawing Title	Project No.	Drawing No.	Revision.	Public Rights of Way Countryside and Landscape Services Caerphilly County Borough Council 11 Bargoed 1 St. Gwladys Way BARGOED CF81 8AB
D	F	D	E F	Public Footpath Diversion	1680	FD-02	-	
65 Metres		80 Metres						