

**CYNGOR CAERDYDD
CARDIFF COUNCIL**

PLANNING COMMITTEE

18 NOVEMBER 2020

**REPORT OF APPROVING OFFICER – ASSISTANT DIRECTOR,
STREET SCENE**

**Section 257 Town And Country Planning Act 1990, Diversion Order For
Public Footpath Lisvane No.15**

Reason for this Report

1. Planning Committee to approve the Section 257 Diversion Application to allow the Public Rights of Way Team to instruct Legal Services to process the Legal Order.
2. Public Footpath, Lisvane No.15 requires a diversion through a green corridor as part of the Churchlands Development.

Background

3. This footpath is dissected at the northern part by Lisvane No.28 therefore both applications were initially consulted upon at the same time to help consultees understand the entirety of the site and changes being made rather than each path in isolation.
4. Lisvane 15 currently crosses a farm field with stiles at either end. The proposed diversion realigns the footpath along on the eastern boundary of the site, within a green corridor and with a surfaced 1.5m width path. The stiles will be replaced with gates to improve access for all or removed altogether if they are no longer needed.
5. Overall the footpath will only have minor changes and will become a popular place to walk for the new residents, existing community and visitors to the area.

Issues

6. The Public Footpath Diversion Application must be confirmed in order to allow the proposed diversion and development plan to go ahead as approved. If the application is objected to then the applicant will need to amend the northern section of the planning application to allow for the existing footpath alignment to be retained.

Local Member consultation (where appropriate):

- Ward Members: Cllr David Walker
- Lisvane Community Council
- Lisvane Environment Group
- Graig Protection Society
- Parks Department
- Adjacent landowners

Utilities:

- Virgin
- BT Openreach
- Welsh Water
- Wales & West Utilities
- Western Power

Users groups:

- Ramblers
- Auto Cycle Union
- British Horse Society
- Byways and Bridleways Trust
- Open Spaces Society
- Cycling UK
- Welsh Trail Riders Association

Financial Implications

7. There are no financial implications, the Legal Orders costs are paid for by the applicant.

Legal Implications (including Equality Impact Assessment where appropriate)

8. Legal Advice has been provided as part of the Officer Decision Report and EIA, Section 5.

HR Implications

9. There are no HR implications.

Reason for Recommendations

10. Public Rights of Way Team and consultees are satisfied with the new proposed path alignment as the path will be retained within a green corridor.

RECOMMENDATIONS

11. To approve the application in order to instruct Legal Services to undertake the Legal Order process. This is necessary to enable the Churchlands development to be carried out and provide the new Public Footpath alignment.

Andrew Gregory

Date 2 November 2020

The following appendices are attached:

Officer Decision Report
Map of Proposed Diversion

The following background papers have been taken into account

Equalities Impact Assessment