

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.28

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 to divert the Public Footpath, Lisvane 28 as part of the approved Churchlands Development.

Background

2. The footpath is being diverted through the new housing development on a footway for approximately 190metres. The final 60 metres is through a green corridor and ends on St Mellons Road.
3. As compensation for the loss of green space, a new Public Footpath is being dedicated to link from Lisvane No.28 to the adjacent Public Open Space behind St Denys Church, Lisvane. A new vehicle access gate with adjacent pedestrian gate will also be installed on St Mellons Rd for Parks to access the site maintenance purposes.
4. The confirmed Legal Order will allow the footpath to be realigned within the new proposed development and the Definitive Map and Statement to be modified to reflect this change.

Issues

5. There are two footpaths which cross the development site, Lisvane 15 and Lisvane 28. Both applications are being presented to Planning Committee at the same time to assist with understanding the two path realignments as they

both start off Graig Road, Lisvane and both terminate on St Mellons Road, Lisvane.

6. It was not achievable to have both Lisvane No.28 and Lisvane No.15 within a green corridor due to constraints with protected habitats and species along the western boundary of the site. Lisvane No.28 footpath will be realigned within the housing development along a new footway but generally following a similar route alignment to the existing path.
7. Through negotiation with the Lisvane Consultees and Redrow Officers, a minor amendment to the southern section of the proposed route was undertaken to realign the footpath through a short section of green corridor and linking to the adjacent Public Open Space by St Denys Church.

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

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

Legal Implications (including Equality Impact Assessment where appropriate)

9. Legal Advice has been provided as part of the Officer Decision Report.

HR Implications

10. There are no HR implications.

Reason for Recommendations

11. The Public Footpath will be an improvement from crossing a field to becoming more accessible along a footway and linking to green spaces through the new housing community.

RECOMMENDATIONS

12. To approve the application in order to instruct Legal Services to undertake the Legal Order process.

Andrew Gregory
2 November 2020

The following appendices are attached:

Officer Decision Report
Proposed Diversion of Footpath

The following background papers have been taken into account

Equalities Impact Assessment
Lisvane Environment Group and Graig Protection Society's suggested alternative routes