

WEST OXFORDSHIRE DISTRICT COUNCIL
UPLANDS AREA PLANNING SUB-COMMITTEE

MONDAY 30TH NOVEMBER 2015

APPLICATION NUMBER 15/02375/POROW.

**PROPOSED STOPPING UP AND REPLACEMENT OF PART OF PUBLIC
FOOTPATH NO. 234/6 AT TRACEY FARM, GREAT TEW, OX7 4JR.**

(Contact: Catherine Tetlow, Tel: (01993) 861655)

(The decisions on this matter will be a resolution.)

1. PURPOSE

To seek authority to make a Public Path Stopping Up and Diversion Order under Section 257 the Town and Country Planning Act 1990 and carry out the required statutory consultation upon it.

2. RECOMMENDATION

That the Head of Planning and Strategic Housing be authorised to make the Order and carry out public consultation consistent with the draft Order appended to this report.

3. BACKGROUND

- 3.1. Planning permission was granted on 14th April 2015 for “Change of use of land and buildings to hotel and leisure, removal of modern farm buildings and erection of new purpose built buildings to include thirty guest cabins, staff accommodation and guest facilities, car parking and other associated works, (to allow amendments to approved planning permission 14/0693/P/FP)” – application reference 15/00195/FUL.
- 3.2. As a result of the implementation of the planning permission, it will be necessary to stop up and divert a section of footpath 234/6, as shown on the attached plan.

4. FINANCIAL IMPLICATIONS

None

5. ALTERNATIVES/OPTIONS

None

6. REASONS

The new path is required to enable permitted works at the site to be carried out. These works would not be compatible with the existing route of the right of way.

7. PROCEDURAL MATTERS

- 7.1. At this stage Officers are only seeking authority to make the Order and consult upon it. If objections are raised, it will not be possible for the Local Planning Authority to confirm the Order. In these circumstances the Order and any objections to it will be considered by the Planning Inspectorate on behalf of the Secretary of State.

- 7.2. The Inspectorate does not consider the need for the development to which the Order relates. However, account must be taken of the effect of the Order on those entitled to the right which would be affected.

Giles Hughes
Head of Planning and Strategic Housing

(Author: Ms C Tetlow, Tel: (01993) 861655; EMail: Catherine.tetlow@westoxon.gov.uk)
Date: 18.11. 2015

Background Papers:
None

THE WEST OXFORDSHIRE DISTRICT COUNCIL
FOOTPATH No. 234/6 (PART)

PUBLIC PATH STOPPING UP ORDER 2015
TOWN AND COUNTRY PLANNING ACT 1990, S257

THIS ORDER is made by West Oxfordshire District Council under section 257 of the Town and Country Planning Act 1990 (as amended) because it is satisfied that it is necessary to stop up the section of footpath to which this Order relates to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 namely the development of a new hotel and leisure complex including the provision of thirty separate guest cabins staff accommodation guest facilities and car parking which is allocated planning reference 15/00195/FUL.

BY THIS ORDER:

- 1 The section of Footpath No. 234/6 over the land shown by a bold black line on the attached plan (“the Order Plan”) and described in Part 1 of the Schedule to this Order (“the Schedule”) shall be stopped up as provided below.
- 2 There shall be created to the reasonable satisfaction of Oxfordshire County Council a new footpath for use as a replacement for the said section of Footpath No. 234/6 as provided in Part 2 of the Schedule and shown by bold black dashes on the Order Plan.
- 3 The stopping up of the section of Footpath No. 234/6 shall have effect on the date on which Oxfordshire County Council certify that the terms of Article 2 have been complied with.
- 4 Where immediately before the date on which the section of Footpath No. 234/6 is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying out their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

Description of existing path or way

The entire width of that length of Footpath No. 234/6 on the Definitive Map for the Parish of Great Tew that runs from the end of the private road leading to Tracey Farm Cottage OS Grid Ref SP 439837, 226980 (Point A on the Order Plan) in a generally north-westerly direction for approximately 515 metres to its junction with the Great Tew Footpath No. 234/7 at OS Grid Ref SP 439524, 227376 (Point B on the Order Plan) and shown on the Order Plan by a bold black continuous line.

PART 2

Description of new path or way

The alternative route proposed commences at OS Grid Ref SP 439527, 227382 (Point G on the Order Plan) and continues in a generally south-easterly direction for approximately 525 metres to OS Grid Ref SP 439885, 227025 (Point F on the Order Plan), then generally easterly for approximately 338m to OS Grid Ref SP 440202, 227041 (Point E on the Order Plan), upon reaching point E it then heads in a generally northerly direction for approximately 40 metres to OS Grid Ref SP440215, 227099 (Point D on the Order Plan) and then in a generally north-easterly direction for approximately 50 metres to join with the unclassified road to Great Tew Park OS Grid Ref SP 440262, 227116 (Point C on the Order Plan) as shown on the Order Plan annexed hereto by a bold dashed line.

The width of the proposed new route is 4 metres.

DATEDDAY OF 20...

THE SEAL OF WEST OXFORDSHIRE)
DISTRICT COUNCIL WAS HEREUNTO)
AFFIXED IN THE PRESENCE OF)

Chairman

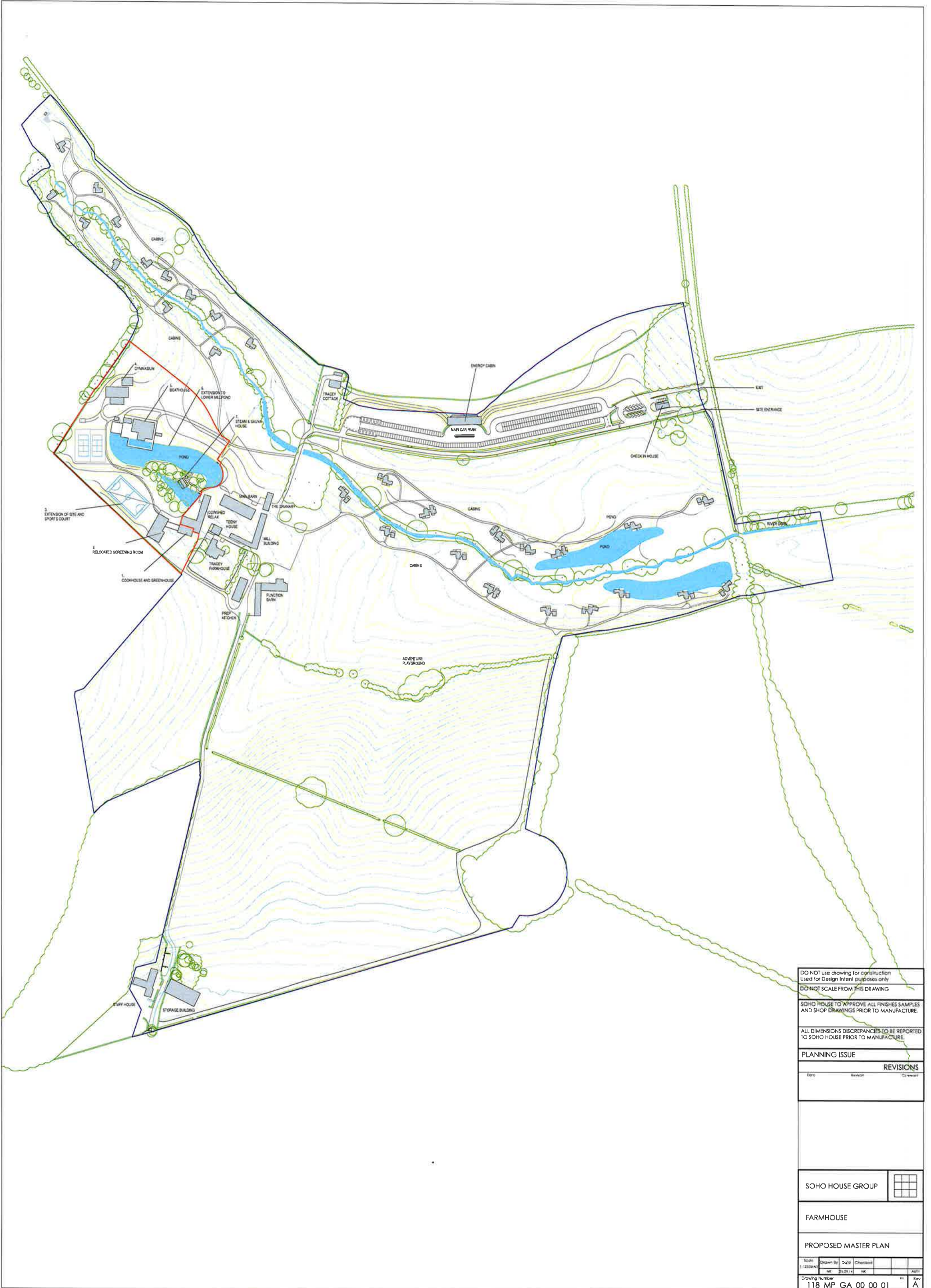
Authorised Officer

AND THIS ORDER WAS SUBSEQUENTLY CONFIRMED BY WEST OXFORDSHIRE
DISTRICT COUNCIL ONDAY OF..... 20...

THE SEAL OF WEST OXFORDSHIRE)
DISTRICT COUNCIL WAS HEREUNTO)
AFFIXED IN THE PRESENCE OF)

Chairman

Authorised Officer



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 Used for Design Intent purposes only
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SOHO HOUSE TO APPROVE ALL FINISHES SAMPLES
 AND SHOP DRAWINGS PRIOR TO MANUFACTURE.
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 TO SOHO HOUSE PRIOR TO MANUFACTURE.

PLANNING ISSUE

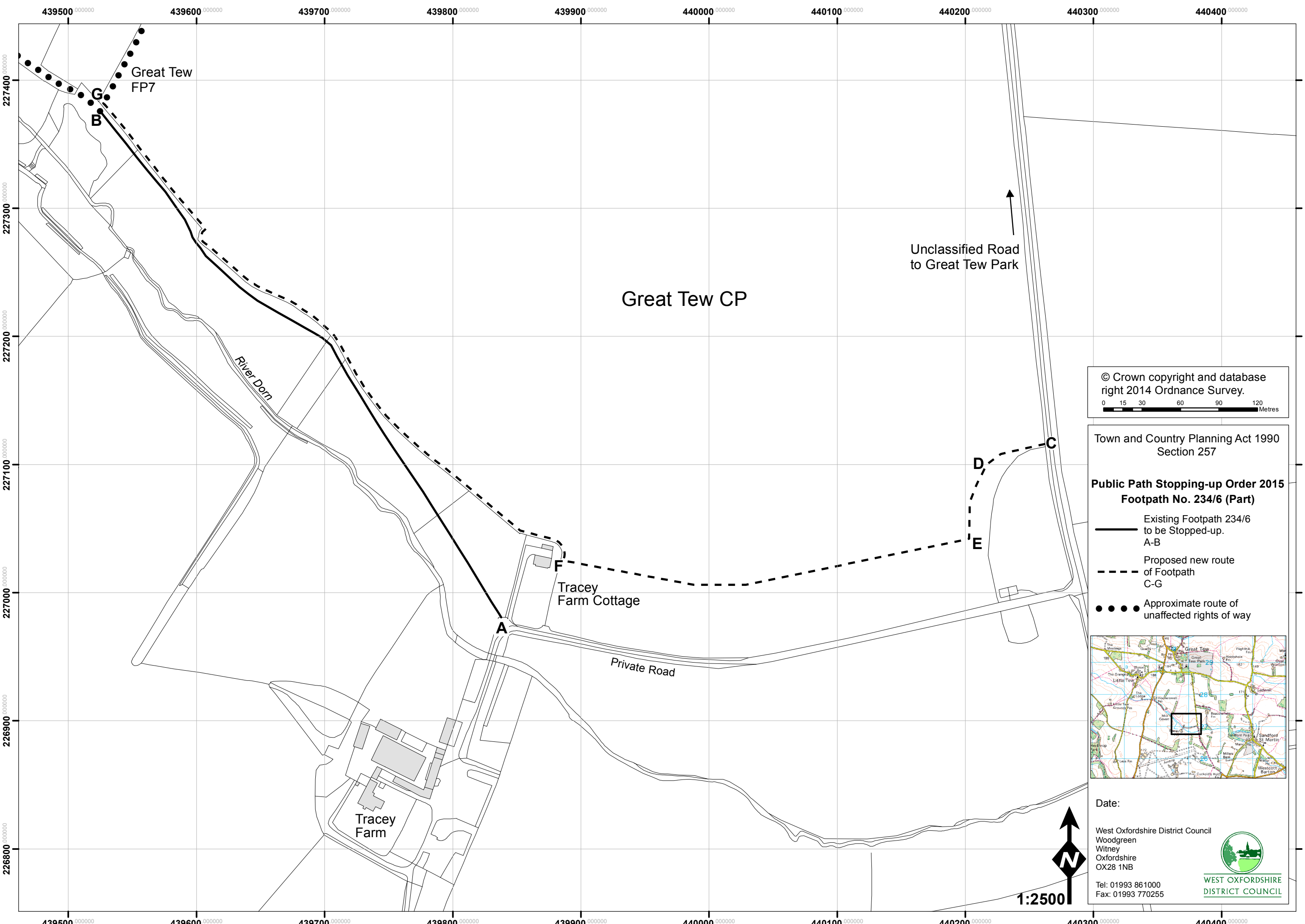
REVISIONS		
Date	Revision	Comment

SOHO HOUSE GROUP

FARMHOUSE

PROPOSED MASTER PLAN




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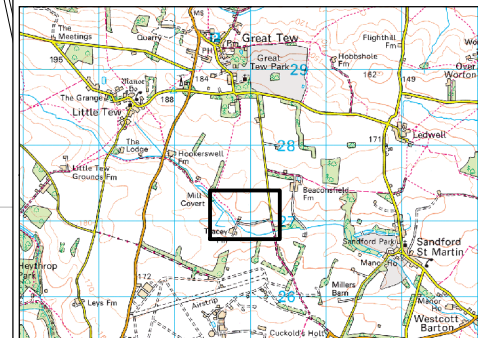


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 0 15 30 60 90 120 Metres

Town and Country Planning Act 1990
 Section 257

**Public Path Stopping-up Order 2015
 Footpath No. 234/6 (Part)**

-  Existing Footpath 234/6 to be Stopped-up. A-B
-  Proposed new route of Footpath C-G
-  Approximate route of unaffected rights of way



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