



HIGHWAYS ACT 1980 – Section 119

SOUTH GLOUCESTERSHIRE COUNCIL

STATEMENT OF REASONS

Public footpaths LWR 21A and LWR 22 run across land between Horwood Lane and Pincots Lane at Wickwar; planning permission was granted for housing on this land in 2019. The recorded alignment of LWR 22 cuts the corner of the curtilage at Pincots Cottage and with the likely increase in use of path this would have an adverse effect on the residents at Pincots Cottage. The proposal is to divert LWR 22 to exit onto Pincots Lane approximately 4 metres to the west, away from the curtilage of the cottage. The eastern side of the development, through which footpath LWR 21A runs, will be an area of public open space. The proposal is to divert the path in line with the landscaping proposals for this area and where the path runs south, through farm land, the proposal is to divert the path to will run alongside the field boundary and exit on Pincots Lane opposite Pincots Farm. The developer has made a contribution to fund a public path order to divert the paths.

With regard to the legal tests to be satisfied under the Act: -

- In the interests of the landowners it is expedient that the lines of the footpaths are diverted to prevent an increase in disturbance to residents at Pincots Cottage and to allow better land management within the fields owned by Pincots Farm.
- The proposed diversion of LWR 22 is a minor change and only alters the termination point of the path where it meets Pincots Lane by a few metres; the rest of the route remains unchanged. In the case of LWR 21A, the termination point on Horwood Lane is being moved approximately 28 metres east to bring it in line with footpath LWR 21 opposite and the termination point on Pincots Lane is within a few metres of the existing. The overall length of the proposed new alignment of LWR 21A is approximately 520 metres, whereas the existing length is 478 metres. The proposed new routes are considered to be substantially as convenient to the public.
- It is expedient to confirm the order having regard to the effect it will have on public enjoyment of the route, as the paths will run through landscape areas within the development, will avoid walking through the curtilage of the cottage and the route across the farmland will be direct.
- The developer has agreed to pay a sum via the Section 106 Agreement to cover the Council's administrative costs, costs associated with advertising the order, and any compensation that the Council may become liable for as a consequence of the order. Any expenses incurred in making the site of the proposed route ready for use by the public will be mostly met via the development works.