

## **Public Path Diversion Order – Consultation Town and Country Planning Act 1990 S 257**

### **Arun District Council – Diversion of part of Footpath 3096 Littlehampton**

#### **1. Background**

On 3 May 2023 Arun District Council made the above Order for the diversion of part of footpath 3096 in the town on Littlehampton. Outline Planning Permission LU/47/11 and Reserve Matters application references LU/206/21/RES and LU/369/21/RES are relevant to the site where it was identified that it is necessary to divert part of the footpath the enable development to be carried out.

The statutory notice period runs until 6 June 2023. Should the order receive no objections, it will be capable of confirmation by the District Council.

A copy of the made [order, together with the plan \(PDF, 307KB\)](#) is attached.

#### **2. Proposal**

As identified as part of the planning application submitted to the District Council, it has not been possible to design the development to accommodate the footpath as it currently exists. The amendment provides that the path is diverted to follow the adopted footway provided alongside the development and provide safe crossing points at all necessary junctions for users.

As Order Making Authority, Arun District Council must be satisfied that the legal tests associated with the diversion of a path under Section 257 TCPA and all other associated considerations such equality, human rights, crime and disorder have been met.

All costs and work associated with the diversion will be met by the developers and delivered under a legal agreement between the County Council and the developers. The works required to the new length of path to be provided by the Order will be subject to inspection and certification by the Rights of Way Officers.

#### **3. Consultations**

Arun District Council, as the Order Making Authority, is required to carry out its own consultations in respect of the proposed diversion.

In line with agreed delegated decision procedures, should members have any comments on this consultation please could you let me know by the **24 May 2023**.

#### **4. General Conclusion**

It is evident from the planning documentation that the path cannot be accommodated on its current alignment, therefore it is necessary to divert the path to enable development to be carried out.

The proposal has been looked at in terms of suitability for path users in consideration of the proposed width, surface construction and gradients. The made order sufficiently deals with the County Council's requirements in this respect and it is recommended that no objection be made to the Order as advertised by Arun District Council.

Ami Dye  
Senior Rights of Way Officer