

THIS IS AN EXPLANATORY STATEMENT AND DOES NOT FORM PART OF THE ORDER

TOWN AND COUNTRY PLANNING ACT 1990

PUBLIC PATH ORDER

Under the Town and Country Planning Act 1990, county and district councils have the power to make orders to create, extinguish or divert public rights of way. A notice that such an order has been made has to be advertised on the site of the path in question and in the local press. This provides an opportunity for objections or representations to be made to the proposed change.

East Suffolk Council (“the Council”) has made an order to divert parts of Oulton Public Footpaths Nos 7 and 8. This statement has been prepared to explain various aspects of the order.

The Council may authorise the diversion of any footpath, bridleway or restricted byway under section 257 of the Town and Country Planning Act 1990 if it is satisfied that it is necessary to do so in order to allow development to be carried out in accordance with planning permission granted under Part III of the Act. The granting of planning permission does not confer any right to obstruct a footpath.

The Council has made the order because it is satisfied that it is necessary to divert parts of the footpaths in order to enable development to take place in accordance with planning permission DC/17/1680/ARM – Approval of Reserved Matters – DC/01/0977/OUT (W17802) – Outline application for a mixed use development comprising of residential, neighbourhood shopping centre, community hall, primary school, play area and country park – Construction of 220 dwellings including access, appearance, landscaping layout and scale – Land south of Hall Lane, Oulton.

The route of Footpath No 7 runs in a north east/south west direction across the development site and Footpath No 8 runs in an east/west direction across the southern extent of the development site where it then connects to Footpath No 7. Footpath No 7 will be obstructed by 30 properties (20 houses) and their associated boundary treatments and driveways. Footpath No 8 will be obstructed by 9 properties (8 houses) and their associated boundary treatments and driveways.

The proposal will also have the effect of resolving the existing obstruction of part of Footpath No 7 by the security fencing surrounding The Limes Primary Academy.

The new footpaths will be 1.8 metres wide throughout and will be constructed in accordance with a specification agreed between the applicant and Suffolk County Council. Part of the new route of Footpath No 8 (between points H – J – K – L on the order map) will be sited within a new country park.

The Council is satisfied that there will be no disadvantage or loss to members of the public generally or to persons whose properties adjoin the footpath as a consequence of the diversion. The proposed footpaths will be part of a cohesive footpath network linking the development and its community facilities to the wider

community.

The order will come into effect only after it has been confirmed and the necessary site works have been undertaken: making and advertising the order simply provides an opportunity for objections or representations to be made.

Objections or representations relating to the order must be made in writing by 27 May 2021 to The Chief Executive, East Suffolk Council, East Suffolk House, Riduna Park, Station Road, Melton, Woodbridge, IP12 1RT.

Please note that any such correspondence cannot be treated as confidential and may be inspected by any interested party. For further information please refer to East Suffolk Council's Rights of Way Privacy Notice which can be viewed online at <http://www.eastsuffolk.gov.uk/assets/Your-Council/Access-to-Information/Privacy-Notices/Rights-of-Way-Privacy-Notice.pdf> or contact the Data Protection Officer at: East Suffolk House, Riduna Park, Station Road, Melton, IP12 1RT, tel: 01394 444488 email: dataprotection@eastsuffolk.gov.uk

The Council is willing to discuss the concerns of those considering objecting or making representations relating to the order. Please contact Lynda Gilbert, Rights of Way Support Officer, via email at rightsofway@eastsuffolk.gov.uk or telephone 01394 444508.

The right of objection to an order is a statutory right, but it should be exercised in a reasonable manner. The costs involved in dealing with objections to orders are normally awarded against objectors only in cases of unreasonable behaviour.

If any objections are made and not withdrawn then the council will have to refer the order to the Department of the Environment, Food and Rural Affairs for determination. An Inspector from the Planning Inspectorate will then hear the objections at a public inquiry or hearing, or in writing if the objectors agree. The Inspector can confirm an order, confirm it with modifications, or refuse to confirm it. If no objections are received the Council will be able to confirm the order itself but it has no power to modify orders.

H J Slater
Head of Legal and Democratic Services
East Suffolk Council

Date: 29 April 2021