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Date: **28th July 2016**

Dear Sir/Madam

Consultation on proposed diversion of Thorley Bridleway 10 and Sawbridgeworth Footpath 1 following the grant of planning permission under the Town & Country Planning Act 1990

I am writing from the Rights of Way Service at the County Council. We look after the public rights of way that are recorded on the Definitive Map and Statement. These are defined as:

- footpaths – rights of way on foot only
- bridleways – rights of way on foot, horse and bicycle
- restricted byway – rights of way for the above uses, plus non-motorised vehicles, such as horse and carriage
- byway open to all traffic – rights of way open to all uses, including motorised vehicles.

What is happening?

In the Rights of Way Service we deal with applications to amend the Definitive Map and the way in which it records public rights of way. We have received an application under section 257 of the Town & Country Planning Act 1990 (TCPA) to divert part of Thorley Bridleway 10 and Sawbridgeworth Footpath 1 because planning permission has been granted for the land over which these routes run, and the construction works will result in the obstruction of the routes.

What is being proposed?

I attach for your information the following documents:

- A draft order and plan showing the proposed changes.
- An overview plan showing the land after the works have completed.
- A copy of the planning consent.

As the overview plan shows, the planning consent has granted consent for the construction of an agricultural reservoir. The position of the reservoir will lie directly over Bridleway 10 and Footpath 1. It is proposed to divert Footpath 1 so that it joins the

bridleway, and divert Bridleway 10 so that it runs around the southern edge of Thorley Wood.

What is the procedure?

At present I am consulting on the changes that have been proposed. After the consultation period myself and a colleague in the Rights of Way Service will consider the proposals and all consultation responses received and apply these to the legal tests set out in the TCPA. If we believe that the routes should be diverted we will make a legal order to record the diversion.

If an order is made it must be advertised for a period of 28 days to allow anyone who believes we have made an incorrect decision to object. Depending on the outcome of the advertising period one of two things will happen:

1. We don't receive any objections to the order, in which case we can confirm the order. If the order is confirmed the changes will take place in law and on the ground.
2. We receive objections to the order, in which case we cannot progress it ourselves but must send it to the Planning Inspectorate, who will consider whether the order can be confirmed. This is likely to take place at a public inquiry. The inspector will only be able to take into account the diversion of the public rights of way; he or she will not be able to take into account opinions as to whether planning permission should have been granted.

What will happen next?

I would be grateful if you would respond to this consultation with any comments that you may have by **16th September 2016**. If you have any questions please do feel free to contact me. I work term time only and over the summer holidays will only be in the office during the week of 15th August. I return to the office on 6th September. However, I have extended the consultation period by 2 weeks to ensure that if you have any questions I will have the opportunity to answer them in sufficient time to allow you the opportunity to make representations.

Yours sincerely



Helen Denton
Definitive Map Officer
Rights of Way Service, CHN103
Hertfordshire County Council