

Plymouth Local Access Forum

Public Rights of Way Briefing Note

1. South West Coast Path closure at Jennycliff

- 1.1 A section of the South West Coast Path at Jennycliff was closed on 15 February 2010 due to a land slide. The obstruction this material caused was removed at the beginning of March.
- 1.2 Advice from Amey engineers suggests the landslide was the result of built up pressure in the bank, a view largely supported by the subsequent occurrence of smaller landslides. As such the decision was taken to close this section of the coast path until we have further information on the stability issues and the level of risk to users.
- 1.3 The route is a permissive path across land owned by the MOD and leased by Plymouth City Council Parks Services. Geotechnical surveys were commission by Parks Services through the corporate tendering process. We expect to receive the results of that survey in August/September.
- 1.4 The data from the survey will inform our next steps. The path will remain closed to the public until that time. If works are required to make the path safe it will remain closed until such time as funding is identified and the required works completed.
- 1.5 In the interim the coast path has been diverted onto its original route along Staddon Road. We will be shortening the length of the diversion required by installing a set of steps along the S bend which will take users away from the road. We are also looking into the legal and technical aspects of installing temporary warning signs for road users.
- 1.6 Until the results of the surveys are available to us it is not possible to provide any timescales for the reopening of the path however the Forum will be updated on progress at its next meeting.

2. Widewell Playing Field

- 2.1 There is no update on the Modification Order application for public rights across the Widewell School playing fields. We aim to process two applications a year and currently have a backlog of applications which we process in strict date order of receipt. The Widewell application remains in our queuing system with two further applications ahead of it.
- 2.2 It is important to recognise that each application can take between 9 months to 2 years to process. It is impossible for us to provide estimates of timescales for Modification Orders as this is determined by numerous factors outside of our control such as whether or not an Order will be made, if an Order is made whether it will attract objections and if it does what procedure the Secretary of State will adopt when considering its confirmation.
- 2.3 The Modification Order process is extremely slow, legally complex, expensive and resource intensive. We have finite resources to cover the necessary legal costs and each application must be dealt with using the due process which commonly results in a public inquiry and which introduces its own considerable delays.
- 2.4 The PLAF is a consultee on any legal Orders we make and will be involved in the application once we start processing it. Individual members are welcome to contact officers requesting periodic updates on specific applications should they wish.

3. **Planning Application at Cosie Quarry**

3.1 Planning application ref: 10-00722-FUL was granted full planning permission on 5 July 2010. The application was for demolition of a detached garage and to develop part of the garden by erection of a single-storey dwelling with access from private road leading to Orchard Crescent.

3.2 The Rights of Way Officer submitted comments on the application which were considered as part of the planning process. A copy of the comments made are available on our website at www.plymouth.gov.uk/planningonline

3.3 The decision note issued to the applicant includes an informative relating to the public right of way as detailed below: -

“INFORMATIVE - PUBLIC RIGHTS OF WAY

(1) It is noted that the proposed development does not appear to directly or negatively impact upon the public footpath. However the applicant is advised that a public right of way is a highway in law and so must also remain open and available at all times. If the applicant feels that the footpath might be blocked during development, it will be necessary to temporarily divert or close the footpath by means of a Traffic Regulation Order. The footpath forms part of the south West Coast Path and is known to enjoy heavy public use. The proposed access may present users of the path with potentially poor visibility during construction. The applicant may wish to consider proposing a temporary diversion or closure of the path during development on grounds of the health and safety of users if they feel development is likely to require extensive vehicle movements. For further advice on these matters please contact the Public Rights of Way Officer on 01752 304233.”

3.4 The rights of way office does not envisage any negative impact on the public right of way caused by this development but any relevant concerns of the LAF should be reported.