

Re: Diversion of footpath R190 at Frankton Rd, Bourton on Dunsmore (plan R23/0365)

Dear Sir/Madam

We are objecting to the diversion of Footpath R190.

This area has previously been designated as "meadow grassland" – **conditions 4 & 10** (R19/1442) with a used and maintained footpath linking the villages of Bourton to Frankton.

The existing public footpath from Bourton to Frankton is an amenity to village life passing through a pleasant green space (known locally as The Green). Any redirection would deviate from this purpose and become a local Bio Diverse loss.

Condition for planning consent

The plans for 2 properties (R19/1442) that were accepted by the Planning Department based on a statement in the Ecological Appraisal Report made by Philip Irving. "A new area of meadow grassland will be created on the land to the west of the development site to provide a gain for biodiversity as required by the NPPF." This statement was made to offset & mitigate the Impact on the local wildlife caused by the development of 2 properties. This was made a condition for planning consent.

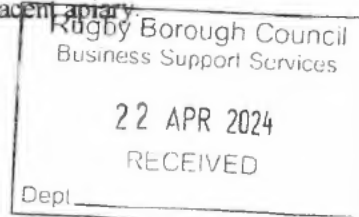
Impact on the local wildlife

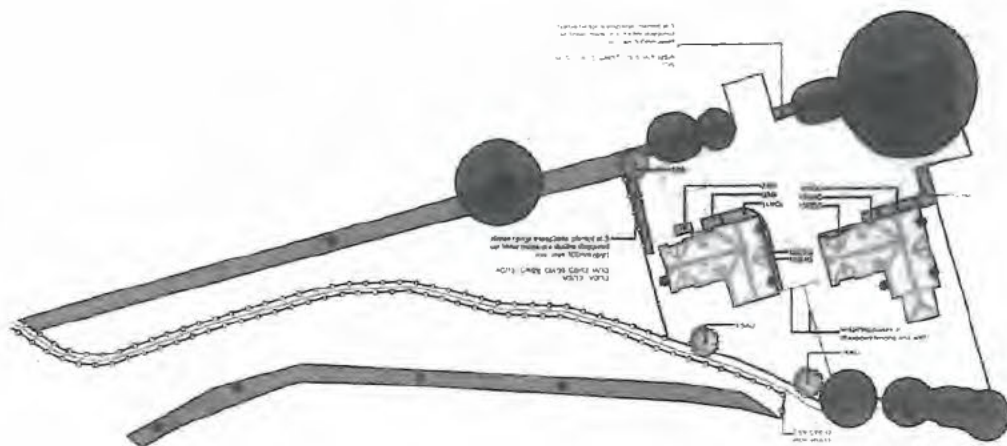
This habitat provides shelter for Badgers, Muntjac, Common lizards and much bird life including pheasants. It should also be noted this green space in late spring evenings, is popular with Bats feeding on the many insects. In addition to this, a Bee Apiary has been situated adjacent to this site for 11 years, pollinating many plants.

Points to Note if footpath access is changed

- Loss of access to a bio diverse and pleasant area
- The dense bramble scrub and trees some TPO supports many nesting birds
- Combined Ecological and Landscaping Scheme are conditions (4 & 10) to offset the impact of previous development and habitat loss
- Badger, Muntjac, Common Lizard, Hedgehog, Toads & Frogs are all to be found sheltering on "The Green" and visit nearby gardens.
- An abundance of garden birds
- A foraging area for honey bees from the adjacent apiary.

Yours sincerely





Existing Footpath





[Redacted]

[Redacted]

[Redacted]

[Redacted] 9 May 2024

Dear [Redacted]

Re: Public Path Diversion Order of R190 Bourton

Thank you for raising your concerns to the proposed diversion.

The development in proposal R23/0365 will affect where the legal line currently is and will cause an obstruction on a Public Right of way, which is against Legislation. A diversion is required to ensure that the route is free from obstruction and is available for the public to use at all times. This proposed diversion is shown in the documentation submitted with application R23/0365 for one dwellinghouse.

As you have noted; a statement in the Ecological Appraisal Report made by Philip Irving, stipulates as a condition for planning consent where a new area of meadow grassland will be created on the land to the west of the development site in R19/1442. This was put in place to provide a gain for biodiversity as required by the NPPF, and this condition was made to offset & mitigate the Impact on the local wildlife caused by the development of 2 properties.

A separate process is now taking place between the applicant of application R23/0365 and Warwickshire CC Ecology in order for the off-setting agreed in R19/1442 to be compensated for and for the whole site (3 dwellings) to provide a new appropriate mitigation for the loss of biodiversity resulting from the overall developments.

The public right of way will not be lost, the route only to be diverted.

It may be helpful to you and allay your concerns if you were to have a discussion with the Planning Officer [Redacted] who will be able to update you on the current application.

I hope this addresses your concerns, and we respectfully ask that you withdraw your objections.



If you do not withdraw your objection the matter will be referred to the Secretary of State for consideration. As an objector you will have to provide a Statement of case. You will appreciate there is a cost implication.

Yours Sincerely

[Redacted signature]

[Redacted name]

Senior Legal Officer