

REGISTER OF APPLICATIONS - MODIFICATION ORDERS

DETAILS OF APPLICATION

District East Herts File Name Hunsdon RB29 diversion
 Parish Hunsdon Application Date 06/08/09

Grid References

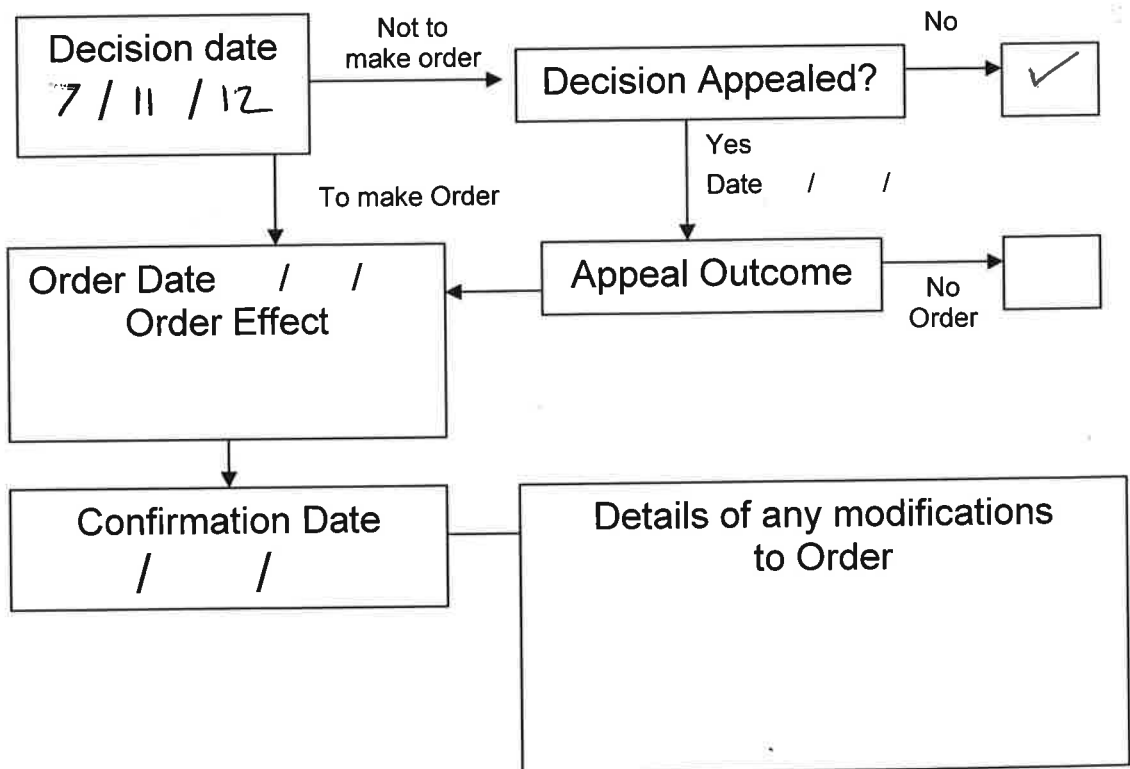
Application to Direct Hunsdon RB29 Point A TL4241 1431
 (if order in EH164 MOD is confirmed) Point B TL4249 1437

Applicant Savills (Bishops Stortford)

	City	Town	Village
Nearest	<u>London</u>	<u>Harlow</u>	<u>Hunsdon</u>

Addresses of properties affected	House Name/Street	Postcode
	<u>Hunsdon Lodge Farm</u>	

DETERMINATION (DECISION) OF APPLICATION



APPLICATION FOR A PUBLIC PATH DIVERSION ORDER Highways Act 1980 Section 119

Please read the Advice to Applicants carefully before filling in the application form.

- The completed form,
- a plan based on an Ordnance Survey map of a scale not less than 1:2500,
- proof of title, and
- a cheque for £70, payable to Hertfordshire County Council should be sent to the Definitive Map Officer

Application to divert public footpath*/bridleway*

Number NOT YET AVAILABLE

Parish HUNSDON

Full name(s) of applicant ROPEMAKER GILSTON LTD

Address C/O SAVILLS CL&P LTD, CHEQUERS

19 NORTH STREET, BISHOPS STORTFORD

HERTFORDSHIRE, CM23 2LD

Phone no. 01279 756 802 daytime phone no. _____

Fax no. 01279 756 841 e-mail address jwootton@savills.com

Address for correspondence (if different from above e.g. solicitor)

(*Delete as appropriate)

1. **Ownership of land affected by the application**

1.1 Are you the freehold owner and occupier of all of the land affected by the proposed diversion?

Yes No

If yes, go to 1.4

1.2 If no,

- list below the names and addresses of all the owners, occupiers or lessees of land affected by the diversion including yourself,
- indicate accurately on the application plan the different ownerships and occupations.
- enclose a letter of consent, and supporting documentation proving title, such as Land Registry documents, from all of the owners, occupiers and lessees.

Name	Address	Status (i.e. landowner, occupier or lessee)
MR STUART TINNEY	HOUSHAM HALL	LESSEE
	HARLOW ROAD	
	MATCHING TYE	
	HARLOW, ESSEX	
	CM17 0PB	

1.3 Will any owners, occupiers or lessees of the land affected by the proposed diversion to your knowledge claim compensation under Section 28 of the Highways Act 1980?

Yes No

1.4 Does, to your knowledge, any statutory undertaker (e.g. gas, water, electricity, telephone) have any rights on, over or under the land over which the right of way runs?

Yes No

If yes, describe the rights (e.g. wayleave)

1.5 Is to your knowledge the apparatus of any statutory undertaker affected by the proposed diversion?

Yes No

If yes, state what apparatus may be affected _____

2. **Reasons for application**

2.1 Please state fully your reasons for applying to divert the public right(s) of way. Remember that the County Council may not make an order unless it is satisfied that it is expedient in your interests to do so.

SEE RIDER A

3. **Description of routes**

The routes should be shown on an accurate up-to-date plan at a scale of not less than 1:2500.

PROPOSED MODIFICATION (HERTS CC) SHOWN BLUE ON PLAN

3.1 **Existing Route** (i.e. the path recorded on the Definitive Map)

from A OS grid ref E 542 414
N 214 311

to B OS grid ref E 542 498
N 214 378

distance 107 metres width _____

existing stiles/gates/bridges (list and show position on plan)

X2 GATES - ONE AT EACH END OF COMPOUND

SHOWN WHERE THE HERTS CC PROPOSED MODIFICATION
CROSSES THE COMPOUND FENCE

3.2 **Proposed Route** (DIVERSION)

from A OS grid ref E 542 414
N 214 311

to B OS grid ref E 542 498
N 214 378
(if known)

distance 110 metres width _____

proposed stiles/gates/bridges (list with grid refs and show position on plan). The Council will not normally agree to stiles or gates in the Order setting out the new route. If necessary they may be authorised separately under s147 of the Highways Act 1980 to prevent the ingress or egress of stock.

NONE

3.3 Is the existing (definitive) route unobstructed and fully available to the public?

Yes No

3.4 If the answer is NO, state fully the reasons why the route is obstructed and describe and show clearly on the application plan the obstruction and the route walked/ridden by the public.

SECURE GATES OBSTRUCT THE PROPOSED FOOTPATH, THEY
PROTECT THE BUILDINGS FROM VANDALISM AND THEFT.
THE ROUTE CURRENTLY USED FOLLOWS THE ROUTE OF
THIS PROPOSED DIVERSION.

4. COSTS

4.1 *I/We agree to pay the cost of processing the application as detailed in the Advice to Applicants. *I/We enclose a cheque for £70.

(*delete as appropriate)

Signed _____

G Aug 09

on beha _____

5. AGREEMENT REGARDING WORKS AND COMPENSATION COSTS

5.1 Works

*I/We understand that the applicant must pay the cost of all works which may be required by the County Council including signposting and waymarking to bring the new site of the path diversion into fit condition for use by the public. *I/We understand that *I/We will be required to enter into an agreement to carry out works specified in a schedule to be drawn up by the Countryside Access Officer. *I/We understand that if the works are not completed within the time specified, or to the required standard, the Countryside Access Officer will, after notice in writing, carry out or complete the works and that *I/We will be liable for all costs so incurred.

(*delete as appropriate)

5.2 Compensation

~~*I/We confirm that *I/We are the sole owner(s) and occupier(s) of the land affected by the proposed diversion.~~

*I/We enclose letters of consent from all landowners, occupiers or lessees of the land affected by the diversion and agree to pay any compensation which may become payable in consequence of the order becoming operative.

*I/We declare that the existing public right of way is not obstructed as described in 3.1 and is fully available to the public.

*I/We undertake not to obstruct the existing public path(s) in any way before the confirmed diversion order comes into operation.

*I/We understand that the diversion is not operational until the works, as specified, have been completed.

(*delete as appropriate)

Signed _____

06 AUG 09

on behalf _____

APPLICATION FOR A PUBLIC PATH DIVERSION ORDER

RIDER A

ROPEMAKER GILSTON LTD
C/o SAVILLS (L&P) LTD
CHEQUERS
19 NORTH STREET
BISHOPS STORTFORD
HERTFORDSHIRE
CM23 2LD

Hertfordshire County Council recently decided to make an order to modify their definitive map, creating new rights of way. Part of this modification order submitted by Hertfordshire County Council is for the creation of a new restricted byway to be added through the farmyard at Hunsdon Lodge Farm as shown in blue on the attached plan points A to B. This farmyard comprise two modern agricultural buildings and two Grade II listed timber framed Essex barns.

Listed building consent was previously obtained for the construction of a security fence around the perimeter of the farmyard, following extensive repairs to the listed barn. The Hunsdon area suffers greatly from numerous problems including vandalism, arson, theft, fly tipping, hare coursing, drug taking, unauthorised access by motorbikes and four wheel drives.

If the definitive map is modified as currently proposed, the double gates on both sides of the compound will need to be taken down, allowing total uninterrupted access to the farm buildings. Due to the layout of the yard, and practical needs to continue using the buildings, it is not possible to move the fence to either side of the byway. In any event we believe this will look unattractive and that listed building consent would not be forthcoming.

Ropemaker have therefore discussed with Hertfordshire County Council the possibility of diverting the route through the farm buildings, on to the track which runs around the edge of the site shown on the enclosed plan in green from points A to B.

Hunsdon Barns



- Compound Fence
- Proposed Modification (Herts CC)
- Proposed Diversion

Pond

76.5m +

A

B

