
PROPOSED PART EXTINGUISHMENT OF FOOTPATH 21 CANEWDON – THE WALLASEA ISLAND WILD COAST PROJECT

1 SUMMARY

- 1.1 An application from the Royal Society for the Protection of Birds (RSPB) has been received requesting a part Extinguishment Order for Footpath 21.

2 INTRODUCTION

- 2.1 Authority is sought under Section 257 of the Town and Country Planning Act 1990 to extinguish part of Footpath 21 as shown by the bold black line on the plan attached as Appendix 1. Section 257 of the 1990 Act enables the Council to extinguish the path in order to permit the carrying out of development for which Planning Permission has been granted.
- 2.2 This Application is in conjunction with a Planning Application (Ref: ESS/54/08/ROC) submitted by the Applicant to the County Council for the continued development of the Wallasea Island Wild Coast Project. On 24 April 2009 the County resolved that Planning Permission be granted subject to various conditions.

3 PROPOSED EXTINGUISHMENT

- 3.1 The Extinguishment is for approximately 900 metres where the footpath currently runs from north to south adjacent to the Roach Estuary to the east of Wallasea.
- 3.2 At this stage of the project, a 100 metre wide breach in the sea wall is required to allow the access and egress of tidal water. The extinguishment of the path is also essential to the project as it will allow for new habitats to form. Notwithstanding that the width of the breach is too large to construct a bridge for safety and cost reasons.
- 3.3 For the general public, a temporary footbridge will be erected on the definitive line at the point where Footpath 21 crosses the Conveyor, (point A on the attached map at Appendix 2). The definitive line will not therefore be obstructed or need to be diverted. There will also be an alternative tunnel under the conveyor (at point B on the attached Appendix 2). When all the work has been completed, it is proposed that both the bridge and the tunnel will be removed.
- 3.4 The County Council, as the Public Rights of Way Authority, has conducted a site visit with the Applicant confirming that this particular section of the path is currently in poor condition. The County officers feel that, as the project will include a new network of paths benefiting the public, the proposal is acceptable and they are in full support of this application.

3.5 The Applicant has carried out an informal consultation exercise and has found the general consensus to be in full support of the project.

3.6 The path currently runs on the land owned by Wallasea Farms Ltd who are working in partnership with the Applicant. They have raised no objections to the proposed extinguishment.

4 ENVIRONMENTAL IMPLICATIONS

4.1 The project will include a new network of footpaths benefiting the public.

5 RESOURCE IMPLICATIONS

5.1 The Applicant will be responsible for the Council's expenses in making the Extinguishment Order.

6 LEGAL IMPLICATIONS

6.1 In the event the Committee supports the proposed Extinguishment Order, statutory consultations will be undertaken and any representations will be considered prior to the confirmation of the Order.

7 PARISH IMPLICATIONS

7.1 Canewdon Parish Council will be consulted on the proposed Order.

8 RECOMMENDATION

8.1 It is proposed that the Committee **RESOLVES**

(1) To determine this application

Albert Bugeja

Head of Legal Services

Background Papers:-

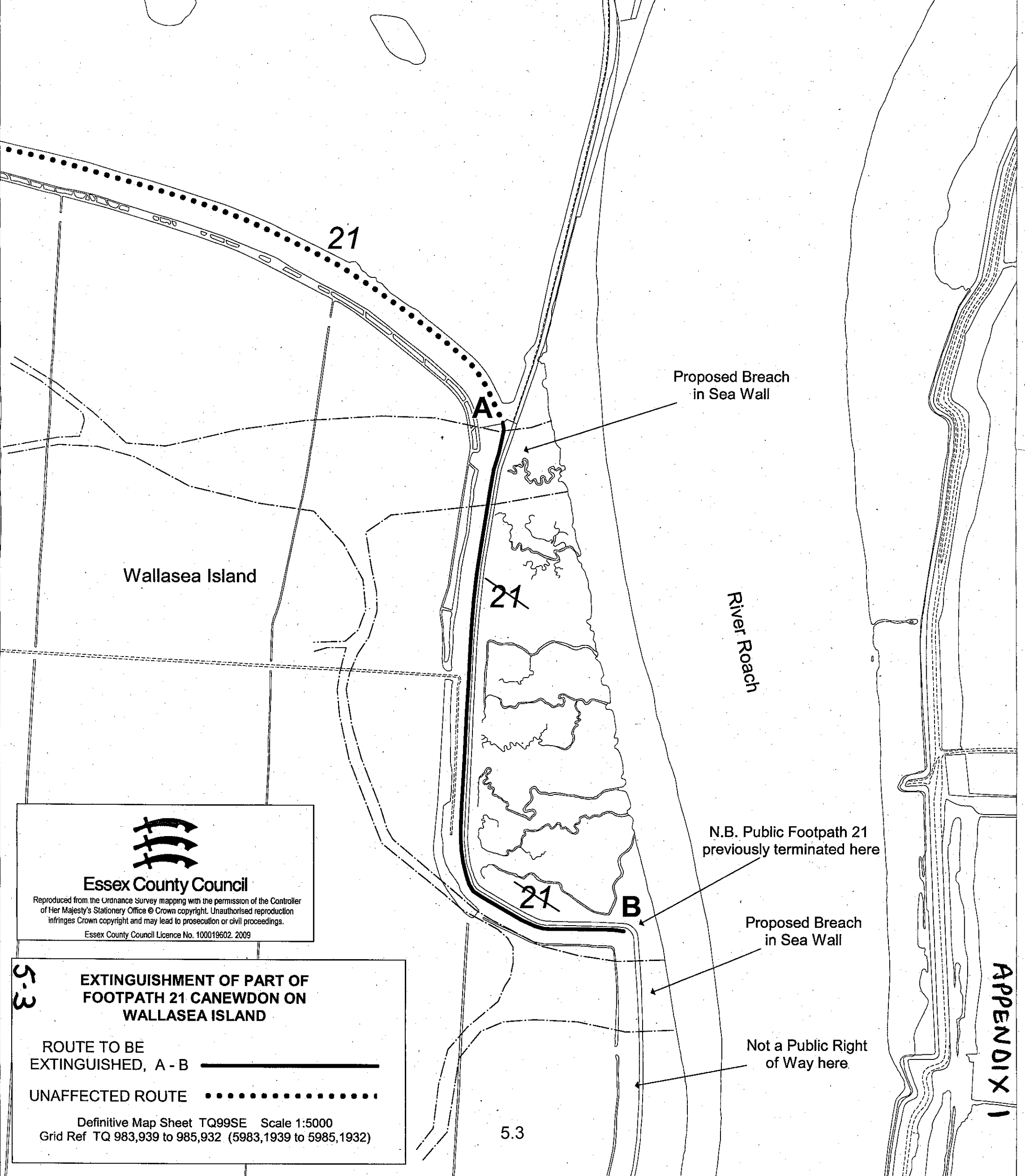
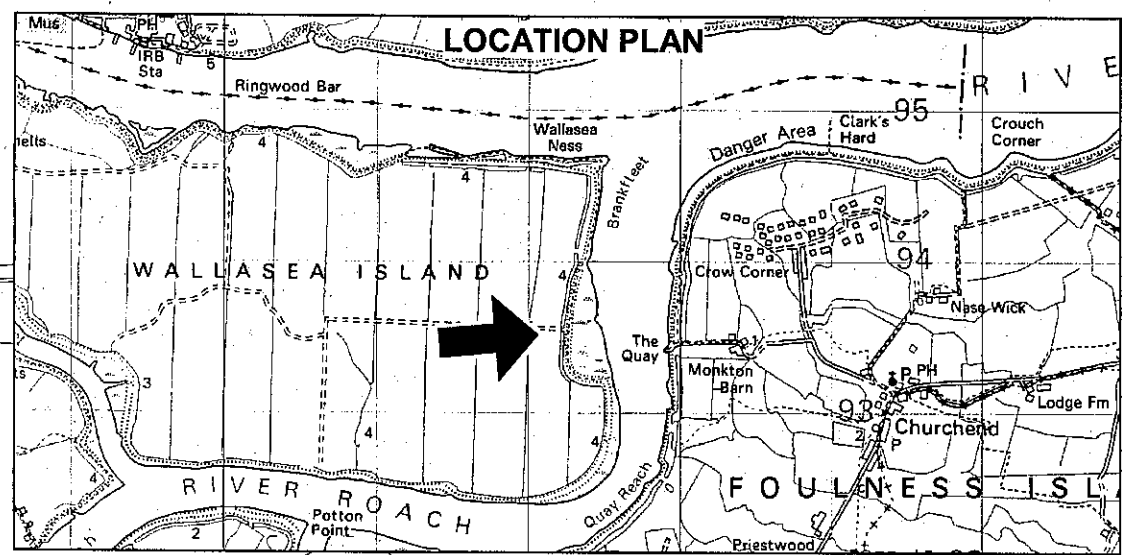
None

For further information please contact Angela Law on:-

Tel:- 01702 318131

E-Mail:- Angela.law@rochford.gov.uk

If you would like this report in large print, braille or another language please contact 01702 546366.



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5.3

**EXTINGUISHMENT OF PART OF
FOOTPATH 21 CANEWDON ON
WALLASEA ISLAND**

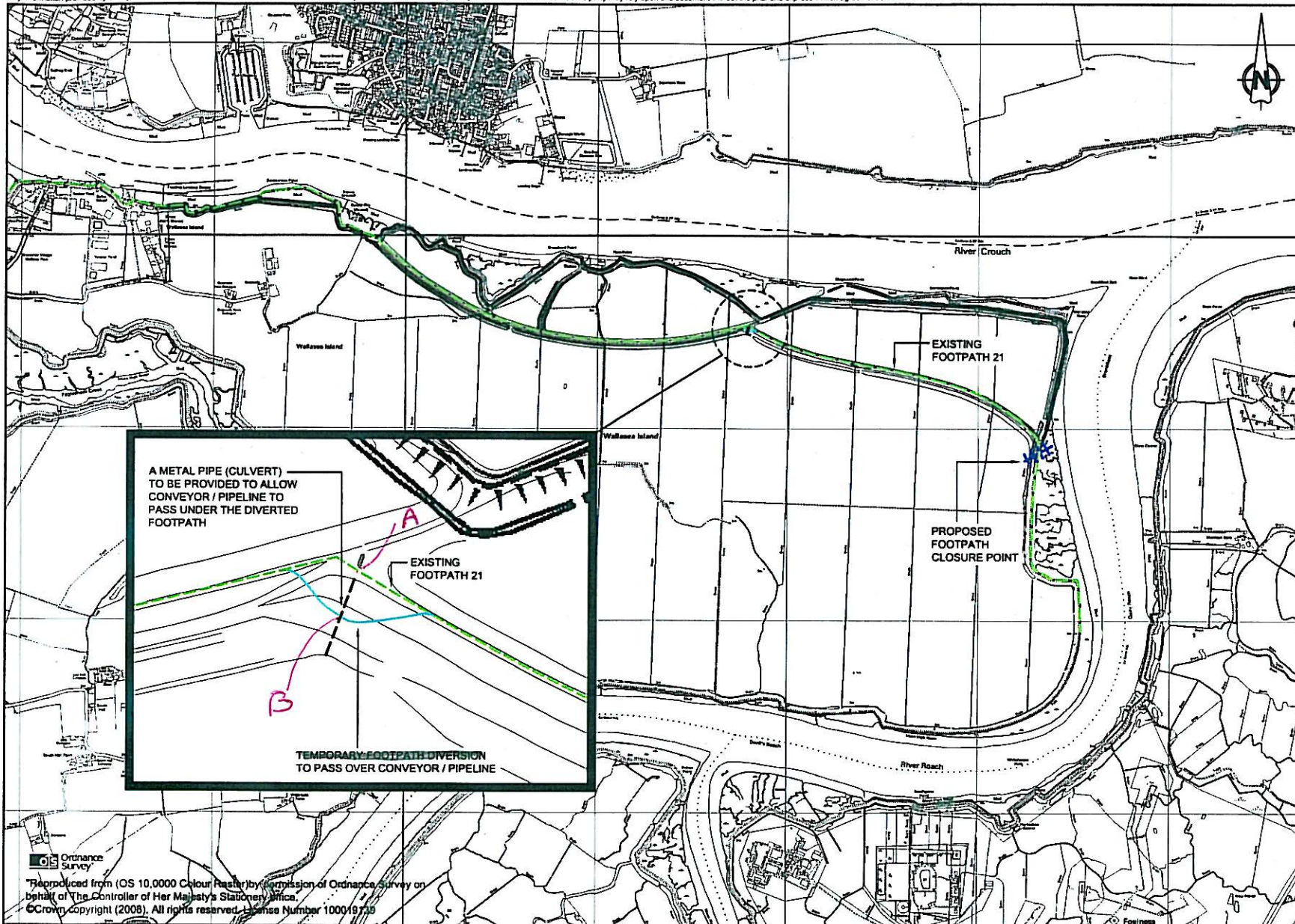
ROUTE TO BE
EXTINGUISHED, A - B —————

UNAFFECTED ROUTE

Definitive Map Sheet TQ99SE Scale 1:5000
Grid Ref TQ 983,939 to 985,932 (5983,1939 to 5985,1932)

APPENDIX 1

This document has been prepared by Faber Maunsell ("FM") for the sole use of our client (the "Client") and in accordance with generally accepted consultancy principles, the budget for fees and the terms of reference agreed between FM and the Client. Any information provided by third parties and referred to herein has not been checked or verified by FM, unless otherwise expressly stated in the document. No third party may rely upon this document without the prior and express written agreement of FM.



NOTES:

1. GROUND LEVEL RAISED FOR DIVERTED FOOTPATH WITH 1V IN 10H RAMPS PROVIDED.
2. ADDITIONAL FILL PLACED LANDWARD OF SEA WALL. (NOT SHOWN FOR CLARITY)
3. NO EXCAVATION IN EXISTING CLAY SEA WALL TO MAINTAIN ITS FLOOD DEFENCE INTEGRITY.

KEY:

- EXISTING PUBLIC FOOTPATH 21
- PROPOSED TEMPORARY FOOTPATH DIVERSION
- PROPOSED FOOTPATH CLOSURE POINT TO BE DEMARKED BY NEW TIMBER POST AND FOUR RAIL FENCE



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Client: THE ROYAL SOCIETY FOR THE PROTECTION OF BIRDS

Project: WALLASEA ISLAND WILD COAST PROJECT

Title: PROPOSED FOOTPATH CLOSURE / DIVERSION DETAILS

FABER MAUNSELL | AECOM

1 The Forum,
Minerva Business Park,
Lynch Wood,
Peterborough, PE2 6FT

Tel: +44 (0) 1733 391 456
Fax: +44 (0) 1733 391 139
www.fabermaunsell.com

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Chk'd: Susan Borrer	App'd: Phillip McDoughlin
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