

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 257

& PARAGRAPH 1 OF SCHEDULE 14

SOUTH HAMS DISTRICT COUNCIL

(FOOTPATH NO.28 BIGBURY)

PUBLIC PATH DIVERSION

ORDER 2020

PUBLIC PATH DIVERSION ORDER
TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257
& PARAGRAPH 1 OF SCHEDULE 14

SOUTH HAMS DISTRICT COUNCIL (FOOTPATH NO. 28 BIGBURY)

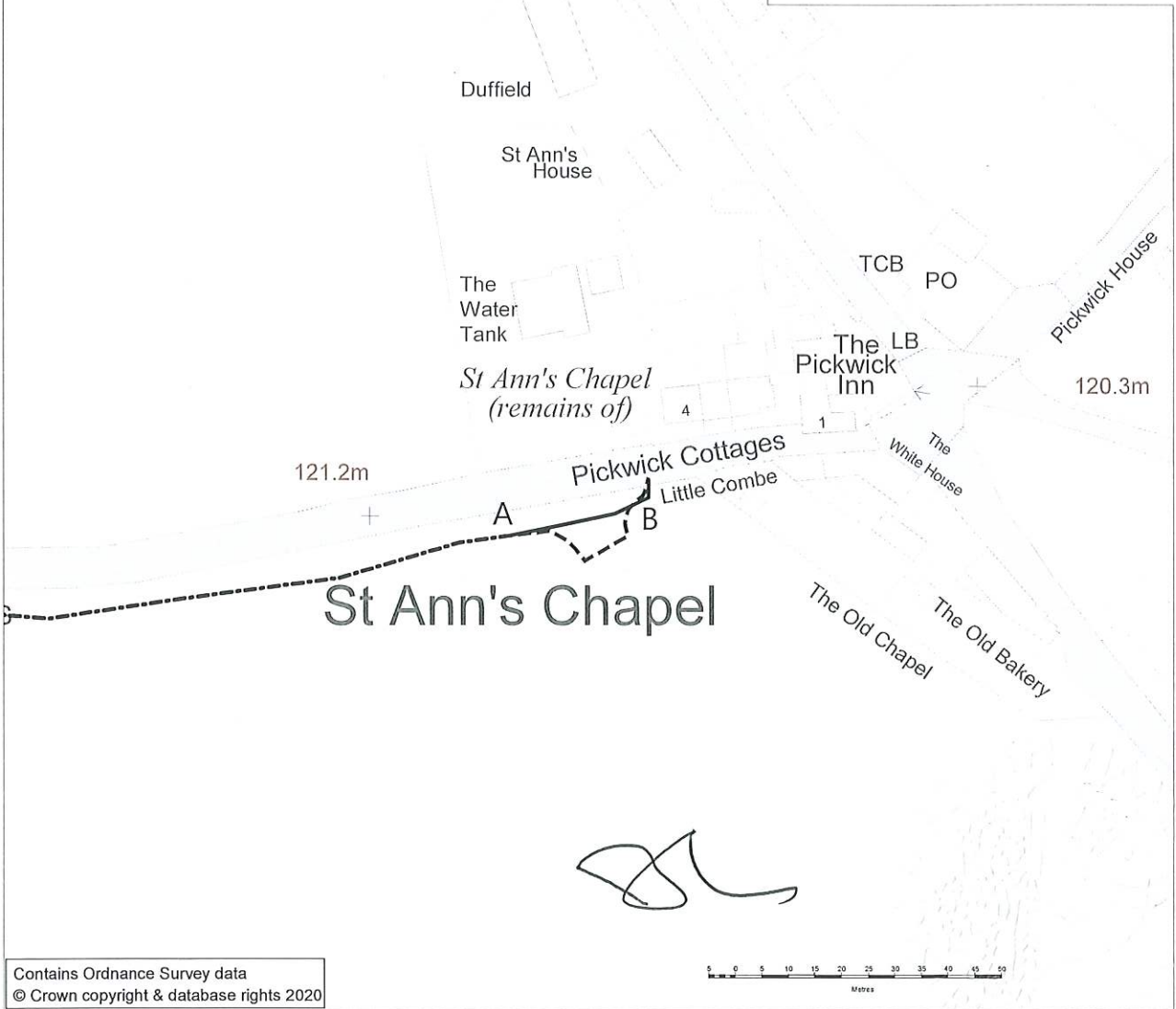
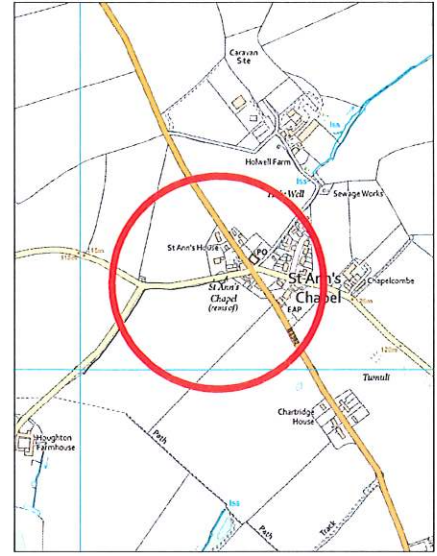
PUBLIC PATH DIVERSION ORDER 2020

This Order is made by SOUTH HAMS DISTRICT COUNCIL (hereinafter called "the Council") under section 257 of the Town and Country Planning Act 1990 because it is satisfied that -

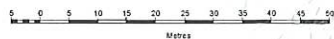
- (a) an application for planning permission has been made under Part III of that Act, namely the planning application reference 3450/19/ARM for the residential development in the field at SX 662 471, North West of Holwell Farm St Anns Chapel TQ7 4HQ pursuant to the planning permission reference 4097/16/OPA, and
- (b) if the application were granted it would be necessary to authorise the diversion of the footpath to which this Order relates in order to enable the development to be carried out.

BY THIS ORDER:

1. The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this Order shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of the Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath shall have effect on the date on which the Council certify that the terms of Article 2 have been complied with.



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South Hams District Council
Proposed Public Path Diversion Order
Footpath No. 28 Bigbury

Drawing No: 089
Scale: 1:1250
Date: 09/04/2020
Drawn by: RS



South Hams
District Council

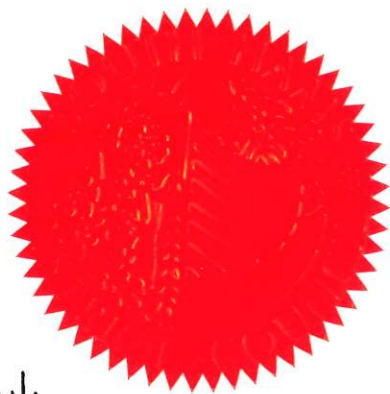
Notation	To be retained	To be extinguished	To be created
		A - B	A - B
		(31.3 metres)	(38.8 metres)

Map Reference: SX 6629 4718

Sophie Hosking
Chief Executive

- 4. The landowner is hereby required to pay the cost of carrying out the said works.
- 5. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.
- 6. This Order may be cited as the South Hams District Council (Public Footpath No. 28, Bigbury) Public Path Diversion Order 2020.

THE COMMON SEAL of SOUTH HAMS)
DISTRICT COUNCIL was hereunto)
affixed in the presence of:-)




.....
Solicitor / Legal Executive

ST/698

DATED 14th April 2020

SCHEDULE

PART 1

DESCRIPTION OF SITE OF PATH EXTINGUISHED

Section of path as indicated on map	Position	Width
A-B (31.3 metres)	The existing and retained footpath follows the edge of the field approaching point A from the west. At Point A (SX 662 471), the footpath continues to follow the edge of the field in a generally easterly direction for a further 31.3 metres to end at point B, a roadside pedestrian gate (SX 663 472).	2 metres through grass field to a 1.2 metre wide pedestrian gate.

PART 2

DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

Section of highway as indicated on map	Position	Width
A-B (38.8 metres)	From a new pedestrian gate (1.2 metres wide, compliant with British Standard 5709:2006) at point A, the proposed route will follow a new asphalt pavement for 10 metres around the visibility splay in a south-easterly direction adjacent to the new estate road, before crossing at a point marked by tactile crossing slabs. On the opposite side of the estate road, the proposed route will follow asphalt pavement for 10 metres around the opposite side of the visibility splay in a north-easterly direction to terminate at point B (where the new pavement ends at the road to the north).	2 metres wide asphalt pavement.