

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257

HARTLEPOOL BOROUGH COUNCIL

THE HARTLEPOOL BOROUGH COUNCIL PUBLIC FOOTPATH NO.3 HART DIVERSION ORDER 2015

This order is made by Hartlepool Borough Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the section of the public footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990, namely a residential development of 23 dwellings, associated roads, drainage and landscaping.

BY THIS ORDER

1. The section of Public 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 ("the Schedule") shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of Hartlepool Borough Council an alternative highway for use as a replacement for the said public footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the public footpath shall have effect on the date on which Hartlepool Borough Council certify that the terms of Article 2 above have been complied with.
4. The following works shall be carried out in relation to the highway described in part 2 of the Schedule; The developer will be constructing a tarmac footway of 2 metre width. This Public Footpath will form part of the housing development's footway network. The Public Footpath will start at grid reference 447121:534885 (point A on the plan) and continues, apart from the section of the diversion where the route crosses a road within the housing development, for the full length of the diversion route to grid reference 447142:534885 (point C on the plan). Dropped Kerbing will be installed on both footways on either side of the road crossing point. An existing limitation (kissing-gate) at the junction between Hart Pastures (to the north) and the development site will be removed by the developer – grid reference 447121:534885 (point A on the plan).
5. The developer, Gentoo Homes, is hereby required to pay for the cost of carrying out the said works.
6. Where immediately before the date on which the section of public footpath is diverted there is apparatus under, in, on, over, along or across it belonging to the statutory undertakers for the same purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

Width is variable but not recorded on the definitive statement

Public Footpath No.3 Hart; The section of Public Footpath commencing from the kissing-gate between Hart Pastures and the pasture field, at grid reference, 447121:534885 (point A on the plan), the path heads in a south westerly direction for 16 metres, along the field edge of the pasture field to grid reference 447109:534874 (point B on the plan), where it then heads in a south easterly direction

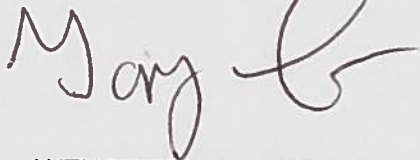
for 80 metres along the side of the pasture field to grid reference 447142:534801 (point C on the plan).

PART 2
DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

Width 2 metres for the full length of the diversion route.

Footpath No. 3 Hart; Commencing at grid reference 447121:534885 (point A on the plan) then in a south easterly direction for 1 metre, to grid reference 447122:534884 (point D on the plan). From here the footpath continues in a north easterly direction for 8 metres to grid reference 447127:534890 (point E on the plan) then heads in a south easterly direction for 19 metres to grid reference 447141:534878 (point F on the plan). The footpath then continues in a southerly direction for 33 metres to grid reference 447148:534845 (point G on the plan) and then heads in a south westerly direction for 4 metres to grid reference 447145:534844 (point H on the plan). From there it continues in a southerly direction for 18 metres to grid reference 447145:534820 (point I on the plan). It then continues in a south westerly direction for 25 metres to grid reference 447142:534801 (point C on the plan) where it re-joins the existing public footpath.

THE COMMON SEAL OF
HARTLEPOOL BOROUGH COUNCIL
was hereunto affixed this day of
18th May 2015 in the presence of;



AUTHORISED SIGNATORY

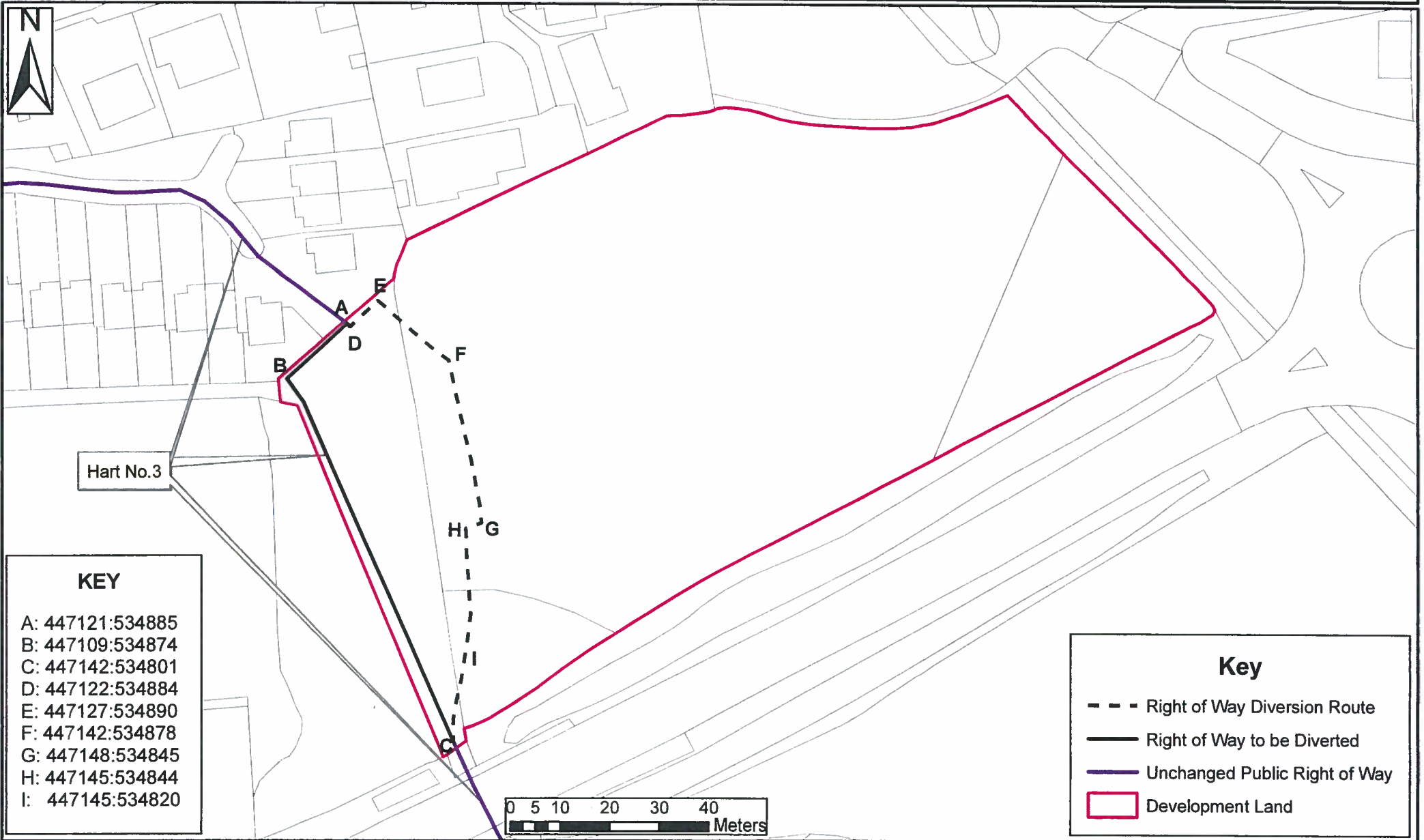


The foregoing order is hereby confirmed
subject to the red ink modifications thereon

Michael Lowe 15 MAR 2016

An Inspector appointed by The Secretary
of State for Environment, Food and
Rural Affairs

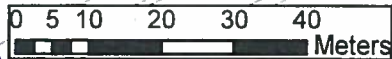
Town & Country Planning Act 1990, s 257 - proposed diversion of Public Footpath No.3, Hart Parish



Hart No.3

KEY

- A: 447121:534885
- B: 447109:534874
- C: 447142:534801
- D: 447122:534884
- E: 447127:534890
- F: 447142:534878
- G: 447148:534845
- H: 447145:534844
- I: 447145:534820



Key

- - - Right of Way Diversion Route
- Right of Way to be Diverted
- Unchanged Public Right of Way
- Development Land



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Sub Title: ROW/PPDO/01/14/TCPA90s257
 Scale: 1:1,000 @ A4
 Date: 1st April 2015
 Drawn By: Parks & Countryside Section

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