

Application No: PROW

Date Received:



Working for you

Harrogate Borough Council Planning Services, PO Box 787, Harrogate, HG1 9RW
T: (01423) 500600 TXT: (01423) 556543 www.harrogate.gov.uk/planning

**TOWN AND COUNTRY PLANNING ACT 1990
SECTION 257 – STOPPING UP/DIVERSION OF FOOTPATHS/BRIDLEWAYS**

PLEASE READ THE ACCOMPANYING NOTES BEFORE COMPLETING THIS FORM.

THREE COPIES OF THIS FORM, PLANS AND SUPPORTING INFORMATION SHALL BE SUBMITTED TO THE ABOVE ADDRESS OR EMAILED TO ippu@harrogate.gov.uk

1. APPLICANT'S NAME AND ADDRESS

Email:

Day time Tel:

2. AGENT'S NAME AND ADDRESS (if applicable)

Email:

Day time Tel:

3. POSTAL ADDRESS OF PLACE, CITY, TOWN OR VILLAGE IN WHICH THE HIGHWAY(S) IS/ARE SITUATED

4. NAME OF PARISH IN WHICH HIGHWAY IS SITUATED

5. WHAT DEVELOPMENT NECESSITATES THE STOPPING UP/DIVERSION APPLIED FOR?

PLEASE STATE RELATED PLANNING PERMISSION REF NO

Note: A case justifying the proposed stopping up or diversion should accompany this application either in the form of an Appendix or covering letter.

6. HIGHWAY(S) TO BE STOPPED UP OR DIVERTED

(a) Select type of highway:

(b) Name(s) or No(s), if any

(c) Length(s) in metres of section(s) to be stopped up or diverted

(d) Description of length(s) to be stopped up or diverted (see note 3c)

7. TIMING OF DEVELOPMENT

(a) On what date is the development affecting the highway expected to begin?

(b) Has the development which necessitates the diversion or stopping up already begun?

If so, when?

(c) Is the development substantially complete?

8. DECLARATION

(a) I am the owner in fee simple of all land over which the existing footpath or bridleway and the diverted route runs.

IF OTHER GIVE DETAILS:-

(b) I give below the name and address of all other persons who have an interest in any of the land affected and confirm that they have been informed of this application and have consented to it. *(Please submit copies of third party agreements, if appropriate)*

(c) I/We hereby agree to pay to Harrogate Borough Council the legal expenses incurred by the said Council in processing the proposed Order, the subject of this application. *(See note 5)*

(d) I/We declare that, to the best of my/our knowledge and belief, all the particulars inserted on this form are true and accurate.

Signed

Date

Notes for Applicants

1. "Highway" is a generic term encompassing various public rights of way over land. Highways, or parts of them, may be classed as follows:-

- a) "footpath" – a highway in its own rights over which the public have a right of way on foot only.
- b) "bridleway" – a highway over which the public have the following, but no other, rights of way that is to say, a right of way on foot and a right of way on horseback or leading a horse, with or without a right to drive animals of any description along the highway.

2. Section 257 of the Town and Country Planning Act 1990 empowers the Local Planning Authority to make a stopping up or diversion order if it is satisfied that it is necessary to enable development to be carried out in accordance with planning permission granted under Part III of the Act.

3. An application can only be considered if it can be shown that the diversion is:-

- a) In the interests of the owner, lessee or occupier of land crossed by the path, or
- b) In the interests of the public.

In addition the diverted path must not be substantially less convenient to the public and regard will be had to the effect on public enjoyment of the path as a whole, to the effect on other land served by the existing path, and to the effect on land over which the new path will run.

4. Submission of Plans and Forms

- a) Three copies are required of a plan, or plans as the case may be. They should be based on Ordnance Survey and drawn to a scale of not less than 1/2500.
- b) Where footpaths and/or bridleways are proposed to be stopped up or diverted they should be shown by a solid black line. New footpaths and/or bridleways should be shown by thick black dashes.

- c) A north point must be clearly marked on the plans, and the plans preferably prepared so that this point is parallel with the vertical side of the plan and pointing upwards.
 - d) The terminal points of the lengths of highway proposed to be stopped up or diverted should be clearly evident from the plans.
 - e) It is necessary to identify highways such as footpaths and bridleways in words (eg the footpath/bridleway leading from Duck Street to Coldstones Quarry) and sufficient information should be given on the plans and under questions 6 (b), (c) and (d) to enable the Local Planning Authority to prepare an adequate description.
 - f) An unmarked copy of the plan is also required for reprographic purposes. This should be of good quality and show no details of the stopping up or diversion.
 - g) Three copies of the application form should accompany the submission.
5. The costs of making the public path order is a charge in respect of the costs incurred in the making of the order by the Council's legal department. An uncontested application that requires a single order will cost £1200 (at 1 April 2015), If the order is contested, costs are likely to be higher. Please see the relevant costs schedule. These costs do not include the cost of advertising the order (each advert currently costs c£350 - at 1 October 2015) which will be charged to the applicant additionally. The power to recharge costs is contained in the Local Authority (Recovery of Costs for Public Paths Orders) Regulations 1993.