

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257

**THE NORTH YORKSHIRE COUNCIL (SOUTH OTTERINGTON) PUBLIC PATH
DIVERSION ORDER NO 2024/01**

This order is made by The North Yorkshire Council under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the 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:

Planning Permission granted by The North Yorkshire Council on 15th June 2023 for the Demolition of existing agricultural outbuildings and single storey extension to End House, Stainthorpe Row and proposed residential development comprising of 42 new dwellings, means of access, site infrastructure, open space and associated landscaping. The diversion is to move the footpath to link the new estate.

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 ("the Schedule") shall be diverted.
2. There shall be created to the reasonable satisfaction of The North Yorkshire 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 North Yorkshire 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 1 and Part 2 of the Schedule:

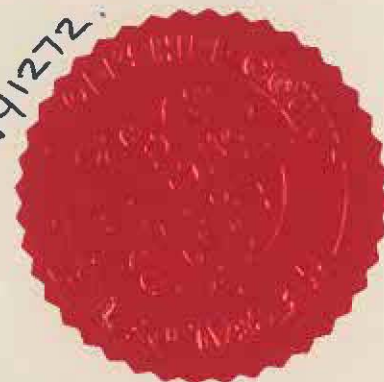
Point C to Point D will be 2 metres wide with a tarmac surface. Point C to Point D will also be lit. Point D to Point B will be 1.5 metres wide with a stone surface. At Point B, replace the existing stile with a 1.1m wide gap (in accordance with British Standard 5709:2018).
5. Mr David West of Alexander House, 1 Mandarin Road, Rainton Bridge Business Park, Houghton-le-Spring, DH4 5RA is required to pay for the cost of carrying out the said works.
6. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, 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.

The COMMON SEAL of The North Yorkshire Council was hereunto affixed this day of 2024 in the presence of

Catiana Pabro

**AUTHORISED
SIGNATORY**

NY1272



SCHEDULE

PART 1

Description of site of existing path or way

<u>Section of footpath as indicated on map</u>	<u>Position</u>	<u>Width</u>
A - B	The existing footpath number 10.136/1 commences at Point A (Grid reference SE3754 8733) and continues in a generally west direction for approximately 163m to a stile at Point B (Grid reference SE3738 8731)	Not Recorded

PART 2

Description of site of alternative highway

<u>Section of footpath as indicated on map</u>	<u>Position</u>	<u>Width</u>
C - D	New Footpath number 10.136/1 The proposed footpath commences at point C (Grid reference SE3753 8734) and continues in a generally west direction for approximately 101 metres to point D (Grid reference SE3744 8732)	2 metres
D - B	New Footpath number 10.136/1 At point D (Grid reference SE3744 8732) the footpath continues in a generally west direction for approximately 68 metres to a 1.1m gap at Point B (Grid reference SE3738 8731)	1.5 metres

Dated

2024

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 257

HAMBLETON DISTRICT COUNCIL


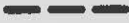



SOUTH OTTERINGTON

PUBLIC PATH DIVERSION ORDER 2024/01



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N.Y.1272
 NORTH YORKSHIRE COUNCIL
 C. Davis

 <p>NORTH YORKSHIRE COUNCIL Public Rights of Way Countryside Access Service County Hall Northallerton DL7 8AH</p>	<p>Key: Footpath to be added  Footpath to be deleted  Other footpaths  Maintainable Highways </p>	<p>The North Yorkshire Council Town and Country Planning Act 1990</p> <p>Footpath No. 10.136/1, Maunby, Newby Wiske & South Otterington Diversion Order 2024</p>
	<p>Map drawn on 8 May 2024</p>	
<p>Drawn by SJW</p>	<p>Scale 1:1250</p>	