

**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 15<sup>th</sup> 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 Cabral

**AUTHORISED  
SIGNATORY**

NY/272.



21 June 2024

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

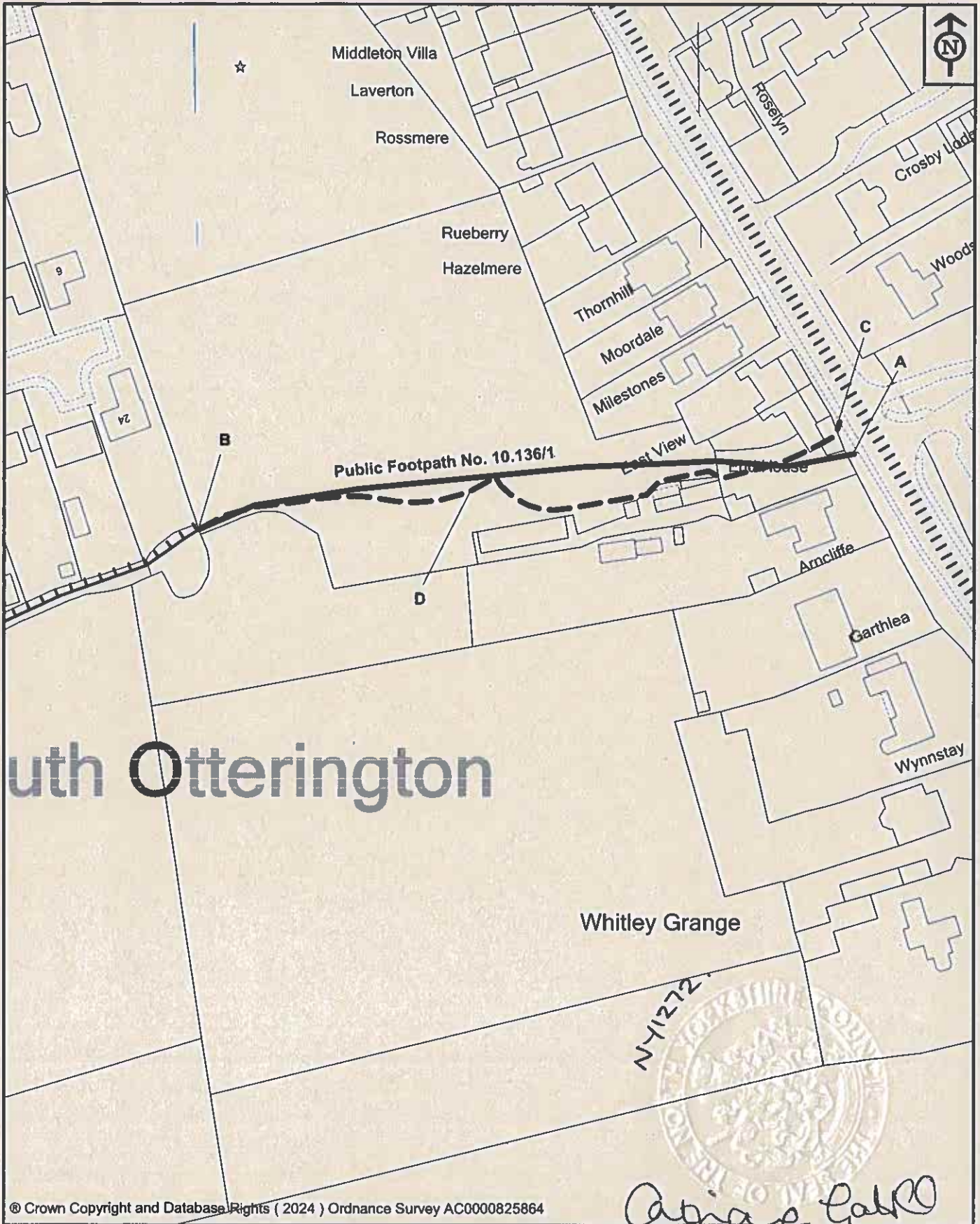
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HAMBLETON DISTRICT COUNCIL

SOUTH OTTERINGTON

PUBLIC PATH DIVERSION ORDER 2024/01

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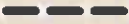
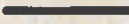




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*C. Jones*



**NORTH YORKSHIRE COUNCIL**  
Public Rights of Way  
Countryside Access Service  
County Hall  
Northallerton  
DL7 8AH

- Key:**  
 Footpath to be added        
 Footpath to be deleted        
 Other footpaths        
 Maintainable Highways      

Map drawn on 8 May 2024

Drawn by SJW      Scale 1:1250

**The North Yorkshire Council**

Town and Country Planning Act 1990

Footpath No. 10.136/1,  
Maunby, Newby Wiske  
& South Otterington  
Diversion Order 2024

File Ref No. 2024/01



**PUBLIC PATH DIVERSION ORDER**  
**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257**  
**PUBLIC FOOTPATH 10.136/1 SOUTH OTTERINGTON**  
**SOUTH OTTERINGTON DIVERSION ORDER NO 2024/01**

The North Yorkshire Council in exercise of the powers conferred upon it in that behalf hereby confirm the foregoing Order (without any modification) as an Unopposed Order.

EXECUTED as a DEED by affixing )  
the common seal of )  
**THE NORTH YORKSHIRE COUNCIL** )  
In the presence of )



Dated 23 August 2024

A handwritten signature in black ink that reads 'Catriona Laidlaw'.

Authorised Signatory

**THE NORTH YORKSHIRE COUNCIL  
NOTICE OF CONFIRMATION OF A PUBLIC PATH DIVERSION ORDER  
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257**

**PUBLIC FOOTPATH 10.136/1 SOUTH OTTERINGTON  
SOUTH OTTERINGTON DIVERSION ORDER NO 2024/01**

On 23<sup>rd</sup> August, 2024..... the North Yorkshire Council confirmed the above Order without modifications.

The effect of the Order will be to divert part of public footpath No.10.136/1 which presently starts at Ordnance Survey Grid Reference SE3754 8733 and continues in a generally west direction for approximately 163m to a stile at Point B (Grid reference SE3738 8731).

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). 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)

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).

A copy of the confirmed order and the order map have been placed and may be seen free of charge during normal office hours at reception at County Hall, Racecourse Lane, Northallerton DL7 8AD. Copies of the confirmed order and map may be purchased at a reasonable cost.

This Order comes into force on the date on which the North Yorkshire Council certify that the terms of Article 2 of the Order have been complied with but if any person aggrieved by the Order wishes to question its validity, or that of any provision contained therein, on the ground that it is not within the powers of the Act, or on the ground that any requirement of the Act, or of any regulation made under it has not been complied with in relation to the confirmation of the Order, they may apply to the High Court for any of these purposes under Section 287 of the Town and Country Planning Act 1990 within 6 weeks from the date on which the Notice is first published as required by Paragraph 8 of Schedule 14 to the Act.

Dated: 23<sup>rd</sup> August..... 2024  
Signed: Ian A. Nesbit.....

Ian Nesbit – Principal Planning Officer

The North Yorkshire Council, County Hall, Racecourse Lane, Northallerton DL7 8AD