

PUBLIC PATH DIVERSION ORDER

Section 257 Town and Country Planning Act 1990

ARUN DISTRICT COUNCIL PUBLIC FOOTPATH 326 (PART) PUBLIC PATH DIVERSION ORDER 2021

This Order is made by Arun District 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 Town and Country Planning Act 1990 namely development for the erection of 38 No. dwellings, Public Open Space, a play area and drainage features at Land North of Yapton C of E Primary School, North End Road, Yapton (Planning Application ref: Y/71/20/RES)

BY THIS ORDER

1. The footpath marked by a continuous black line on the attached Order Map ("the Order Map") and described in Part I of the Schedule to this Order ("the Schedule") shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of Arun District Council and West Sussex County Council an alternative footpath for use as a replacement for the said footpath as provided in Part II of the Schedule and shown by a broken black line on the Order Map.
3. The footpath over the land described in Part III of the Schedule on the Order Map shall be improved to the reasonable satisfaction of Arun District Council and West Sussex County Council.
4. The diversion of the footpath shall take effect on the date on which the Arun District Council certifies that the terms of Article 2 above have been complied with.
5. The following works shall be carried out in relation to the footpath described in Part II of the Schedule, that is to say:
 - a. the alternative footpath shall be a minimum width of 3 metres.
 - b. there shall be hoggins surface between Points E and H unless the route is pavement whereby surface will be tarmac.
 - c. the alternative footpath shall be free from all obstructions and must not include any stiles, gates, posts or other structure
 - d. there shall be provision for walkers to cross the services roads, at crossing points as necessary
 - e. the alternative footpath will be waymarked by West Sussex County Council.
 - f. the construction of the alternative footpath shall be to a specification to be agreed with the Director of Highways and Transport, West Sussex County Council
6. The following works shall be carried out in relation to the highway described in Part III of the Schedule, that is to say:
 - a. there shall be hoggins or tarmac surface between points H and D

- b. there shall be hoggin surface between points B and E
- c. the construction of the hoggin or tarmac surfaces shall be to a specification to be agreed with the Director of Highways and Transport, West Sussex County Council.

7. Dandara Ltd is hereby required to pay the cost of carrying out the above-mentioned works.
8. Where immediately before the date on which the footpath is stopped up and 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.

SCHEDULE

Part I

Description of existing Path or Way which is to be Stopped Up

Part of public footpath No, 326 commencing at point B on the Order Map (Grid ref: X497814.6254 Y103725.4031) running in a north westerly direction for approximately 105.6 metres to Point C (Grid ref: X497787.3457 Y103827.3862) then continuing in a westerly direction for approximately 62.3 metres to Point H (Grid ref: X497731.2939 Y103854.6387) as shown by a continuous black line on the Order Map.

Part II

Description of Alternative Footpath as Diverted

The new route of the footpath having a minimum width of 3 metres throughout commences at Point E on the Order Map (Grid ref: X497739.4915 Y103749.2866) which is approximately 79.3 metres west of Point B (Grid ref: X497814.6254 Y103725.4031) on the existing public footpath 329. From Point E the alternative footpath continues in a north westerly direction through an area of open space for approximately 48.1 metres where it joins the pavement (which is tarmac) at Point F (Grid ref: X497727.3656 Y103795.8676) and continues to run along the pavement in a north westerly direction for approximately 41.7 metres to point G (Grid ref: X497718.0052 Y103826.7499) and then continues to run along the pavement in a north easterly direction for approximately 30.9 metres to point H (Grid ref: X497731.2939 Y103854.6387), as shown by a broken black line on the Order Map

Part III

Description of existing highway to be improved

Part of public footpath No. 326 commencing at point H on the Order Map (Grid Ref: X497731.2939 Y103854.6387) running in a westerly direction for approximately 28.2 metres to point D (Grid Ref X497706.0798 Y103866.8979) as shown by hatched black line on the Order Map.

Part of the public footpath No. 329 commencing at point B on the Order Map (Grid Ref: X497814.6254 Y103725.4031) running in a westerly direction for approximately 79.3 metres to point E (Grid Ref: X497739.4915 Y103749.2866) as shown by the intermittent black line on the Order Map.

Dated this 19 day of February 2021

IN WITNESS whereof the Common Seal
of Arun District Council was
hereunto affixed in the presence of:

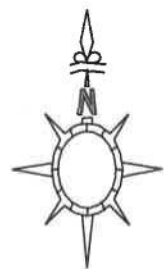
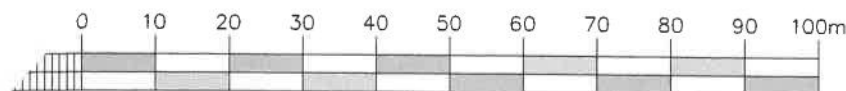


Proper Officer: EDWARD O'BRIEN, PROPERTY LAWYER
Seal Book No: 17/2021

This order was confirmed by
Arun District Council on 28 April 2021

Authorised Signatory

1:1000 @ A3

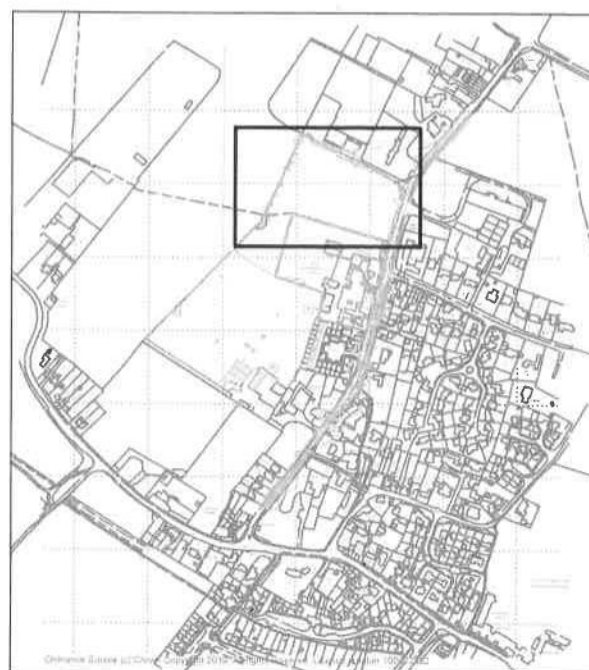


Notes:

Length A-B: 12.15m
 Length B-C: 105.6m
 Length C-D: 90.3m
 Length C-H: 62.3m
 Length E-F: 48.1m (Width of Path 3m)
 Length F-G: 41.7m (Width of Path 3m)
 Length G-H: 30.9m (Width of Path 3m)
 Length H-D: 28.2m (Width of Path 3m)
 Length A-I: 179m
 Length B-E: 79.3m

Grid References:

A: X = 497826.2751 Y = 103721.8862
 B: X = 497814.6254 Y = 103725.4031
 C: X = 497787.3457 Y = 103827.3862
 D: X = 497706.0798 Y = 103866.8979
 E: X = 497739.4915 Y = 103749.2866
 F: X = 497727.3656 Y = 103795.8676
 G: X = 497718.0052 Y = 103826.7499
 H: X = 497731.2939 Y = 103854.6387
 I: X = 497653.8632 Y = 103759.5417



Ordnance Survey Licence No. 100022432

Key:

- Proposed Footpath 326
- Footpath 326 to be stopped up
- ||||| Existing Footpath 326
- Existing Footpath 329

This order was confirmed
 by Aun District Council on
 28 April 2021

M	05/02/21	Line type A-B changed	SM
L	01/02/21	Line type A-B changed	SM
K	06/01/21	Length B-E added, FP329 Hatching changed	SM
J	18/12/20	Removal of Line B-E, Hatching changed	SM
I	14/12/20	Amended to meet planners comments	SM
H	25/11/20	Grid References Added	SM
G	18/11/20	Additional map added, new OS base used	SM
F	09/11/20	Amendments made with planners comments	SM
E	28/10/20	Additional Length	SM
D	26/10/20	Points and Lengths added	SM
C	23/10/20	F.P 326 diversion amended	SM
B	23/09/20	F.P 326 amended	SM
A	17/09/20	Initial Issue	SM

dandara
new homes

Roman House, South Hampshire Industrial Park,
 Eddystone Road, Totton, SO40 3SA
 Tel: 02382 124061

Development

Yapton

Status

Planning

Drawing Title

Footpath Diversion Layout

Scale

Varies

Paper Size

A3

Date

17/09/2020

Drawn

SM

Checked

AR

Drwg. No.

YAP-PLAN-FDL

Rev.

M