

TENDRING DISTRICT COUNCIL

**PUBLIC PATH DIVERSION ORDER 2020
FOOTPATH 20 WIX**

**IN
THE DISTRICT OF TENDRING**

**TOWN & COUNTRY PLANNING ACT 1990 - SECTION 257
PUBLIC PATH DIVERSION ORDER**

TENDRING DISTRICT COUNCIL
TOWN & COUNTRY PLANNING ACT 1990 - SECTION 257
PUBLIC PATH DIVERSION ORDER
FOOTPATH 20 WIX

This Order is made by TENDRING DISTRICT COUNCIL (“the authority”) under sections 257 of the Town & Country Planning Act, 1990 (“the 1990 Act”) because it is satisfied that it is necessary to divert part of the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under the Town and Country Planning Act 1990 namely: Planning Application 19/01472/FUL Proposed new holiday accommodation, amendments to use of former workshop building previously approved for holiday accommodation and diversion of public footpath, Richwill Farm Oakley Road Wix Manningtree Essex CO11 2SF.

BY THIS ORDER:

1. The public right of way over the land situated south of the carriageway known as Oakley Road, Wix and known as Footpath 20 Wix in the District of Tendring and shown by a bold continuous line on the map contained in this Order which is marked Plan No. PROW-20-10 rev.06.03.20 (‘the Order Map’) and described in Part 1 of the Schedule to this Order shall be stopped up as provided below.
2. There shall be created to the reasonable satisfaction of TENDRING DISTRICT COUNCIL an alternative highway for use as a replacement for the said footpath as described in part 2 of the schedule and as shown by a bold broken black line on the Order Map Plan No. PROW-20-10 rev.06.03.20
3. The diversion of the footpath shall have effect on the date on which ESSEX COUNTY COUNCIL certify that the terms of Article 2 above have been complied with.

4. Richwill Ltd are hereby required to pay the full costs of seeking the diversion Order and for carrying out the works; this to include costs of advertising and administration, accommodation costs for any resulting hearing or inquiry, and the removal or abandonment of any apparatus, including the cost of providing any telecom apparatus rendered useless under, in, on, over, along or across the path to be stopped up.

5. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule:

(a) The installation of a culvert and 1.1 metre gap by the side of the gate

(b) The proposed footpath from points D to C (after the above-mentioned gap) to comprise a clear level path of two metres width.

(c) The proposed footpath to be delineated by a fingerpost and way-markers as required by Essex County Council public rights of way local highways officers.

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 out 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

A part length of Footpath 20 Wix shown by a bold continuous line on the Order Map starting from point **A** south of the carriageway known as Oakley Road at grid reference 61850,22799 and running in a south westerly direction along the farm access drive for a distance of approximately 88 metres to point **B** at grid reference 61845,22772 located north of a pond running in first a south easterly then south westerly then finally south easterly direction for a distance of approximately 75 metres through the business grounds and garden area to point **C** at grid reference 61848,22767 where it meets the field edge and continues unaffected.

[PART 2]

DESCRIPTION OF SITE OF NEW PATH OR WAY

A Footpath being 1.1 metres in width shown by a bold broken line on the Order Map commencing at point **D** at grid reference 61859,22775 located at a gap alongside a gate by the carriageway known as Oakley Road approximately 102 metres south west of the aforementioned point **A** continuing immediately after the gap at a width of 2 metres and running in a south westerly direction along a farm track for a distance of approximately 139 metres to the aforementioned point **C** where it continues unaffected.

Dated: day of
 2020

PUBLIC PATH DIVERSION ORDER

**TOWN & COUNTRY PLANNING ACT
1990 Section 257**

Footpath 20 Wix
District of Tendring

**TENDRING DISTRICT COUNCIL
Thorpe Road, Weeley, CO16 9AJ**