

**TENDRING DISTRICT COUNCIL**

**PUBLIC PATH DIVERSION ORDER 2025  
FOOTPATHS 3 AND 4 WEELEY**

**IN  
THE DISTRICT OF TENDRING**

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

**TENDRING DISTRICT COUNCIL**  
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**PUBLIC PATH DIVERSION ORDER**  
**FOOTPATHS 3 AND 4 WEELEY**

This Order is made by TENDRING DISTRICT COUNCIL (“the authority”) under section 257 of the Town & Country Planning Act 1990 (“the 1990 Act”) because it is satisfied that it is necessary to divert part of the footpaths 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 by Tendring District Council namely: Outline Ref: 19/00524/OUT granted 14/08/2019 and Reserved Matters Ref: 22/00979/DETAIL granted 04/10/2023 in respect of for 280 dwellings, a 2 Form of Entry Primary School, 56 place early years nursery, up to 3,000 sqm of office (B1) buildings on 1 hectare and associated ancillary buildings, drainage systems, boundary treatments and hard surfacing, as well public open space, vehicular access from Thorpe Road on Land south of Thorpe Road, Weeley

BY THIS ORDER:

1. The public rights of way over the land situated at Land south of Thorpe Road, Weeley, known as Footpaths 3 and 4 Weeley in the District of Tendring and shown by a bold continuous black line on the Order Map (PROW-25-04 rev.07.05.25) contained in this Order and described in Part 1 of the Schedule to this Order shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of Essex County Council an alternative highway for use as a replacement for the said footpaths as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.

3. The diversion of the footpaths shall have effect on the date on which Essex County 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 highways described in Part 2 of the Schedule:

a) The proposed footpaths shall comprise a clear level surface of 2 metres in width

b) The proposed new routes shall be signed where appropriate with way-markers in order to show the direction and route of the path

5. Rose Builders Ltd are hereby required to pay the full costs of seeking the diversion Order; 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.

6. Where immediately before the date on which part of 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**

##### **Footpath 3:**

A part length of Footpath 3 Weeley shown by a bold black continuous line on the Order Map starting from point **A** at grid reference 61509,22219 at a field boundary running in an west, south westerly direction alongside a field boundary for a distance of approximately 53 metres to point **C** at grid reference 61503,22218 continuing in a south, south easterly direction across the field for a distance of approximately 75 metres to point **B** at grid reference 61506,22211 where it continues unaffected.

##### **Footpath 4:**

A part length of Footpath 4 Weeley shown by a bold black continuous line on the Order Map starting from point **D** at grid reference 61508,22197 within a field running in a generally south easterly direction across the field for a distance of approximately 32 metres to point **E** at grid reference 61511,22195 where it continues in a generally northerly direction alongside a narrow wooded area for a distance of approximately 30 metres to point **F** at grid reference 61511,22198 where it continues unaffected.

### **[PART 1]**

#### **DESCRIPTION OF SITE OF NEW PATH OR WAY**

##### **Footpath 3:**

A Footpath being 2 metres in width shown by a bold black dashed line on the Order Map commencing at the aforementioned point **A** running in south, south easterly direction parallel to the proposed access road for a distance of approximately 88 metres to the aforementioned point **B** where it continues unaffected.

Footpath 4:

A footpath being 2 metres in width shown by a bold black dashed line on the Order Map commencing at the aforementioned point **D** running in a south easterly then northerly then easterly direction alongside and then across the development access for a distance of approximately 46 metres to the aforementioned point **F** where it continues unaffected.

Given under the Common Seal of the TENDRING DISTRICT COUNCIL this day of        2025

The common seal of the	)
<b>TENDRING DISTRICT COUNCIL</b> )	
was hereunto affixed in the	)
presence of:-	)

Dated:            day of  
2025

**PUBLIC PATH DIVERSION ORDER**

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

Footpaths 3 & 4 Weeley  
District of Tendring

**TENDRING DISTRICT COUNCIL  
Town Hall  
Station Road  
Clacton on Sea  
Essex  
CO15 1SE**