

**SELBY DISTRICT COUNCIL**

**PUBLIC PATH DIVERSION ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257**

**FOOTPATH 35.18/6/1 LAND OFF LOW STREET, CARLTON DIVERSION ORDER 2020**

This order is made by Selby 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 3 of the Town and Country Planning Act 1990 (as amended) namely: residential development of 66No. dwellings and associated infrastructure and open space provision at Station Road, Carlton, pursuant to planning permission granted under Local Planning Authority references 2014/1129/OUT and 2018/0871/REMM.

**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 as provided below.
2. There shall be created to the reasonable satisfaction of Selby District 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 Selby District 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 2 of the Schedule: a Hoggin surface of 2 (two) metres in width to be applied along the entire length of the diverted route and 0.6 metre high timber diamond rail fence to be provided to the north/north east or east side of the footpath.
5. Harron Homes is hereby 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  
 SELBY DISTRICT COUNCIL  
 was hereunto affixed this  
**INSERT DATE**  
 in the presence of:-

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## SCHEDULE

### PART 1

#### Description of site of existing path or way to be stopped up

Footpath No. 35.18/6/1	Length (metres)	Width (metres)	Position & description of Footpath
Shown on the map by a bold black line as A-B	100	0.9	The existing section of footpath commences at Point A (Grid Reference 46459, 42453) and proceeds in a generally north westerly direction for approximately 100 metres to Point B (Grid Reference 46451, 42458).

### PART 2

#### Description of site of alternative highway to be created

Footpath No. 35.18/6/1	Length (metres)	Width (metres)	Position & description of Footpath
Shown on the map by bold black dashes as A-C-D-B	114	2	<p>The new footpath will commence at Point A (Grid Reference 46459, 42453), progressing in a westerly direction for approximately 51 metres to Point C (Grid Reference 46453, 42454) parallel the northern boundary of the site known as The Villa to the south. From Point C (Grid Reference 46453, 42454), the footpath continues in a generally north westerly direction for approximately 10 metres to Point D (Grid Reference 46453, 42455). From Point D (Grid Reference 46453, 42455) the footpath continues in a generally north direction for approximately 53 metres to Point B (Grid Reference 46451, 42458).</p> <p>The full extent of the diverted path have a Hoggin surface and will have a 0.6 metre high timber diamond rail fence to the north/north east and east side of the footpath.</p>