

PUBLIC PATH DIVERSION ORDER**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257****SOUTH GLOUCESTERSHIRE COUNCIL**
(FOOTPATH LYA 53 (PART) AT NORTH YATE - NEW NEIGHBOURHOOD) PUBLIC
PATH DIVERSION ORDER 2021

This order is made by South Gloucestershire 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 (1) P19/12246/RM and (2) PK18/1656/RM both granted under Part III of the Town and Country Planning Act 1990 namely: (1) the erection of 155 no. dwellings, with roads, parking and associated works with appearance, landscaping, layout, scale and access to be determined. (Approval of Reserved Matters to be read in conjunction with outline permission PK12/1913/O as amended by PK17/4826/RVC) and (2) approval of remaining site wide infrastructure including primary and secondary streets, utilities, services, foul and surface water drainage, hard and soft landscaping in relation to Phase 0 (Reserved Matters application to be read in conjunction with outline planning permission PK12/1913/O) amended by PK17/4826/RVC in regards to landscaping, appearance, layout and scale)

BY THIS ORDER:

1. The footpath over the land shown by a bold black line on the attached 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 South Gloucestershire 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 South Gloucestershire 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; namely that the length of footpath is to be surfaced, signposted and waymarked to the satisfaction of South Gloucestershire Council.
5. BDW Trading Ltd of 710 Waterside Drive, Aztec West BS32 4UD is hereby required to pay for the cost of carrying out the said works.

AUTHORITY FOR SEALING
E&CS DELEGATED AUTHORITY

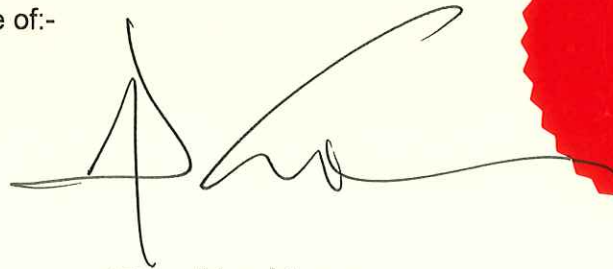
OF: 14.10.2020

INITIALS: LET

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.

Given under the Common Seal of South Gloucestershire District Council on the 23rd day of June 2021.

THE COMMON SEAL of
SOUTH GLOUCESTERSHIRE
DISTRICT COUNCIL was hereunto
affixed in the presence of:-



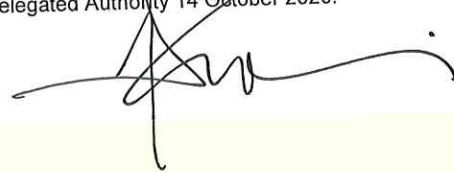
Solicitor



Authority for Sealing
Comm Min/Del Power
Seal Reg No 24598



The South Gloucestershire District Council hereby confirms the foregoing order as an unopposed order this 29th day of September 2021 in accordance with E & CS Delegated Authority 14 October 2020.



SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That length of public footpath LYA 53 in the Unitary District of South Gloucestershire in the Parish of Yate which runs from Point S (grid reference ST 7088 8517) on Tanhouse Lane in a southerly direction for a distance of 424 metres to Point L (grid reference ST 7093 8476) where it meets the unaffected part of public footpath LYA 53. Shown by a bold black line marked S - L on the map contained in this order.

PART 2

DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

From Point S (grid reference ST 7088 8517) where it meets the adopted highway on Tanhouse Lane running in a south easterly direction for 10 metres then in a southerly direction for 161 metres to Point R (grid reference ST 7089 8501), where it crosses an estate road turning west south west for 5 metres to Point Q (grid reference ST 7089 8501), then south for 12 metres to Point P (grid reference ST 7089 8500) then running east for 5 metres to Point O (grid reference ST 7089 8500) before returning to a southerly direction alongside an estate road for a distance of 240 metres to Point N (grid reference ST 7092 8476) where it crosses the estate road in an easterly direction for a distance of 11 metres to Point L (grid reference ST 7093 8476) where it meets the unaffected part of LYA 53. Having a width throughout of 2 metres and shown by a bold broken line marked S - R - Q - P - O - N - L on the map contained in this order.

