

NOTICE OF ORDER

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 257

Cornwall Council
(Footpath No. 1, St Keyne (Part)) (Dwelling on Land Adjacent to 23, Valley View)
Diversion Order 2015

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **19 April 2016**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to divert that part of Public Footpath number 1 St Keyne commencing from a point where it has a junction with that part of footpath number 1 St Keyne to be retained approximately 20 metres south-south-west of the property known as number 23, Valley View, St Keyne at Ordnance Survey Grid Reference (OSGR) SX 2388/6111 shown as point "A" on the attached map thence running in a generally east-south-easterly direction for a distance of 29 metres to a point where it has a junction with that part of public footpath number 1 St Keyne to be retained on the southern footway of road U6158 ("Valley View") approximately 11 metres north-north-east of the property known as number 25, Valley View, St Keyne at OSGR SX 2391/61109 shown as point "B" on the order map to a line commencing from a point where it has a junction with that part of footpath number 1 St Keyne to be retained approximately 20 metres south-south-west of the property known as number 23, Valley View, St Keyne at Ordnance Survey Grid Reference (OSGR) SX 2388/6111 shown as point "A" on the order map thence running in a generally north-easterly then east-north-easterly direction for a distance of 23 metres to a point where it has a junction with the eastern margin of road U6058 ("Valley View") approximately 15 metres south-east of the property known as number 23, Valley View, St Keyne at OSGR SX 2390/6112 shown as point "C" on the order map.

Any queries relating to this Order should be referred to Helen Sparks at The Planning Inspectorate, Rights of Way Section, Room 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5646. Email: helen.sparks@pins.gsi.gov.uk Please quote reference number FPS/D0840/5/2 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment, during normal office hours (excepting Public and Bank Holidays) at the offices of Cornwall Council at the following locations: Truro One Stop Shop, Carrick House, Pydar Street, Truro, Cornwall TR1 1EB and Liskeard One Stop Shop, Luxstowe House, Greenbank Road, Liskeard,

Cornwall PL14 3DZ. To arrange a viewing please contact the Cornwall Information Centre on Telephone Number 0300 1234 100.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 3 May 2016]

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

Within 8 weeks of the start date [by 14 June 2016]

Everyone who has made an objection or representation or any other written representation must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to the Authority, the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order.

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to the Authority, everyone who has made an objection or representation and any other person who has written to us in respect of the Order.

Within 14 weeks of the start date [by 26 July 2016]

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

1447
TAD 077

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

**THE CORNWALL COUNCIL (FOOTPATH No. 1, ST KEYNE (PART))
(DWELLING ON LAND ADJACENT TO 23, VALLEY VIEW)
DIVERSION ORDER 2015**

THIS ORDER is made by Cornwall Council ("the Authority") 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 of the Town and Country Planning Act 1990 namely the construction of a single dwelling house and associated parking on land adjacent to 23, Valley View, St Keyne, Liskeard PL14 4QH. Planning Reference PA 14/11254

BY THIS ORDER

1. The footpath over the land shown by a solid 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 the Authority 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 the Authority certify that the terms of Article 2 have been complied with.
4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule. The replacement footpath shall be constructed to a standard set out in the Cornwall Council specifications for "Highways for Adoption" so as to provide a surface that is convenient for users on foot. The material comprising the path sub-base and surface shall be contained by suitable edge-boards of treated timber. Adjacent to Point "A" on the attached map steps constructed to a standard set out in the Cornwall Council specifications for "Highways for Adoption" shall be provided on land under the control of the applicant to facilitate a means of passage across the extant field boundary.
5. Mr M Batstone of 23, Valley View, St Keyne, PL14 4QH is hereby required to pay for the cost of carrying out the said works. (For the avoidance of doubt Mr M Batstone is the Applicant registered by the Local Planning Authority against Planning Application PA 14/11254.)
6. Where immediately before the date on which the footpath is diverted there is apparatus 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.
7. This Order may be cited as, "The Cornwall Council (Footpath No.1, St Keyne (Part)) (Dwelling on Land Adjacent to 23, Valley View) Diversion Order 2015".

GIVEN under the Common Seal of the Council this *25th* day of *November* 2015

THE COMMON SEAL OF THE)
CORNWALL COUNCIL)
Was herunto affixed in the)
presence of:-)

Authorised signatory

J. Sierman

JONATHAN SIERMAN

0 1 4 4 7 6

I Certify that this is a proper copy of the Order as it was:

MADE BY CORNWALL COUNCIL

Signed: *M. Gibbon*

Date: *25 NOVEMBER 2015*

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That part of Public Footpath number 1 St Keyne commencing from a point where it has a junction with that part of footpath number 1 St Keyne to be retained approximately 20 metres south-south-west of the property known as number 23, Valley View, St Keyne at Ordnance Survey Grid Reference (OSGR) SX 2388/6111 shown as point "A" on the attached map thence running in a generally east-south-easterly direction for distance of 29 metres to a point where it has a junction with that part of public footpath number 1 St Keyne to be retained on the southern footway of road U6158 ("Valley View") approximately 11 metres north-north-east of the property known as number 25, Valley View, St Keyne at OSGR SX 2391/6110 shown as point "B" on the attached map.

The Definitive Statement records 3' 0" (three feet) as the average width for Public Footpath number 1 St Keyne. For the avoidance of doubt the intention of the order is to stop up the highway described above in its entirety.

PART 2

DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

A length of Public Footpath in the Parish of St Keyne commencing from a point where it has a junction with that part of footpath number 1 St Keyne to be retained approximately 20 metres south-south-west of the property known as number 23, Valley View, St Keyne at Ordnance Survey Grid Reference (OSGR) SX 2388/6111 shown as point "A" on the attached map thence running in a generally north-easterly then east-north-easterly direction for a distance of 23 metres to a point where it has a junction with the eastern margin of road U6158 ("Valley View") approximately 15 metres south-east of the property known as number 23, Valley View, St Keyne at OSGR SX 2390/6112 shown as point "C" on the attached map.

The length of Public Footpath described above shall be 1.8 (one point eight) metres in width throughout.

Town & Country Planning Act 1990 Section 257
Order Plan: Re File TAD 077

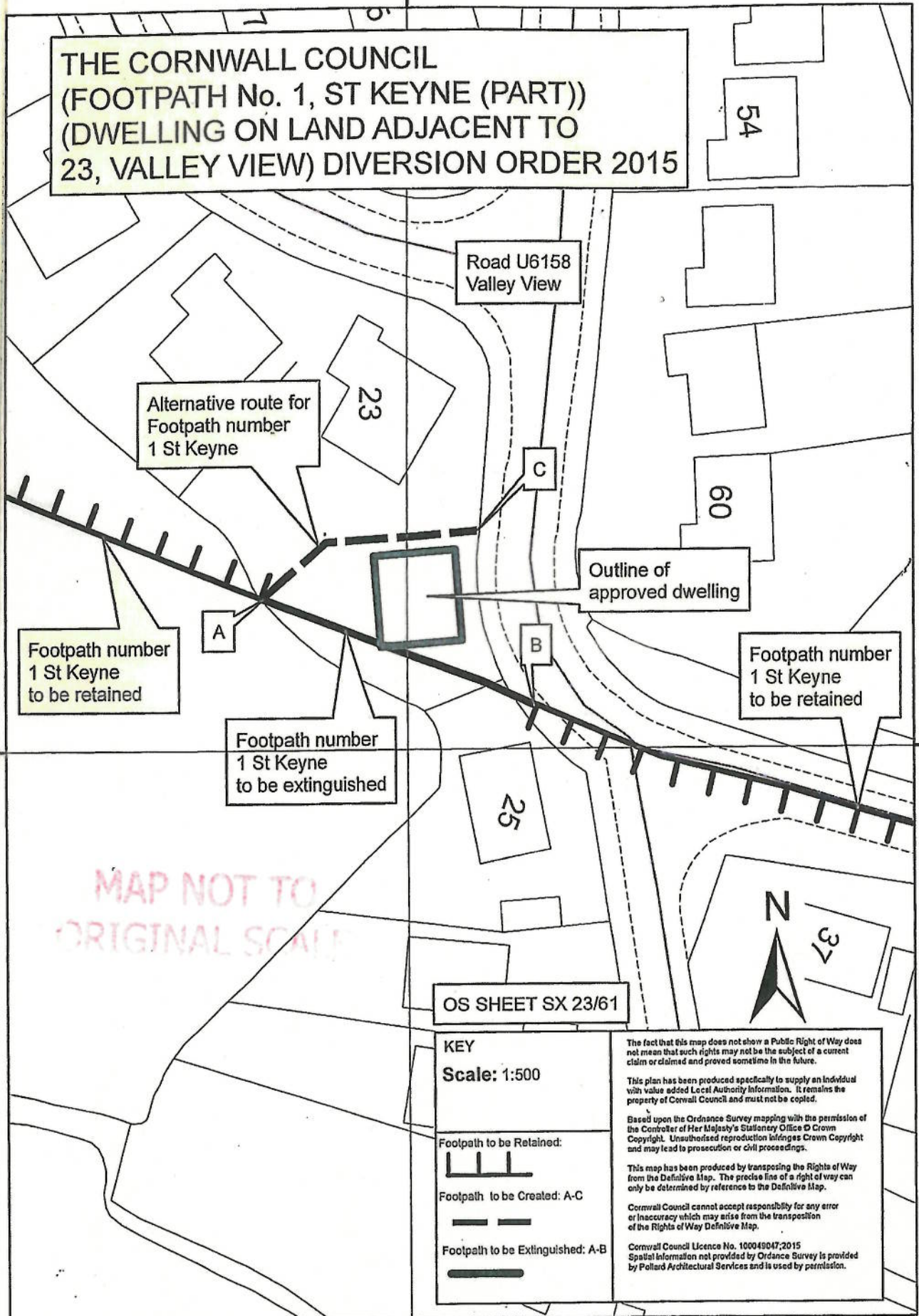
Parish: ST KEYNE CIVIL PARISH Path Number: FP/629/1

Produced by Countryside Access Team: 02 November 2015



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**THE CORNWALL COUNCIL
(FOOTPATH No. 1, ST KEYNE (PART))
(DWELLING ON LAND ADJACENT TO
23, VALLEY VIEW) DIVERSION ORDER 2015**



Footpath number 1 St Keyne to be retained

Alternative route for Footpath number 1 St Keyne

Footpath number 1 St Keyne to be extinguished

Road U6158 Valley View

Outline of approved dwelling

Footpath number 1 St Keyne to be retained

MAP NOT TO ORIGINAL SCALE

OS SHEET SX 23/61

KEY
Scale: 1:500

Footpath to be Retained:

Footpath to be Created: A-C

Footpath to be Extinguished: A-B

The fact that this map does not show a Public Right of Way does not mean that such rights may not be the subject of a current claim or claimed and proved sometime in the future.

This plan has been produced specifically to supply an individual with value added Local Authority Information. It remains the property of Cornwall Council and must not be copied.

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This map has been produced by transposing the Rights of Way from the Definitive Map. The precise line of a right of way can only be determined by reference to the Definitive Map.

Cornwall Council cannot accept responsibility for any error or inaccuracy which may arise from the transposition of the Rights of Way Definitive Map.

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PUBLIC PATH DIVERSION ORDER

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

**THE CORNWALL COUNCIL
(FOOTPATH No. 1, ST KEYNE (PART))
(DWELLING ON LAND ADJACENT TO 23, VALLEY VIEW)
DIVERSION ORDER 2015**

**MADE BY CORNWALL COUNCIL ON:
*25th November 2015***