

NOTICE OF ORDER

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

The Borough Council of Gateshead
The Borough Council of Gateshead (Footpath Ryton 35, Crawbrook,
Gateshead) (Diversion) Order 2016

Notice is hereby given that the above referenced Order(s) has/have 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(s).

The **start date** for the above Order is **23 May 2017**
Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held at **The Lamesley Room, Gateshead Council, Civic Centre, Regent Street, Gateshead, NE8 1HH** on **10 October 2017** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to divert a section of Footpath Ryton 35 running from the stile at Point A on the order map grid reference NZ13836307, Footpath Ryton 35 proceeds in a north easterly direction for approximately 115 metres, to Point B on the order map grid reference NZ13936311, where it proceeds in a south easterly direction for approximately 125 metres to the embankment of the A695 at Point C on the order map grid reference NZ14066308, for a total distance of approximately 240 metres with an undefined width throughout. The alternative footpath commences at the stile at Point A on the order map grid reference NZ13836307 and runs in a south easterly direction along part of the western boundary of the development site for a distance of approximately 100 metres to Point D on the order map grid reference NZ13886298 before proceeding in a north easterly direction along part of the southern boundary of the development site for a distance of approximately 209 metres to Point C on the order map grid reference NZ14066308, for a total distance of approximately 309 metres with a width from Point A to Point D of 2 metres throughout and from Point D to Point C with a varying width from 1.5 metres to 2 metres as shown on the order map.

Any queries relating to this Order should be referred to Charlotte Callaway at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5779 Email: charlotte.callaway@pins.gsi.gov.uk. Please quote reference number ROW/3170048 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so free of charge at the information desk on the ground floor of Gateshead Council, Civic Centre, Regent Street, Gateshead, NE8 1HH from 8.45am to 5.30pm Monday to Thursday and 8.45am to 5pm on Friday.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by 18 July 2017

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 - these will be available to view at the Authority's offices) to everyone who has made an objection or representation and the applicant and any other person who has written to us in respect of the Order.

Within 14 weeks of the start date by 29 August 2017

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹ is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies will also be sent to 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 (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

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, the Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any

¹ If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the inquiry.

supporting documents - these will be available to view at the Authority's offices).

4 weeks before the date of the inquiry by 12 September 2017.

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (excluding copies of any supporting documents - although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents - although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents - although none should be submitted with a proof of evidence).

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence are received by the Secretary of State on time. Late documents will be returned.

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

DATED

13th December

2016

THE BOROUGH COUNCIL OF GATESHEAD

**PUBLIC PATH ORDER (DIVERSION) TOWN AND COUNTRY PLANNING ACT
1990**

SECTION 257

**Mike Barker
Strategic Director, Corporate Services and Governance
Gateshead Council
Civic Centre
Regent Street
Gateshead NE8 1HH**

Ref: TH/1569

PUBLIC PATH (DIVERSION) ORDER

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257

THE BOROUGH COUNCIL OF GATESHEAD (FOOTPATH RYTON 35, CRAWCROOK, GATESHEAD) (DIVERSION) ORDER 2016

This order is made by the Borough Council of Gateshead 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 residential development for 169 dwellings with associated access, car parking and landscaping including diversion of public rights of way provision of signalised junction onto A695 in accordance with the Certificate of Planning Permission dated 8th December 2016 reference DC/15/01004/FUL.

BY THIS ORDER:

1. The section of footpath over the land shown with 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 the Borough Council of Gateshead an alternative section of footpath for use as a replacement for the said section of 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 Borough Council of Gateshead certify that the terms of Article 2 above, have been complied with.
4. The following works shall be carried out in relation to the footpath described in Part 2 of the Schedule: signage, grading of land, undergrowth clearance and suitable boundary treatments.
5. Story Homes Limited is hereby required to pay for the cost of carrying out the said works.

SCHEDULE

PART 1

Description of site of existing Footpath Ryton 35 shown from Point A to Point B to Point C on the attached map

From the stile at Point A on the attached map grid reference NZ13836307, Footpath Ryton 35 proceeds in a north easterly direction for approximately 115 metres, to Point B on the attached map grid reference NZ13936311, where it proceeds in a south easterly direction for approximately 125 metres to the embankment of the A695 at Point C on the attached map grid reference NZ14066308, for a total distance of approximately 240 metres with an undefined width throughout.

PART 2

Description of site of alternative footpath shown from Point A to Point D to Point C on the attached map

From the stile at Point A on the attached map grid reference NZ13836307, the alternative footpath runs in a south easterly direction along part of the western boundary of the development site for a distance of approximately 100 metres to Point D on the attached map grid reference NZ13886298, before proceeding in a north easterly direction along part of the southern boundary of the development site for a distance of approximately 209 metres to Point C on the attached map grid reference NZ14066308, for a total distance of approximately 309 metres with a width from Point A to Point D of 2 metres throughout and from Point D to Point C with a varying width from 1.5 metres to 2 metres as shown on the attached map.

Old Plans



MAP NOT TO ORIGINAL SCALE

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Proposed Diversion of a Section of Footpath Ryton 35 Crawcrook, Gateshead



Scale: 1:2,500 (at size A3)

Part of Footpath Ryton 35
to be diverted A to C

Diverted Route
A - D - C

Other Gateshead
Footpaths



THE COMMON SEAL of the BOROUGH
COUNCIL of GATESHEAD was hereunto
affixed in the presence of:-

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W. E. H. —

Mayor

W. E. H. —

Solicitor to the Council