

# NOTICE OF ORDER

## Town and Country Planning Act 1990 Section 258

Sunderland City Council  
The City of Sunderland (Chapelgarth) Public Path  
Extinguishment Order 2016

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 29 November 2017.

Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held at **Committee Room 1, Sunderland Civic Centre, Burdon Road, Sunderland, SR2 7DN** on **1 May 2018** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to:

Extinguish footpaths which are located within the Doxford area of Sunderland City in the County of Tyne & Wear on land which has been appropriated for planning purposes located to the south of Moorside Road and Weymouth Road, Chapelgarth, Sunderland. The footpaths to be extinguished are shown by a continuous bold black line on the order map SUO48294/03 and described as follows:

- Footpath A – B  
Commencing at point A (OS Ref: 436906, 551994), running in a south-easterly direction for a distance of 214.4 metres to point B (OS Ref: 436996, 551800), a width of 1.2 metres.
- Footpath C – B – D  
Commencing at point C (OS Ref: 436980, 551792), running in a north-easterly direction for a distance of 17.6 metres to point B (OS Ref: 436996, 551800), continuing in a north-easterly direction for a distance of 203.5 metres to point D (OS Ref: 437182, 551883), a width of 1.2 metres.

- Footpath E – F – G

Commencing at point E (OS Ref: 436983, 551781), running in a north-easterly direction for a distance of 226.8 metres to point F (OS Ref: 437189, 551874), continuing in a north-easterly direction for a distance of 34.9 metres to point G (OS Ref: 437222, 551884), a width of 1.2 metres.

- Footpath H – I – D – F – J – K – L – M – N – O – P

Commencing at point H (OS Ref: 437088, 552059), running in a southerly direction for a distance of 138.9 metres to point I (OS Ref: 437150, 551945), continuing in a southerly direction for a distance of 69.5 metres to point D (OS Ref: 437182, 551883), then south-easterly direction for a distance of 11.6 metres to point F (OS Ref: 437189, 551874), continuing in a south-easterly direction for a distance of 93.6 metres to point J (OS Ref: 437261, 551814), continuing in a south-easterly direction for a distance of 48.3 metres to point K (OS Ref: 437299, 551785), continuing in a south-easterly direction for a distance of 63.2 metres to point L (OS Ref: 437358, 551764), continuing in a south-easterly direction for a distance of 29.8 metres to point M (OS Ref: 437387, 551761), continuing in a south-easterly direction for a distance of 33.7 metres to point N (OS Ref: 437419, 551749), then easterly direction for a distance of 249.3 metres to point O (OS Ref: 437261, 551814), then north-easterly for a distance of 194.6 to point P (OS Ref: 437838, 551846), a width of 1.2 metres.

- Footpath I – G – Q – R – S

Commencing at point I (OS Ref: 437150, 551945), running in a south-easterly direction for a distance of 98.0 metres to point G (OS Ref: 437222, 551884), continuing in a south-easterly direction for a distance of 34.9 metres to point Q (OS Ref: 437313, 551834), then easterly direction for a distance of 44.8 metres to point R (OS Ref: 437350, 551844), then northerly direction for a distance of 20.2 metres to point S (OS Ref: 437344, 551863), a width of 1.2 metres.

- Footpath T – Q – K – U

Commencing at point T (OS Ref: 437323, 551873), running in a southerly direction for a distance of 39.7 metres to point Q (OS Ref: 437313, 551834), continuing in a southerly direction for a distance of 50.7 metres to point K (OS Ref: 437299, 551785), continuing in a southerly direction for a distance of 183.2 metres to point U (OS Ref: 437287, 551603), a width of 1.2 metres.

- Footpath V – W – X – Y – M

Commencing at point V (OS Ref: 437370, 551879), running in a southerly direction for a distance of 37.3 metres to point W (OS Ref: 437360, 551843), continuing in a southerly direction for a distance of 14.5 metres to point X (OS Ref: 437361, 551829), continuing in a southerly direction for a distance of 65.2 metres to point Y (OS Ref: 437381, 551767), then

in a south-easterly direction for a distance of 9.2 metres to point M (OS Ref: 437387, 551761), a width of 1.2 metres.

- Footpath K – X

Commencing at point K (OS Ref: 437299, 551785), running in a north-easterly direction for a distance of 77.6 metres to point X (OS Ref: 437361, 551829), a width of 1.2 metres.

- Footpath L – Y – Z – AA

Commencing at point L (OS Ref: 437358, 551764), running in an easterly direction for a distance of 23.6 metres to point Y (OS Ref: 437381, 551767), continuing in an easterly direction for a distance of 56.7 metres to point Z (OS Ref: 437437, 551771), continuing in an easterly direction for a distance of 160.9 metres to point AA (OS Ref: 437589, 551806), a width of 1.2 metres.

- Footpath M – BB – CC – DD – O

Commencing at point M (OS Ref: 437387, 551761), running in an easterly direction for a distance of 42.7 metres to point BB (OS Ref: 437430, 551763), continuing in an easterly direction for a distance of 153.8 metres to point CC (OS Ref: 437579, 551797), continuing in an easterly direction for a distance of 59.1 metres to point DD (OS Ref: 437637, 551802), then a south-easterly direction for a distance of 32.5 metres to point O (OS Ref: 437261, 551814), a width of 1.2 metres.

- Footpath R – W – EE – FF

Commencing at point R (OS Ref: 437350, 551844), running in an easterly direction for a distance of 9.9 metres to point W (OS Ref: 437360, 551843), then north-easterly direction for a distance of 229.0 metres to point EE (OS Ref: 437590, 551928), then north-westerly direction for a distance of 36.6 metres to point FF (OS Ref: 437549, 551955), a width of 1.2 metres.

- Footpath GG – EE – HH – AA – CC

Commencing at point GG (OS Ref: 437574, 551946), running in a south-westerly direction for a distance of 18.9 metres to point EE (OS Ref: 437590, 551928), then southerly direction for a distance of 94.9 metres to point HH (OS Ref: 437606, 551842), then south-westerly direction for a distance of 41.0 metres to point AA (OS Ref: 437589, 551806), continuing in a south-westerly direction for a distance of 13.4 metres to point CC (OS Ref: 437579, 551797) a width of 1.2 metres.

- Footpath GG – II – HH – DD

Commencing at point GG (OS Ref: 437574, 551946), running in a southerly direction for a distance of 12.8 metres to point II (OS Ref: 437583, 551936), then southerly direction for a distance of 100.5 metres to point HH (OS Ref: 437606, 551842), then south-easterly direction for a distance of 56.9 metres to point DD (OS Ref: 437637, 551802), a width of 1.2 metres.

- Footpath DD – HH

Commencing at point DD (OS Ref: 437637, 551802), running in a north-westerly direction for a distance of 55.3 metres to point HH (OS Ref: 437606, 551842), a width of 1.2 metres.

- Footpath II – JJ

Commencing at point II (OS Ref: 437583, 551936), running in a north-easterly direction for a distance of 29.5 metres to point JJ (OS Ref: 437608, 551950), a width of 1.2 metres.

- Footpath KK – LL – MM – NN

Commencing at point KK (OS Ref: 437314, 551425), running in a north-easterly direction for a distance of 15.2 metres to point LL (OS Ref: 437320, 551438), continuing in a north-easterly direction for a distance of 87.8 metres to point MM (OS Ref: 437364, 551510), then an easterly direction for a distance of 602.7 metres to point NN (OS Ref: 437923, 551538), a width of 1.2 metres.

- Footpath LL – OO

Commencing at point LL (OS Ref: 437320, 551438), running in a north-easterly direction for a distance of 27.0 metres to point OO (OS Ref: 437589, 551986), a width of 1.2 metres.

- Footpath J – KK

Commencing at point J (OS Ref: 437261, 551814), running in a south-easterly direction for a distance of 425.3 metres to point KK (OS Ref: 437314, 551425), a width of 1.2 metres.

- Footpath KK – U – PP – QQ – N – BB – Z

Commencing at point KK (OS Ref: 437314, 551425), running in a northerly direction for a distance of 189.1 metres to point U (OS Ref: 437287, 551603), then north-easterly direction for a distance of 126.9 metres to point PP (OS Ref: 437356, 551707), then easterly direction for a distance of 35.0 metres to point QQ (OS Ref: 437390, 551706), then north-easterly direction for a distance of 52.4 metres to point N (OS Ref: 437419, 551749), continuing in a north-easterly direction for a distance of 18.1 metres to point BB (OS Ref: 437430, 551763), continuing in a north-easterly direction for a distance of 10.5 metres to point Z (OS Ref: 437437, 551771), a width of 1.2 metres.

- Footpath KK – RR – SS – TT

Commencing at point KK (OS Ref: 437314, 551425), running in a north-westerly direction for a distance of 262.3 metres to point RR (OS Ref: 437076, 551535), continuing in a north-westerly direction for a distance of 161.8 metres to point SS (OS Ref: 436929, 551603), then northerly direction for a distance of 421.1 metres to point TT (OS Ref: 436833, 552012), a width of 1.2 metres.

- Footpath RR – UU

Commencing at point RR (OS Ref: 437076, 551535), running in a north-westerly direction for a distance of 65.5 metres to point UU (OS Ref: 437034, 551585), a width of 1.2 metres.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at City Centre Customer Services Centre, 31-32 Fawcett Street, and Houghton Library and Customer Service Centre, 74 Newbottle Street, Houghton le Spring, DH4 4AF. In addition documents will be available online.

Any queries relating to this Order should be referred to Tara Davies 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: tara.davies@pins.gsi.gov.uk. Please quote reference number ROW/3181702 on all correspondence.

### **Timetable for sending in statements of case and proofs of evidence**

#### **Within 8 weeks of the start date by 23 January 2018**

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 6 March 2018**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case<sup>1</sup> 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

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<sup>1</sup> 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.

respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

#### **4 weeks before the date of the inquiry 3 April 2018**

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.

**PUBLIC PATH EXTINGUISHMENT ORDER  
UNDER THE TOWN AND COUNTRY PLANNING ACT 1990,  
SECTION 258**

**TOWN AND COUNTRY PLANNING ACT 1990  
SECTION 258(1)**

**THE CITY OF SUNDERLAND (CHAPELGARTH) PUBLIC PATH  
EXTINGUISHMENT ORDER 2016**

**PUBLIC PATH EXTINGUISHMENT ORDER  
UNDER THE TOWN AND COUNTRY PLANNING ACT 1990  
SECTION 258**

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 258(1)**

**THE CITY OF SUNDERLAND (CHAPELGARTH) PUBLIC PATH  
EXTINGUISHMENT ORDER 2016**

This Order is made by the Council of the City of Sunderland under Section 258(1) of the Town and Country Planning Act 1990 which:-

- (a) appropriated for planning purposes the land described in the Schedule to this Order ("the Schedule") which is subject to the public footpaths to which this order relates and such land is held by the authority for the purposes for which it was appropriated; and
- (b) is satisfied that alternative footpaths will be provided

**BY THIS ORDER** the public rights of way over the land being footpaths and shown by a bold black line on the attached order map and described in the Schedule are extinguished at the expiration of 28 days from the date of confirmation of this Order.

**SCHEDULE**

Description of site of paths extinguished

The footpaths to be extinguished are located within the Doxford area of Sunderland City in the County of Tyne & Wear on land which has been appropriated for planning purposes located to the south of Moorside Road and Weymouth Road, Chapelgarth, Sunderland. The footpaths to be extinguished are shown by a continuous bold black line on the attached order map SUO48294/03 and described as follows:

- **Footpath A – B**  
Commencing at point A (OS Ref: 436906, 551994), running in a south-easterly direction for a distance of 214.4 metres to point B (OS Ref: 436996, 551800), a width of 1.2 metres.
- **Footpath C – B – D**  
Commencing at point C (OS Ref: 436980, 551792), running in a north-easterly direction for a distance of 17.6 metres to point B (OS Ref: 436996, 551800), continuing in a north-easterly direction for a distance of 203.5 metres to point D (OS Ref: 437182, 551883), a width of 1.2 metres.



- **Footpath E – F – G**  
 Commencing at point E (OS Ref: 436983, 551781), running in a north-easterly direction for a distance of 226.8 metres to point F (OS Ref: 437189, 551874), continuing in a north-easterly direction for a distance of 34.9 metres to point G (OS Ref: 437222, 551884), a width of 1.2 metres.
- **Footpath H – I – D – F – J – K – L – M – N – O – P**  
 Commencing at point H (OS Ref: 437088, 552059), running in a southerly direction for a distance of 138.9 metres to point I (OS Ref: 437150, 551945), continuing in a southerly direction for a distance of 69.5 metres to point D (OS Ref: 437182, 551883), then south-easterly direction for a distance of 11.6 metres to point F (OS Ref: 437189, 551874), continuing in a south-easterly direction for a distance of 93.6 metres to point J (OS Ref: 437261, 551814), continuing in a south-easterly direction for a distance of 48.3 metres to point K (OS Ref: 437299, 551785), continuing in a south-easterly direction for a distance of 63.2 metres to point L (OS Ref: 437358, 551764), continuing in a south-easterly direction for a distance of 29.8 metres to point M (OS Ref: 437387, 551761), continuing in a south-easterly direction for a distance of 33.7 metres to point N (OS Ref: 437419, 551749), then easterly direction for a distance of 249.3 metres to point O (OS Ref: 437261, 551814), then north-easterly for a distance of 194.6 to point P (OS Ref: 437838, 551846), a width of 1.2 metres.
- **Footpath I – G – Q – R – S**  
 Commencing at point I (OS Ref: 437150, 551945), running in a south-easterly direction for a distance of 98.0 metres to point G (OS Ref: 437222, 551884), continuing in a south-easterly direction for a distance of 34.9 metres to point Q (OS Ref: 437313, 551834), then easterly direction for a distance of 44.8 metres to point R (OS Ref: 437350, 551844), then northerly direction for a distance of 20.2 metres to point S (OS Ref: 437344, 551863), a width of 1.2 metres.
- **Footpath T – Q – K – U**  
 Commencing at point T (OS Ref: 437323, 551873), running in a southerly direction for a distance of 39.7 metres to point Q (OS Ref: 437313, 551834), continuing in a southerly direction for a distance of 50.7 metres to point K (OS Ref: 437299, 551785), continuing in a southerly direction for a distance of 183.2 metres to point U (OS Ref: 437287, 551603), a width of 1.2 metres.
- **Footpath V – W – X – Y – M**  
 Commencing at point V (OS Ref: 437370, 551879), running in a southerly direction for a distance of 37.3 metres to point W (OS Ref: 437360, 551843), continuing in a southerly direction for a distance of 14.5 metres to point X (OS Ref: 437361, 551829), continuing in a southerly direction for a distance of 65.2 metres to point Y (OS Ref: 437381, 551767), then in a south-easterly direction for a distance of 9.2 metres to point M (OS Ref: 437387, 551761), a width of 1.2 metres.

- **Footpath K – X**  
 Commencing at point K (OS Ref: 437299, 551785), running in a north-easterly direction for a distance of 77.6 metres to point X (OS Ref: OS Ref: 437361, 551829), a width of 1.2 metres.
- **Footpath L – Y – Z – AA**  
 Commencing at point L (OS Ref: 437358, 551764), running in an easterly direction for a distance of 23.6 metres to point Y (OS Ref: 437381, 551767), continuing in an easterly direction for a distance of 56.7 metres to point Z (OS Ref: 437437, 551771), continuing in an easterly direction for a distance of 160.9 metres to point AA (OS Ref: 437589, 551806), a width of 1.2 metres.
- **Footpath M – BB – CC – DD – O**  
 Commencing at point M (OS Ref: 437387, 551761), running in an easterly direction for a distance of 42.7 metres to point BB (OS Ref: 437430, 551763), continuing in an easterly direction for a distance of 153.8 metres to point C (OS Ref: 437579, 551797), continuing in an easterly direction for a distance of 59.1 metres to point DD (OS Ref: 437637, 551802), then a south-easterly direction for a distance of 32.5 metres to point O (OS Ref: 437261, 551814), a width of 1.2 metres.
- **Footpath R – W – EE – FF**  
 Commencing at point R (OS Ref: 437350, 551844), running in an easterly direction for a distance of 9.9 metres to point W (OS Ref: 437360, 551843), then north-easterly direction for a distance of 229.0 metres to point EE (OS Ref: 437590, 551928), then north-westerly direction for a distance of 36.6 metres to point FF (OS Ref: 437549, 551955), a width of 1.2 metres.
- **Footpath GG – EE – HH – AA – CC**  
 Commencing at point GG (OS Ref: 437574, 551946), running in a south-westerly direction for a distance of 18.9 metres to point EE (OS Ref: 437590, 551928), then southerly direction for a distance of 94.9 metres to point HH (OS Ref: 437606, 551842), then south-westerly direction for a distance of 41.1 metres to point AA (OS Ref: 437589, 551806), continuing in a south-westerly direction for a distance of 13.4 metres to point CC (OS Ref: 437579, 551797) a width of 1.2 metres.
- **Footpath GG – II – HH – DD**  
 Commencing at point GG (OS Ref: 437574, 551946), running in a southerly direction for a distance of 12.8 metres to point II (OS Ref: 437583, 551936), then southerly direction for a distance of 100.5 metres to point HH (OS Ref: 437606, 551842), then south-easterly direction for a distance of 56.9 metres to point DD (OS Ref: 437637, 551802), a width of 1.2 metres.
- **Footpath DD – HH**  
 Commencing at point DD (OS Ref: 437637, 551802), running in a north-westerly direction for a distance of 55.3 metres to point HH (OS Ref: 437606, 551842), a width of 1.2 metres.

- **Footpath II – JJ**  
Commencing at point II (OS Ref: 437583, 551936), running in a north-easterly direction for a distance of 29.5 metres to point JJ (OS Ref: 437608, 551950), a width of 1.2 metres.
- **Footpath KK – LL – MM – NN**  
Commencing at point KK (OS Ref: 437314, 551425), running in a north-easterly direction for a distance of 15.2 metres to point LL (OS Ref: 437320, 551438), continuing in a north-easterly direction for a distance of 87.8 metres to point MM (OS Ref: 437364, 551510), then an easterly direction for a distance of 602.7 metres to point NN (OS Ref: 437923, 551538), a width of 1.2 metres.
- **Footpath LL – OO**  
Commencing at point LL (OS Ref: 437320, 551438), running in a north-easterly direction for a distance of 27.0 metres to point OO (OS Ref: 437589, 551986), a width of 1.2 metres.
- **Footpath J – KK**  
Commencing at point J (OS Ref: 437261, 551814), running in a south-easterly direction for a distance of 425.3 metres to point KK (OS Ref: 437314, 551425), a width of 1.2 metres.
- **Footpath KK – U – PP – QQ – N – BB – Z**  
Commencing at point KK (OS Ref: 437314, 551425), running in a northerly direction for a distance of 189.1 metres to point U (OS Ref: 437287, 551603), then north-easterly direction for a distance of 126.9 metres to point PP (OS Ref: 437356, 551707), then easterly direction for a distance of 35.0 metres to point QQ (OS Ref: 437390, 551706), then north-easterly direction for a distance of 52.4 metres to point N (OS Ref: 437419, 551749), continuing in a north-easterly direction for a distance of 18.1 metres to point BB (OS Ref: 437430, 551763), continuing in a north-easterly direction for a distance of 10.5 metres to point Z (OS Ref: 437437, 551771), a width of 1.2 metres.
- **Footpath KK – RR – SS – TT**  
Commencing at point KK (OS Ref: 437314, 551425), running in a north-westerly direction for a distance of 262.3 metres to point RR (OS Ref: 437076, 551535), continuing in a north-westerly direction for a distance of 161.8 metres to point SS (OS Ref: 436929, 551603), then northerly direction for a distance of 421.1 metres to point TT (OS Ref: 436833, 552012), a width of 1.2 metres.
- **Footpath RR – UU**  
Commencing at point RR (OS Ref: 437076, 551535), running in a north-westerly direction for a distance of 65.5 metres to point UU (OS Ref: 437034, 551585), a width of 1.2 metres.

Dated 15<sup>th</sup> December 2016

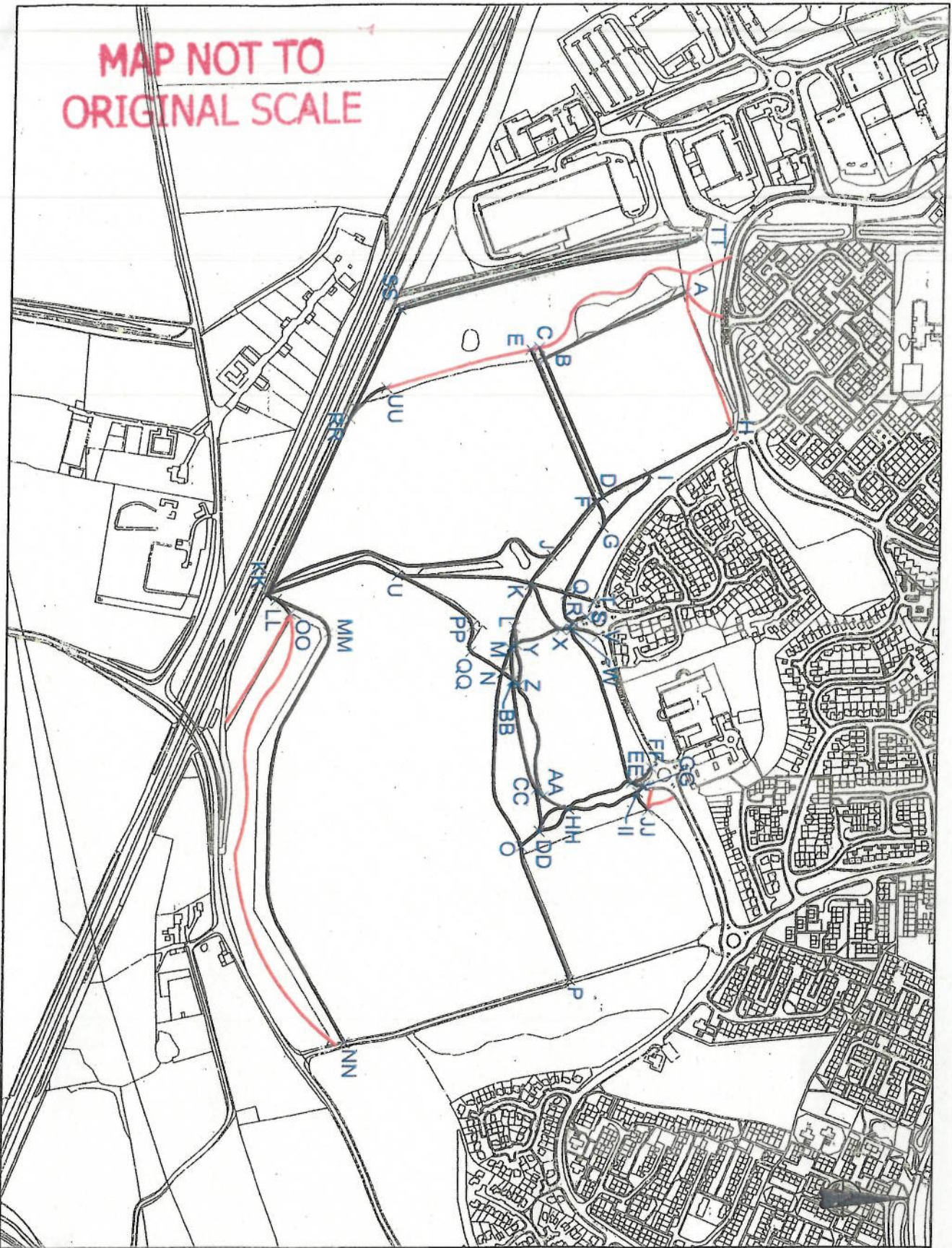
**THE SEAL of THE COUNCIL** )  
**OF THE CITY OF SUNDERLAND** )  
was hereunto affixed in the )  
presence of:- )



Authorised Signatory

62229A SEAL NO.

MAP NOT TO ORIGINAL SCALE



**Key:**

- Footpath to be extinguished
- Footpath to be retained

*208*

100009 A SCALE NO.

AUTHORISED SIGNATORY

For reference purposes only. No further copies to be made. This map is based upon Ordnance Survey data and is provided as a guide only. It is not intended to be used for any purpose other than that for which it was prepared. The Ordnance Survey name of the area shown is 100009 A SCALE NO. 2016.

**Sunderland**  
City Council

Economy and Place Directorate  
Jack Crawford House  
Sunderland SR2 8QR

Telephone: 0191 520 5555  
Fax: 0191 553 1460  
Web: www.sunderland.gov.uk

Project: EXTINGUISHMENT OF HIGHWAY  
S.258 TCPA 1990

Scheme: VARIOUS FOOTPATHS SOUTH OF  
MOORSIDE RD & WEYMOUTH RD

Contractor: PJGraham  
Scale: A3 1:5000 Date: November 2016

Drawing No: SUC048294/03 Revision: 0/-

In pursuance of their powers under Section 258 of the Town and Country Planning Act 1990 and of all other powers them enabling in that behalf THE COUNCIL OF THE CITY OF SUNDERLAND hereby confirm the foregoing Order the \_\_\_\_\_ day of \_\_\_\_\_

**THE SEAL of THE COUNCIL** )  
**OF THE CITY OF SUNDERLAND** )  
was hereunto affixed in the )  
presence of:- )

Authorised Signatory