

# **NOTICE OF ORDER**

## **HIGHWAYS ACT 1980 SECTION 119**

Harborough District Council  
Footpath D19 (Part) Pulford Drive Thurnby; Public Path Diversion  
Order No. 2 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 13 October 2017.

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 footpath D 19 at Land east of Pulford Drive, Thurnby as shown as a bold black line on the Order Plan running from point B at grid reference 46513 30454 via point C grid reference 46506 30471, in a generally north-north westerly direction for a distance of approximately 265 metres to point D at grid reference 46504 30479 and from point E grid reference 46503 30479 in a generally north-north westerly and east-north easterly direction a distance of approximately 45 metres to point F at grid reference 46505 30482 and to create an alternative footpath shown as a bold broken line on the Order Plan running from point B at grid reference 46513 30454 via point G grid reference 46511 30454 and point H grid reference 46506 30470 in a generally westerly and west-north westerly direction for a distance of approximately 200 metres to point I grid reference 46506 30471 and from point I grid reference 46506 30471 via point C grid reference 46506 30471, point J grid reference 46505 30478 for a distance of 95 metres in a generally east-north-easterly, north-north westerly and west-north westerly direction to point D grid reference 46504 30479 and from point E grid reference 46503 30479 via point K grid reference 46505 30482 for a distance of 45 metres in a generally northerly, east-north easterly and northerly direction to point F grid reference 46505 30482.

Any queries relating to this Order should be referred to Jean McEntee 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 5437. Email: jean.mcentee@pins.gsi.gov.uk. Please quote reference number ROW/3182219 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so online at [www.harborough.gov.uk/planning](http://www.harborough.gov.uk/planning) by searching under the planning reference 17/01360/ROW. If you do not have online access, please contact the Council to arrange alternative viewing arrangements. Telephone: 01858 821152.

**Timetable for sending in statements of case and comments**

**Within 2 weeks of the start date [by 27 October 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, the applicant and any other person who has written to us in respect of the Order.

**Within 8 weeks of the start date [by 8 December 2017]**

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

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

**Within 14 weeks of the start date [by 19 January 2018]**

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.

**PUBLIC PATH DIVERSION ORDER**  
**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257 AND SCHEDULE 14**  
**HARBOROUGH DISTRICT COUNCIL**  
**FOOTPATH D19 (Part) PULFORD DRIVE THURNBY**  
**PUBLIC PATH DIVERSION ORDER No2 2016**

This Order is made by Harborough 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 III of the Town and Country Planning Act 1990 by Harborough District Council namely planning application 11/01080/OUT, Appeal decision APP/F2415/A/11/2165170, and planning application 13/01201/REM at land to the east of Pulford Drive, Thurnby relating to the construction of a residential development at Pulford Drive in Thurnby.

**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 the Highway Authority (Leicestershire County 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 Plan.
3. The diversion of the footpath shall have effect on the confirmation of this order
4. The following works shall be carried out in relation to the highway described in Parts 1 & 2 of the Schedule.
  - a) The section of the existing footpath as shown on the Order Plan labelled as A-B and D-E should be provided with a two metre wide tarmac surface constructed to 6cs Design Guide Standards.
  - b) The Sections of new footpath as shown on the Order Plan labelled B-G-H, C-J-D and E-K-F should be provided with a two metre wide tarmac surface constructed to 6cs Design Guide Standards.
  - c) Dropped curbs constructed to 6cs Design Guide Standards should be provided at the points labelled on the Order Plan H and I.
  - d) Fingerposts should be erected at the points labelled B, H, C and J on the Order Plan and should comply with Leicestershire County Council SDFP7 design standards.
5. Jelson Limited are hereby required to pay for the costs 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.

This Order may be cited as the Harborough District Council Public Path Diversion Order No2 2016

**SCHEDULE**

**PART 1**

**Description of site of existing footpath to be diverted**

Footpath D19 at land east of Pulford Drive, Thurnby as shown as a bold black line on the Order Plan running from point B at grid reference 46513 30454 via point C grid reference 46506 30471, in a generally north-north westerly direction for a distance of approximately 265 metres to point D at grid reference 46504 30479 and from point E grid reference 46503 30479 in a generally North-north westerly and east-north easterly direction a distance of approximately 45 metres to point F at grid reference 46505 30482

**PART 2**


**Description of site of new footpath**


An alternative footpath shown as a bold broken line on the Order Plan running from point B at grid reference 46513 30454 via point G grid reference 46511 30454 and point H grid reference 46506 30470 in a generally westerly and west-north westerly direction for a distance of approximately 200 metres to point I grid reference 46506 30471 and from point I grid reference 46506 30471 via point C grid reference 46506 30471, point J grid reference 46505 30478 for a distance of 95 metres in a generally east-north-easterly, north-north westerly and west-north westerly direction to point D grid reference 46504 30479 and from point E grid reference 46503 30479 via point K grid reference 46505 30482 for a distance of 45 metres in a generally northerly, east-north easterly and northerly direction to point F grid reference 46505 30482.

THE COMMON SEAL of )

THE DISTRICT COUNCIL OF HARBOROUGH)

was hereunto affixed in the presence of )

 ..... Authorised signatory

 ..... Authorised signatory

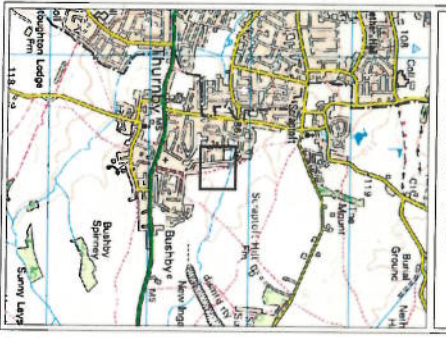
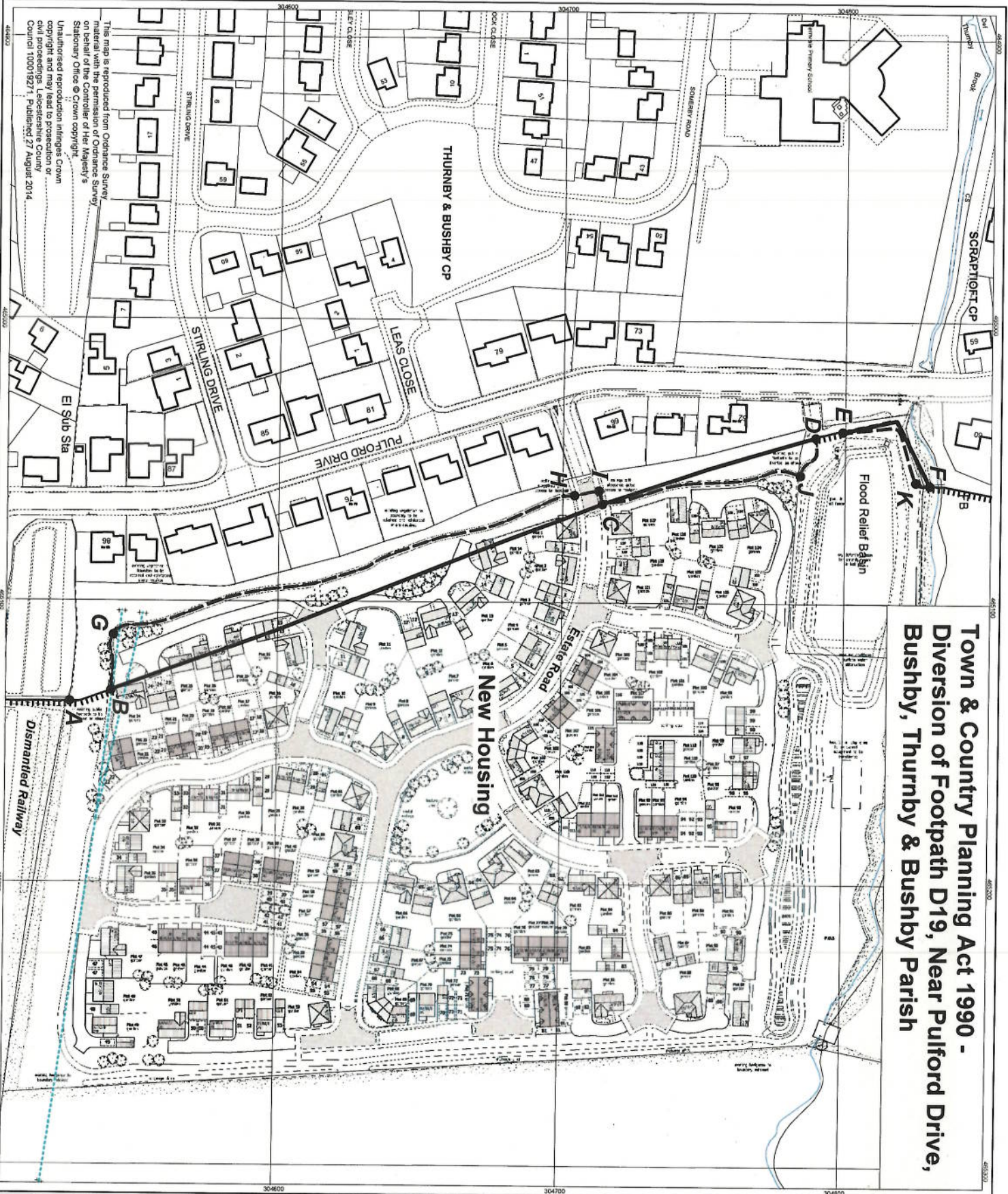
Dated this 20<sup>th</sup> day of December 2016



8001



# Town & Country Planning Act 1990 - Diversion of Footpath D19, Near Pulford Drive, Bushby, Thurnby & Bushby Parish



Location Plan

### Key

- Footpath to be diverted  
B-C-D & E-F
- - - Alternative new footpath  
B-G-H-I-C, C-J-D & E-K-F
- ||||| Footpaths unaffected

**Harborough  
 District Council**

Environment & Transport Department,  
 Leicestershire County Council,  
 County Hall, Glenfield,  
 Leicestershire LE3 8RJ  
 email: [footpaths@leics.gov.uk](mailto:footpaths@leics.gov.uk)  
 Phil Crossland, Director.



**Plan No. 2374/Con**  
 Scale 1:1250

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright.  
 Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.  
 Council 100019271. Published 27 August 2014.