

# **NOTICE OF ORDER**

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

### **Harrogate Borough Council**

#### **Footpath 15.53/23/1 Cruet Farm Hollins Lane Hampsthwaite Diversion Order 2019**

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 07 April 2020.

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 part of public footpath No.15, which presently runs from Point A (OS SE 2615 5814) and continues in a south easterly direction on an unmade surface for approximately 30 metres to Point B (OS SE 2618 5812). The new Footpath will commence from Point C (OS SE 2618 5813) and continue in a south south westerly direction for approximately 7 metres to Point B (OS SE 2618 5812) where it will join with the existing Public Right of Way (Nidderdale Rural Path Ref No. 8). The entirety of the diverted route is to be grassed.

Any queries relating to this Order should be referred to Clive Richards at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5502. Email: [clive.richards@planninginspectorate.gov.uk](mailto:clive.richards@planninginspectorate.gov.uk). Please quote reference number ROW/3238403 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at Harrogate Borough Council, The Civic Centre, St Luke's Mount, Harrogate, HG1 2AE. Contact at Harrogate Borough Council: Ms Rachel Braithwaite; tel: 01423 500600 extn 58598. The documents can be viewed Monday - Friday between the hours of 8:30am to 4:30pm.

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

### **Within 2 weeks of the start date [by 21 April 2020]**

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 02 June 2020]**

Everyone who has made an objection or representation or any other written representation or any other person wishing to make representations in writing 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 14 July 2020]**

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.

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.

Notice of order for w/r

## HARROGATE BOROUGH COUNCIL

## PUBLIC PATH DIVERSION ORDER

## TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

## FOOTPATH 15.53/23/1 CRUET FARM HOLLINS LANE HAMPSTHWAITE DIVERSION

## ORDER 2019

This order is made by Harrogate Borough 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 (16/04554/FUL) granted under Part 3 of the Town and Country Planning Act 1990 namely: the demolition of an existing barn and erection of a detached dwelling.

## 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 Harrogate Borough 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 Harrogate Borough 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: a surface of 2 metres in width to be grassed along the entire length.
5. Cruet Farm Investments Limited are hereby required to pay for the cost 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.

THE COMMON SEAL of )  
 The Council of the Borough of Harrogate )  
 was hereunto affixed this )  
 12<sup>th</sup> June 2019 )  
 in the presence of:-

*M. A. M.*

CHIEF SOLICITOR



## SCHEDULE

### PART 1

#### Description of site of existing path or way to be stopped up

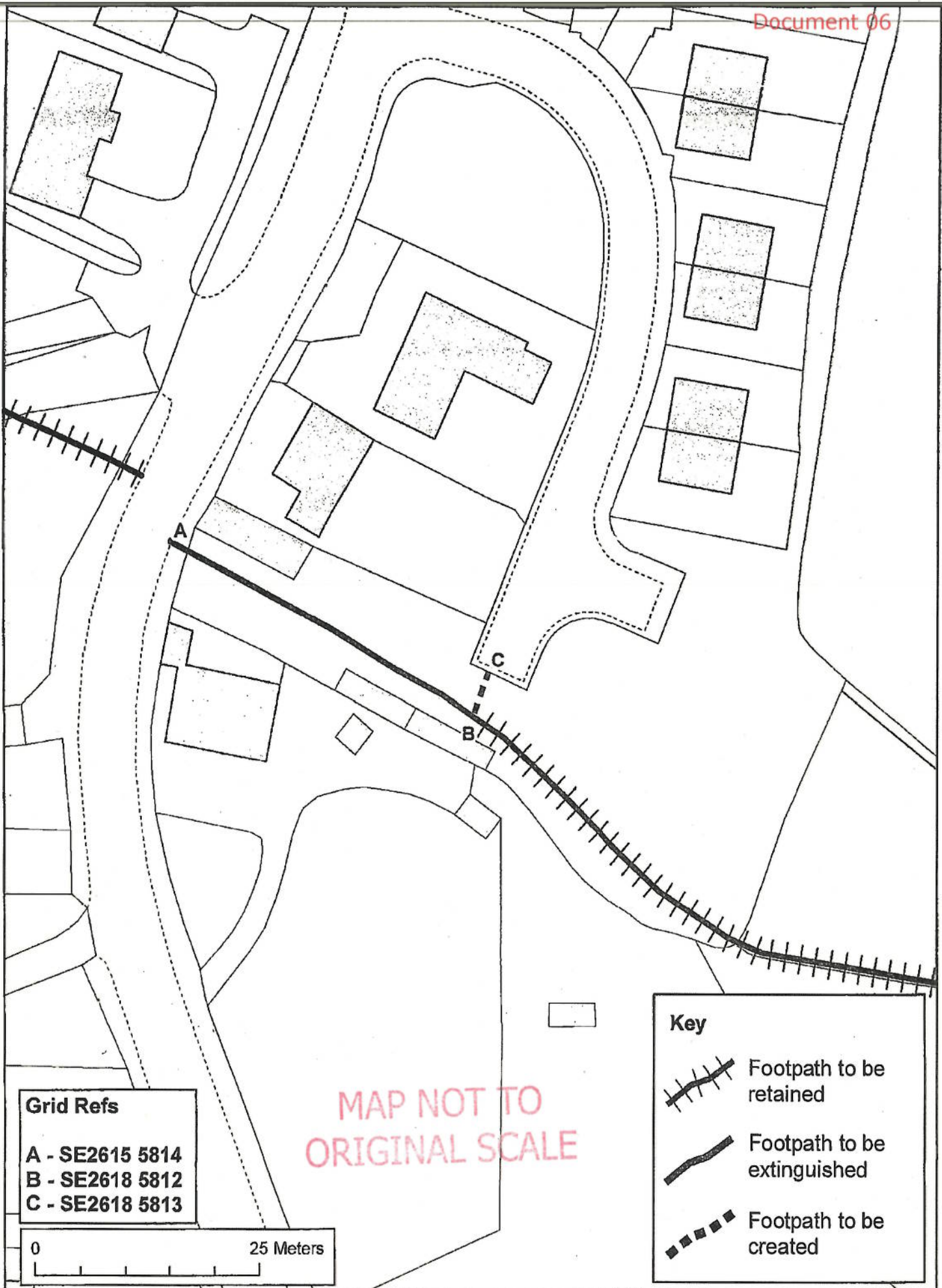
Footpath No. 15. 53/23/1	Length (Kms)	Width (metres)	Position & description of Footpath
Shown on the map by a bold black line as Point A to Point B.	0.03	0.9 (approx)	The Footpath commences at Point A at GR SE 2615 5814 and continues in a south easterly direction on an unmade surface for approximately 30 metres to Point B at GR SE 2618 5812.

### PART 2

#### Description of site of alternative highway to be created

Footpath No. 15.53/23/1	Length (Kms)	Width (Metres)	Position & description of Footpath
Shown on the map by bold black dashes as Points C to B.	<0.01	2.0 (approx)	<p>The new Footpath will commence from Point C at GR SE 2618 5813 and continue in a south south westerly direction for approximately 7 metres to Point B at GR SE 2618 5812 where it will join with the existing Public Right of Way (Nidderdale Rural Path Ref No. 8).</p> <p>This entire diverted route is to be grassed.</p>








MAP NOT TO  
ORIGINAL SCALE

**Grid Refs**

A - SE2615 5814  
B - SE2618 5812  
C - SE2618 5813

0 25 Meters

**Key**

-  Footpath to be retained
-  Footpath to be extinguished
-  Footpath to be created

