

**PUBLIC PATH DIVERSION ORDER
TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257**

**THE HIGH PEAK BOROUGH COUNCIL
FOOTPATH 61 (PART) WHALEY BRIDGE
PUBLIC FOOTPATH DIVERSION ORDER No.2 OCTOBER 2021**

This order is made by the High Peak Borough Council under section 257 of the Town & Country Planning Act 1990 because it is satisfied that it is necessary to divert the section of 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 a housing development adjacent to Elnor Lane and Shallcross Mill, Whaley Bridge under planning application reference HPK/2017/0654.

BY THIS ORDER

1. The footpath number 61 over the land shown by a bold black line on the attached Plan 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 High Peak 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 Plan.
3. The diversion of the footpath shall have effect on the date on which High Peak 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: The diverted length of footpath between points E – F - C shall be two metres wide and finished in tarmac. The diverted length of footpath between points A – D – E shall be three metres wide and finished in hardcore, compacted and levelled to join with the existing footpath at point A.
5. Mr C Morris of Shallcross Mill House, Elnor Lane, Whaley Bridge, Derbyshire, SK23 7JN is 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
HIGH PEAK BOROUGH COUNCIL**

Was hereunto affixed this
18th day of October 2021
in the presence of



Nicola de Bruin
SOLICITOR
For and on behalf of High Peak Borough Council



SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

Section indicated on
Plan: A – B - C

The whole width and length of the section of Footpath 61 from point A (grid reference SK01628016) proceeding in a generally west north westerly direction for approximately 27 metres to point B (grid reference SK01598017) and then in a generally north westerly direction for approximately 36 metres to point C (grid reference SK01568020), a total distance of 63 metres or thereabouts.


PART 2

DESCRIPTION OF SITE OF ALTERNATIVE PATH OR WAY


Section indicated on
Plan: A – D – E - F – C

A 3 metre wide footpath finished in compacted and levelled hardcore from point A proceeding in a generally north north easterly direction for approximately 9 metres to point D (grid reference SK01628017) and then in a generally north north westerly direction for approximately 6 metres to point E (grid reference SK01628018). From point E a 2 metre wide footpath to be finished in tarmac and proceeding and bending in a generally westerly then west north westerly direction for approximately 25 metres to point F (grid reference SK01598018) and from point F in a straight line generally west north westerly direction for approximately 32 metres to point C, a total distance of 72 metres or thereabouts.

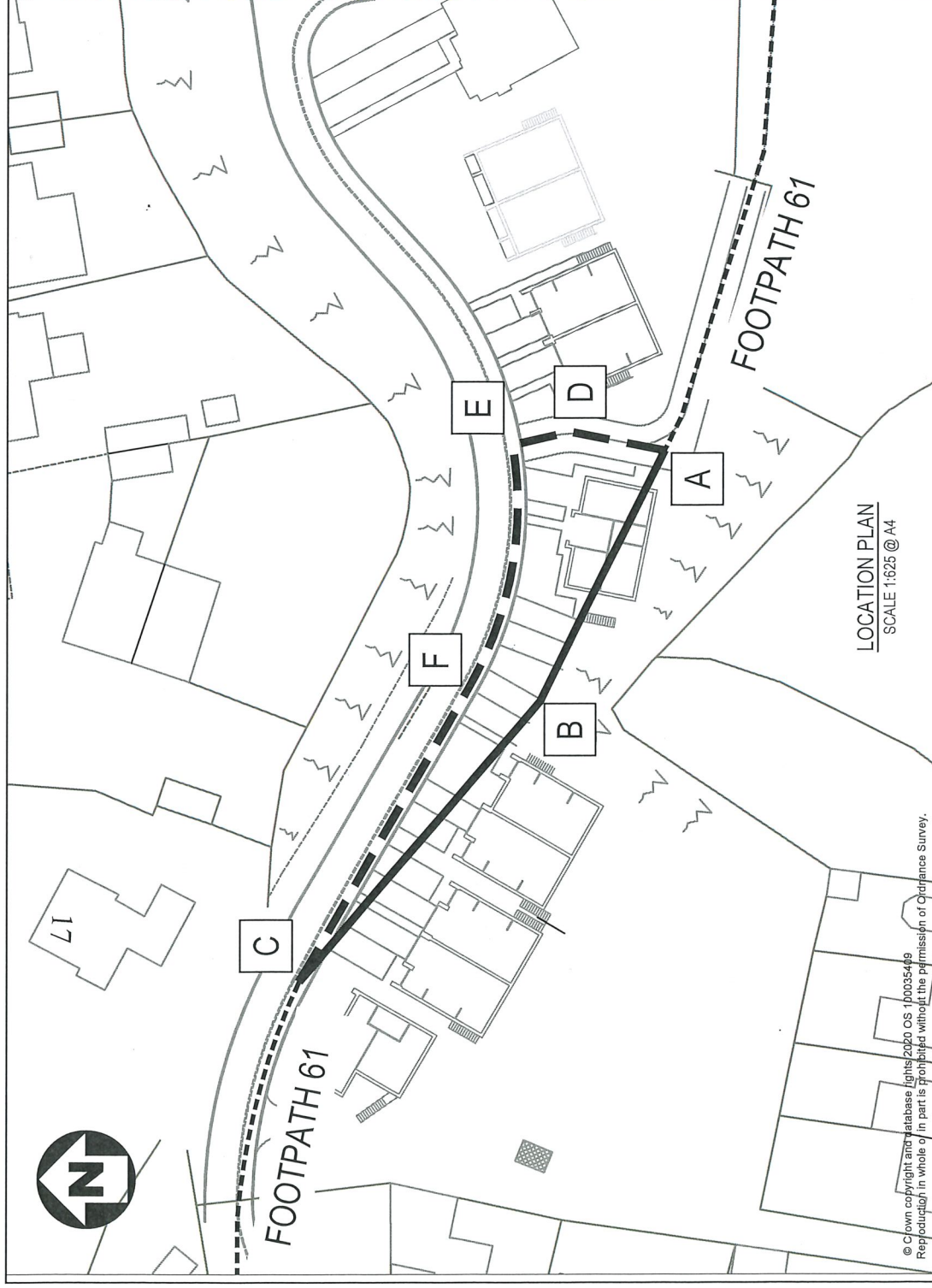
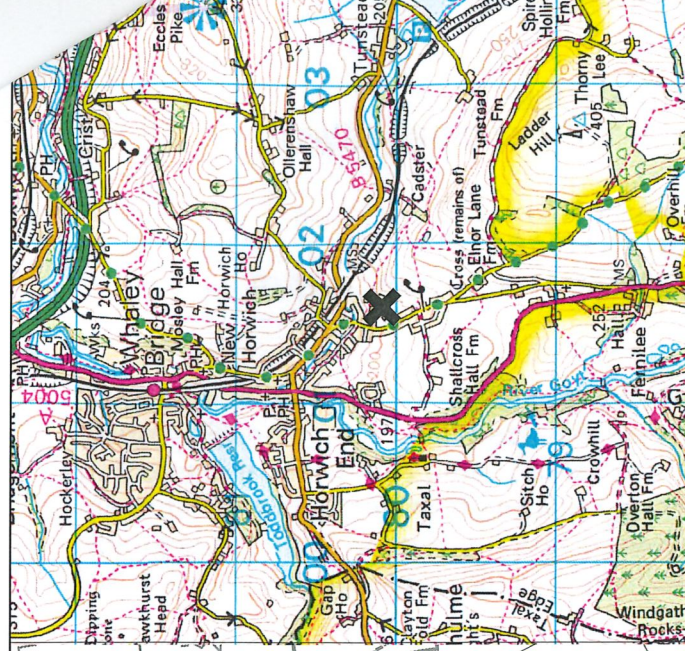
This Order was confirmed by High Peak Borough Council on the 17th December 2021


Authorised Signatory

It is hereby certified that the provisions of Clause 4 of this Order have been complied with a diversion of the said footpath shall take effect on the date hereof


Authorised Signatory

17.5.23



LOCATION PLAN
SCALE 1:625 @ A4

© Crown copyright and database rights 2020 OS 100035449
 Reproduction in whole or in part is prohibited without the permission of Ordnance Survey.

GENERAL NOTES

- NO DEVIATION FROM THE DETAILS SHOWN ON THIS DRAWING IS ALLOWED WITHOUT PRIOR PERMISSION IN WRITING.
- ALL DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL ARCHITECTS, ENGINEERS AND SPECIALISTS DRAWINGS AND THE SPECIFICATION.
- THE CONTRACTOR SHALL INCORPORATE ALL THE REQUIREMENTS OF THE PRE-TENDER STAGE HEALTH AND SAFETY PLAN.
- ALL DRAINAGE FITTINGS TO BE SUPERSLEVE VITRIFIED CLAY PIPES OR SIMILAR.

KEY

- CONTINUOUS BLACK LINE: POINTS A TO B TO C' CLOSED/DIVERTED
 - DASHED BLACK LINE: POINTS A TO D TO E TO F TO FOOTPATH 61
 - THIN DASHED LINE: EXISTING FOOTPATH
- A - SK 0162 8016
 B - SK 0169 8017
 C - SK 0156 8020
 D - SK 0162 8017
 E - SK 0162 8016
 F - SK 0169 8016

**THE HIGH PEAK BOROUGH
 COUNCIL FOOTPATH 61
 (PART) WHALEY BRIDGE
 PUBLIC FOOTPATH
 DIVERSION ORDER No.2
 OCTOBER 2021**

| Rev. | Amendment | Date | By | Chkd |
|------|--|----------|----|------|
| P05 | DIVERSION AMENDED IN LINE WITH DCC COMMENTS. | 13.10.21 | MS | NG |
| P04 | DIVERSION AMENDED IN LINE WITH DCC COMMENTS. | 01.10.21 | MS | NG |
| P03 | DIVERSION AMENDED IN LINE WITH DCC COMMENTS. | 29.09.21 | MS | NG |
| P02 | DIVERSION AMENDED IN LINE WITH DCC COMMENTS. | 28.09.21 | MS | NG |
| P01 | ISSUED FOR INFORMATION. | 12.02.21 | MS | NG |

Project
**SHALLCROSS FOUNDRY
 WHALEY BRIDGE**

Client
 MPS CONSTRUCTION

Title
 WHALEY BRIDGE FOOTPATH 61
 PROPOSED DIVERSION PLAN

| WML Job No. | Drawn | Checked | Date | Scale |
|-------------|-------|---------|--------|----------|
| 8208 | MS | NG | JAN 21 | 1:625@A4 |

WML CONSULTING
 Civil, Structural & Geotechnical Engineers

No. 2 Oak Green
 Staley Green Business Park
 Cheshire Holmes
 Cheshire, Cheshire, UK
 Tel: 0161 482 0600
 Fax: 0161 486 8210
 e-mail: info@wmlconsulting.com
 www.wmlconsulting.com

Drawing No.
 Project
 8208 - WML - XX - XX - DR - C - 1018 P05