PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

THE CORNWALL COUNCIL (PUBLIC FOOTPATH No. 54 BUDE-STRATTON (PART))
(TWO-STOREY EXTENSION WITH BALCONY AT THE GRANARY, LYNSTONE,
BUDE) DIVERSION ORDER 2017

THIS ORDER is made by Cornwall Council ("the Authority") 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: "Two-Storey Extension with Balcony at the Granary" in the
Parish of Bude-Stratton at The Granary, Road from Lynstone Road to County Road,
Lynstone, Bude EX23 0LP Planning Reference PA 15/07234.

BY THIS ORDER

1. The Public Footpath over the land shown by a continuous solid 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 Authority an alternative
   highway for use as a replacement for the said Public Footpath as provided in Part 2 of the
   Schedule and shown by a dashed bold black line on the attached map.

3. The Diversion of the Public Footpath shall have effect on the date on which the Authority
   certify that the terms of Article 2 have been complied with.

4. The following works shall be carried out in relation to the highway described in Part 2 of
   the Schedule:
   (i) The alternative way shall form part of the driveway to be constructed as part of
       the permitted development

5. Mr & Mrs Attenborough, The Granary, Upton, Bude, EX23 0LP are hereby required to pay
   for the cost of carrying out the said works. For the avoidance of doubt Mr & Mrs
   Attenborough are the Applicant registered by the Local Planning Authority against
   Planning Application PA 15/07234.

6. Where immediately before the date on which the Public Footpath is diverted there is
   apparatus 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.

7. This Order may be cited as, "The Cornwall Council (Public Footpath No. 54 Bude-Stratton
   (Part)) (Two-Storey Extension with Balcony at the Granary, Lynstone, Bude) Diversion
   Order 2017".

GIVEN under the Common Seal of the Council this 19th day of August 2017

THE COMMON SEAL OF THE
CORNWALL COUNCIL
Was hereto affixed in the
presence of:-

[Signature]
Authorised signatory

[Stamp]
I Certify that this is a proper copy of the Order as it was:

AFTER THE CORNWALL COUNCIL CERTIFICATE WAS
APPENDED

Signed: 
Date: 7th August 2017
SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That length of Public Footpath No. 54 in the Parish of Bude-Stratton commencing at
a junction with part of Public Footpath No. 54 to be retained approximately 10 metres
north-west of “The Granary” at Ordnance Survey Grid Reference (OSGR) SS 2057/1052 shown as point “A” on the Order Map and continuing in a generally south-
westerly then southerly direction for a distance of 22 metres to a junction with another
part of Public Footpath No. 54 to be retained approximately 19 metres south-west of
“The Granary” at OSGR SS 2057/1051 shown as point “B” on the Order Map.

The Definitive Statement records an average width of 8'-3' for Public Footpath No.
54 in the Parish of Bude-Stratton described as “FP proceeds through Lower Lynstone
Farm south to E of Upton”.

For the avoidance of doubt the intention of this Order is to stop up the highway
described above in its entirety.

PART 2

DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

That length of Public Footpath No. 54 in the Parish of Bude-Stratton commencing at
a junction with part of Public Footpath No. 54 to be retained approximately 10 metres
north-west of “The Granary” at Ordnance Survey Grid Reference (OSGR) SS 2057/1052 shown as point “A” on the Order Map and continuing in a generally westery
then southerly then south-easterly direction for a distance of 42 metres to a
junction with another part of Public Footpath No. 54 to be retained approximately 19
metres south-west of “The Granary” at OSGR SS 2057/1051 shown as point “B” on
the Order Map.

The length of Public Footpath described above shall be 3.0 (three) metres in width
throughout.
THE CORNWALL COUNCIL
(PUBLIC FOOTPATH No. 54 BUDE-STRATTON (PART))
(TWO-STOREY EXTENSION WITH BALCONY
AT THE GRANARY, LYNSTONE, BUDE)
DIVERSION ORDER 2017

The map shows the proposed changes to the public footpath No. 54 Bude-Stratton. The changes include:

- Retaining part of the public footpath.
- Creating an alternative footpath.
- Stopping up part of the public footpath.

The map is intended to illustrate the proposed changes to the public footpath. The actual changes will be subject to planning consent.

Key:
- Scale: 1:500
- Right of Way to be Retained: [Symbol]
- Right of Way to be Created: [Symbol]
- Right of Way to be Extinguished: [Symbol]
This Order was confirmed on 5 July 2017 as an unopposed Order

Jonathan Sleeman
Senior Legal Officer
Legal Services
CORNWALL COUNCIL

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 257

THE CORNWALL COUNCIL
(PUBLIC FOOTPATH No. 54 BUDE-STRATTON (PART))
(TWO-STOREY EXTENSION WITH BALCONY AT THE GRANARY, LYNSTONE, BUDE)
DIVERSION ORDER 2017

MADE BY CORNWALL COUNCIL ON:

18 March 2017

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257
AND SCHEDULE 14 Part II Para 8

CERTIFICATE OF THE HIGHWAY AUTHORITY IN RESPECT OF AND ANNEXED TO:

THE CORNWALL COUNCIL (PUBLIC FOOTPATH No. 54 BUDE-STRATTON (PART)) (TWO-STOREY EXTENSION WITH BALCONY AT THE GRANARY, LYNSTONE, BUDE) DIVERSION ORDER 2017

I hereby certify that the terms of Article 02 of the abovementioned Order that require that there shall be created to the reasonable satisfaction of the authority an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule to the Order have been complied with, thereby enabling the order to Come into Force.

Dated this 1st day of August 2017

Mike Eastwood
Countryside Access Team Leader
Cornwall Council

I certify that this is a proper copy of the Order as it was:

AFTER THE CORNWALL COUNCIL CERTIFICATE WAS APPENDED

Signed: [redacted]

Date: 7 August 2017