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

THE CORNWALL COUNCIL (FOOTPATH No. 10, CURY (PART))
(BARN CONVERSIONS AT NANFAN FARM)
DIVERSION ORDER 2015

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 partial demolition and partial reconstruction, minor extensions and change of use of existing redundant agricultural barns to form five dwellings (plus associated works) on land at Nanfan Farm, Churchtown, Cury, Helston TR12 7BW. Planning Reference PA 14/01524.

BY THIS ORDER

1. The footpath over the land shown by a 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 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 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. The replacement footpath shall be constructed to a standard set out in the Highways Agency Specification 803 Series for unbound porous surfaces so as to provide a surface that is convenient for users on foot. The material comprising the path sub-base and surface shall be contained by suitable edge-boards of treated timber.

5. Mr & Mrs P Matthews of Valley View, Penrose Farm, Meanporth Road, Falmouth, Cornwall, TR11 5L, are hereby required to pay for the cost of carrying out the said works. (For the avoidance of doubt Mr & Mrs P Matthews are the Applicants registered by the Local Planning Authority against Planning Application PA 14/01524.)

6. Where immediately before the date on which the 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 (Footpath No.10, Cury (Part)) (Barn Conversions at Nanfan Farm) Diversion Order 2015".

GIVEN under the Common Seal of the Council this day of 2015

THE COMMON SEAL OF THE
CORNWALL COUNCIL

Was hereto affixed in the
presence of-

Authorised signatory

E.F. Dunstan

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

AFTER THE CORNWALL COUNCIL CERTIFICATE WAS APPENDED

Signed: ______________________

Date: 24 September 2015
SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That part of Public Footpath number 10 Cury commencing from a point where it has a junction with that part of footpath number 10 Cury to be retained approximately 105 metres west-north-west of the property known as "Nanfan Farm" at Ordnance Survey Grid Reference (OSGR) SW 6801/2099 shown as point "A" on the attached map thence running in a south-easterly, south-south-easterly, southerly and south-south-westerly direction for distance of 118 metres to a point where it has a junction with that part of public footpath number 10 Cury to be retained approximately 121 metres south-west of the property known as "Nanfan Farm" at OSGR SW 6802/2088 shown as point "B" on the attached map.

The Definitive Statement records 3' 0" (three feet) as the average width for Public Footpath number 10 Cury. For the avoidance of doubt the intention of the order is to stop up the highway described above in its entirety.

PART 2

DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

A length of Public Footpath in the Parish of Cury commencing from a point where it has a junction with that part of footpath number 10 Cury to be retained approximately 105 metres west-north-west of the property known as "Nanfan Farm" at Ordnance Survey Grid Reference (OSGR) SW 6801/2099 shown as point "A" on the attached map thence running in a southerly, south-south-westerly and south-south-easterly direction for distance of 114 metres to a point where it has a junction with that part of public footpath number 10 Cury to be retained approximately 121 metres south-west of the property known as "Nanfan Farm" at OSGR SW 6802/2088 shown as point "B" on the attached map.

The length of Public Footpath described above shall be 2.0 (two) metres in width throughout.
THE CORNWALL COUNCIL (FOOTPATH No. 10, CURY (PART))
(BARN CONVERSIONS AT NANNAN FARM)
DIVERSION ORDER 2015

- Part of FP 10 Cury to be Retained
- Part of FP 10 Cury to be Stopped-Up
- Public Footpath to be Created
- Part of FP 10 Cury to be Retained

OS SHEET SW 68/20

KEY
Scale: 1:1,000

Footpath to be Retained:
Footpath to be Created:
Footpath to be Extinguished:
PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 257

THE CORNWALL COUNCIL
(FOOTPATH No. 10, CURY (PART))
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DIVERSION ORDER 2015

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

CORNWALL COUNCIL

CERTIFICATE OF THE HIGHWAY AUTHORITY TOWN AND COUNTRY PLANNING ACT 1990
SECTION 257 AND SCHEDULE 14 Part II Para 8 IN RESPECT OF AND ANNEXED TO:

THE CORNWALL COUNCIL (FOOTPATH No. 10 CURY (PART)) (BARN CONVERSIONS AT NANNFAN FARM) DIVERSION ORDER 2014

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 15th day of September 2015

Michael A. Eastwood
Countryside Access Team Leader

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

AFTER THE CORNWALL COUNCIL CERTIFICATE WAS APPENDED

Signed [name redacted]

Date: 24 September 2015

Town & Country Planning Act 1990
S257:
This Diversion Order Comes into Force when Cornwall Council Certify that the alternative highway has been created to its reasonable satisfaction.