PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

THE CORNWALL COUNCIL (FOOTPATH No. 100, CROWAN (PART))(BARN CONVERSION AT "CARNE SKYBER") 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 conversion of barns to form a dwelling and diversion of footpath number 100 in the Parish of Crowan on land at Carne Skyber, Black Rock, Camborne, Cornwall TR14 9NG. Planning Reference PA 14/10836

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 dashed line 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:

   (i) 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.

   (ii) A Pedestrian Gate conforming to British Standard 5709:2006. (Gaps, Gates and Stiles. Specification ISBN 0 580 48 107 7) may be erected at OSGR SW 6340/3435 (Boundary at Point "PG" on the attached map.) Provided that the specifications of BS 5709:2006 are met the Pedestrian Gate may be of wooden or metal construction. The gate shall be maintained by the landowner.

5. Mr & Mrs S Tremayne of Spring Mead Cottage, Trew, Breage, Helston, Cornwall, TR13 9GW are hereby required to pay for the cost of carrying out the said works. (For the avoidance of doubt Mr & Mrs S Tremayne are the Applicants registered by the Local Planning Authority against Planning Application PA 14/10836.)

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.100, Crowan (Part)) (Barn Conversion at "Carne Skyber") Diversion Order 2015."

GIVEN under the Common Seal of the Council this 11th day of August 2015

THE COMMON SEAL OF THE
CORNWALL COUNCIL

Was hereto affixed in the presence of:-

Authorised signatory

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

AFTER THE CORNWALL COUNCIL CERTIFICATE WAS APPENDED

Signed

Date: 4/9/2018

013771
SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That part of Public Footpath number 100 Crowan commencing from a point where it has a junction with that part of footpath number 100 Crowan to be retained approximately 9 metres west of the property known as ‘Carne Skyber’ at Ordnance Survey Grid Reference (OSGR) SW 6539/3439 shown as point “A” on the attached map thence running in a generally south-south-easterly and southerly direction for a distance of 42 metres to a point where it has a junction with that part of public footpath number 100 Crowan to be retained approximately 38 metres south of the property known as “Carne Skyber” at OSGR SW 6540/3435 shown as point “B” on the attached map.

The Definitive Statement records no information in respect of the width for Public Footpath number 100 Crowan. 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 Crowan commencing from a point where it has a junction with that part of footpath number 100 Crowan to be retained approximately 9 metres west of the property known as ‘Carne Skyber’ at Ordnance Survey Grid Reference (OSGR) SW 6539/3439 shown as point “A” on the attached map thence running in a generally southerly, east-south-easterly and then southerly direction for a distance of 43 metres to a point where it has a junction with that part of public footpath number 100 Crowan to be retained approximately 38 metres south of the property known as “Carne Skyber” at OSGR SW 6540/3435 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. 100, CROWAN (PART))
(BARN CONVERSION AT "CARNE SKYBER")
DIVERSION ORDER 2015

Part of Footpath 100 Crowan to be retained

The property "Carne Skyber"

Alternative Footpath to be Created

Part of FP 100 Crowan to be Stopped Up

Part of Footpath 100 Crowan to be retained

OS SHEET SW 65/34

KEY
Scale: 1:250

Footpath to be Retained:

Footpath to be Created:

Footpath to be Extinguished:

The fact that this map does not show a Public Right of Way does not mean that such rights may not be the subject of a current claim orThat may arise in the future. This plan has been produced specifically to identify an individual with value added Local Information centres. It should be used by Cornwall Council and not for legal purpose. This map has been produced to identify the Rights of Way from the Definitive Map. This plan may give details of rights of way which may not be shown on the definitive map. Cornwall Council cannot accept responsibility for any error in this plan. This plan may arise from the incorporating of Rights of Way shown on the Plan. Crown copyright and database rights 2015 Ordnance Survey 10669082.
This Order was confirmed by Cornwall Council as an unopposed Order on: 22 SEP 2015

Authorised Signatory [Redacted]

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990
SECTION 257

THE CORNWALL COUNCIL
(FOOTPATH No. 100, CROWAN (PART))
(BARN CONVERSION AT "CARNE SKYBER")
DIVERSION ORDER 2015

MADE BY CORNWALL COUNCIL ON:
11 AUG 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. 100, CROWAN (PART))
(BARN CONVERSION AT "CARNE SKYBER") DIVERSION ORDER 2015

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 August 2018

Countryside Access Team Leader

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