



STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

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

**THE STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PUBLIC FOOTPATH NUMBER 27 (PART) (PARISH OF CAVERSWALL)
DIVERSION ORDER 2023**

This Order is made by **STAFFORDSHIRE MOORLANDS DISTRICT 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 granted under Part III of the Town and Country Planning Act 1990 namely a housing development at Land East of Sandfields, Kingsley Road, Cellarhead under planning reference SMD/2022/0589 "Variation of conditions 2, 10, 11, 12 and 13 in relation to SMD/2021/0469".

BY THIS ORDER:

1. The part of footpath number 27 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 the Staffordshire Moorlands District 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 Staffordshire Moorlands District 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 alternative footpath shall be grassed and have a width of 2.0 metres.
5. 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.

SCHEDULE

PART 1

Description of Site of Existing Path or Way

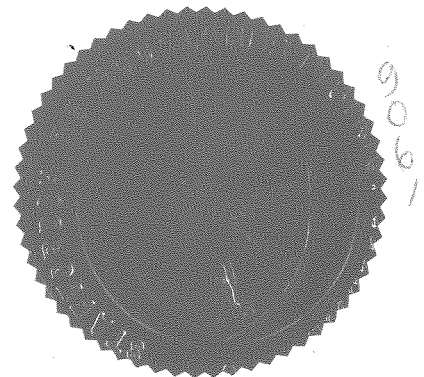
A section of footpath, approximately 50m in length and 1.5m in width, commencing from its junction with Kingsley Road, Cellarhead at point A as shown on the attached map and running in a generally south-westerly direction to point C as shown on the attached map being a point on the field boundary some 28m north west from the rear (south west) garden boundary of the property known as Pathways, Kingsley Road, Cellarhead, Staffordshire ST9 0DJ.

PART 2

Description of Site of Alternative Highway

The new section of footpath to be created shall be 2m in width and run from point A as shown on the attached map first in a generally south south-westerly direction for 40m alongside the field boundary with the adjacent property known as Pathways, Kingsley Road, Cellarhead, Staffordshire ST9 0DJ to a point B as shown on the attached map then enter the adjacent field to the south west and turn through 90 degrees to re-join the original route at point C on the attached map, a point some 28m generally north west from the rear (south west) garden boundary with Pathways, Kingsley Road, Cellarhead, Staffordshire ST9 0DJ.

The Common Seal of **THE STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL** was hereunto affixed on the 7th day of *March* 2023 in the presence of:-



CHAIRMAN

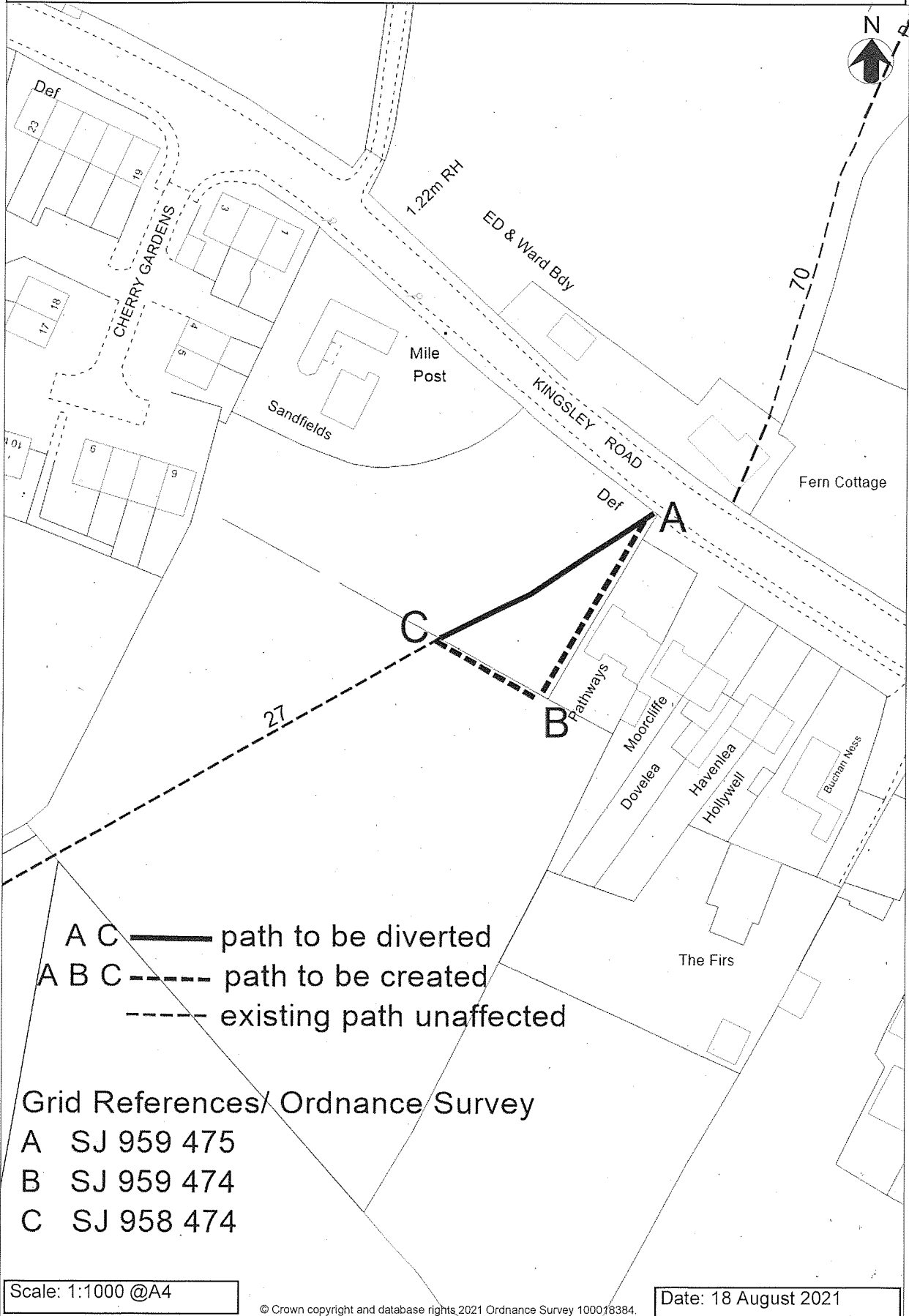
[Handwritten signature]

CHIEF EXECUTIVE

The foregoing Order is hereby confirmed: *[Signature]* ~~3.5.23~~ *3.5.23*

It is hereby certified that the provisions of clause 4 of this Order have been complied with & diversion of the said footpath shall take effect on the date hereinafter *[Signature]* 19.5.23

Plan for fp 27 Caverswall TCPA Diversion



A C ——— path to be diverted
 A B C - - - - path to be created
 - - - - - existing path unaffected

Grid References/ Ordnance Survey

- A SJ 959 475
- B SJ 959 474
- C SJ 958 474

Scale: 1:1000 @A4

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Date: 18 August 2021

SIGNED: *[Handwritten Signature]*