

**PUBLIC PATH DIVERSION ORDER
TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257
CHESHIRE EAST BOROUGH COUNCIL**

**THE CHESHIRE EAST BOROUGH COUNCIL
(UNRECORDED FOOTPATH, CHURCH LANE, PARISH OF WISTASTON)
PUBLIC PATH DIVERSION ORDER 2017**

This Order is made by Cheshire East Borough Council ("the Authority") under Section 257 of the Town and Country Planning Act 1990 ("the 1990 Act") 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 1990 Act. Namely:

Planning Application: 14/3024N

Outline application for a proposed residential development of up to 300 dwellings, site access, public open space, landscaping and associated infrastructure.

BY THIS ORDER:

1. The Unrecorded Footpath over the land situated in the Parish of Wistaston and shown by a bold black continuous line on the plan contained in this Order and described in Part 1 of the Schedule to this Order ("The Schedule") shall be stopped up 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 plan.
3. The diversion of the footpath shall have effect on the date which the Authority certifies that the terms of Article 2 above have been complied with.
4. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over along or across it belonging to the 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.
5. This Order shall be cited as "The Cheshire East Borough Council (Unrecorded Footpath, Church Lane, Parish of Wistaston) Public Path Diversion Order 2017".

THE COMMON SEAL OF
CHESHIRE EAST BOROUGH COUNCIL
was hereunto affixed this
22nd June Two Thousand
and Seventeen in the presence of:-



9764
(2)
Authorised Signatory

SCHEDULE

PART 1

Description of site of existing Path or Way to be diverted

Unrecorded Footpath, Church Lane

That length of Unrecorded Footpath from its junction with FP no. 2, in the Parish of Wistaston commencing at O.S. grid reference SJ 6829 5436 (point A on Plan No. TCPA/038A) and running in a generally north westerly and westerly direction for a distance of approximately 77 metres to O.S. grid reference SJ 6822 5439 (point B on Plan No. TCPA/038A) and its junction with FP no. 1, in the Parish of Wistaston then running in a generally west south westerly direction for a distance of approximately 114 metres to O.S. grid reference SJ 6812 5433 (point C on Plan No. TCPA/038A) and continuing in a generally southerly direction for a distance of approximately 256 metres to O.S. grid reference SJ 6812 5408 (point D on Plan No. TCPA/038A) then turning to run in a generally south east and easterly direction for a distance of approximately 265 metres to O.S. grid reference SJ 6838 5410 (point E on Plan No. TCPA/038A) and finally continuing in a generally north west and northerly direction for a distance of approximately 124 metres to O.S. grid reference SJ 6843 5420 (point F on Plan No. TCPA/038A) as indicated by a solid black line between the points marked A-B-C-D-E-F on Plan No. TCPA/038A.

A total distance of approximately 836 metres in length

PART 2

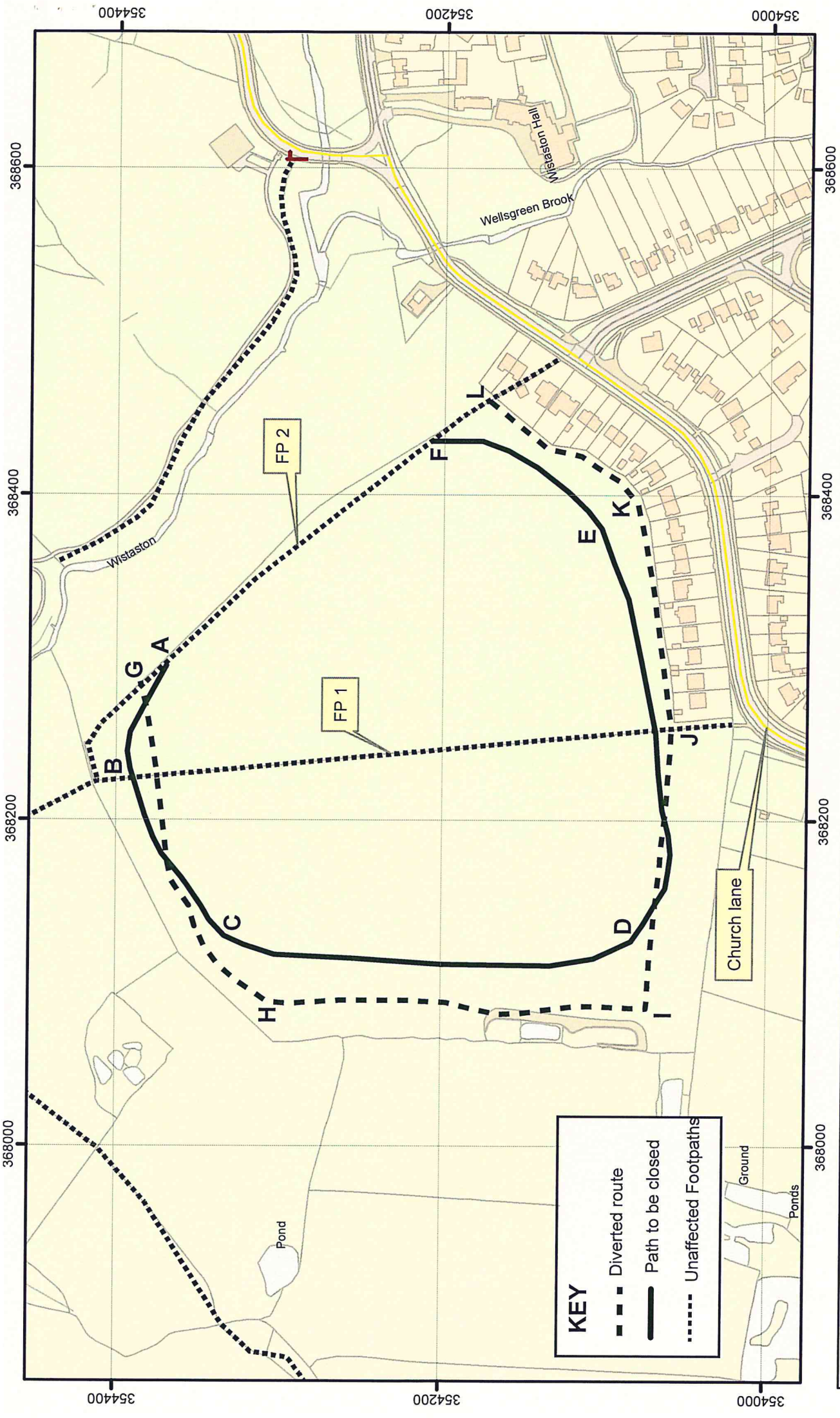
Description of site of new Path or Way

Public Footpath No.17, Wistaston

A footpath, in the Parish of Wistaston to be known as Footpath no. 17, commencing at its junction with FP no.2 in the Parish of Wistaston, at O.S. grid reference SJ 6828 5438 (point G on Plan No. TCPA/038A) and running in a generally westerly and south westerly direction for a distance of approximately 220 metres to O.S. grid reference SJ 6808 5431 (point H on Plan No. TCPA/038A) then turning to run in a generally southerly direction for approximately 235 metres to O.S. grid reference SJ 6808 5407 (point I on Plan No. TCPA/038A) and then continuing in a generally easterly direction for a distance of approximately 172 metres to its junction with FP no.1, in the Parish of Wistaston, at O.S. grid reference SJ 6825 5405 (point J on Plan No. TCPA/038A) and continuing in a generally easterly direction to the rear of houses on Church Lane for a distance of approximately 142 metres to O.S. grid reference SJ 6839 5408 (point K on Plan No. TCPA/038A) and then finally turning to run in a generally north easterly direction for approximately 108 metres to its junction with FP. No. 2, in the Parish of Wistaston, at O.S. grid reference SJ 6845 5417 (point L on Plan No. TCPA/038A) as indicated by a bold dashed line between the points G-H-I-J-K-L on Plan No. TCPA/038A.

The footpath will be 2 metres wide between points G-H-I with a compacted stone surface and timber edging.

The footpath between points I-J-K-L will be 3 metres wide with a sealed surface.



1:3,000

Town & Country Planning Act 1990 s.257
Division of an Unrecorded Footpath
off Church Lane, Wistaston

Plan No.
TCPA/038A



