

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

**THE CHESHIRE EAST BOROUGH COUNCIL
(RESTRICTED BYWAY NO. 1 (PART) PARISH OF EATON)
PUBLIC PATH DIVERSION ORDER 2017 (no.2)**

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 applied for under Part III of the 1990 Act. Namely:

Planning Application: 16/3298W: Application to extend Eaton Hall Quarry to the North and South of the existing permitted extraction area to the North of School lane.

Planning Application: 16/3282W: Application to vary planning permission 5/APP/2004/0012 under section 73 of the Town and Country Planning Act 1990 (as amended) to develop land without compliance to conditions.

BY THIS ORDER:

1. The Restricted Byway over the land situated in the Parish of Eaton 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 Restricted Byway as provided in Part 2 of the Schedule and shown by bold black dashes on the attached plan.
3. The diversion of the Restricted Byway 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 Restricted Byway 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 (Restricted Byway No. 1 (Part) Parish of Eaton) Public Path Diversion Order 2017 (no.2)".

THE COMMON SEAL OF
CHESHIRE EAST BOROUGH COUNCIL

was hereunto affixed this

6th day of July

Two Thousand and Seventeen in the presence of:-



Authorised Signatory

4791
(x2)

SCHEDULE

PART 1

Description of site of existing Path or Way to be diverted

That length of Restricted Byway No. 1 in the Parish of Eaton commencing at O.S. grid reference SJ 8632 6665 at its junction with Sandy Lane (UY 1300) (point A on Plan No. TCPA/034B) and running in a generally south westerly direction for a distance of approximately 352 metres to O.S. grid reference SJ 8612 6637 (point B on Plan No. TCPA/034B) and then running in a generally west north westerly direction for approximately 281 metres to O.S. grid reference SJ 8585 6644 (point C on Plan No. TCPA/034B) and then running in a generally south westerly direction for approximately 345 metres to O.S. grid reference SJ 8561 6621 (point D on Plan No. TCPA 0/34B), as indicated by a solid black line between the points marked A-B-C-D on Plan No. TCPA/034B.

A total distance of approximately 978 metres in length.

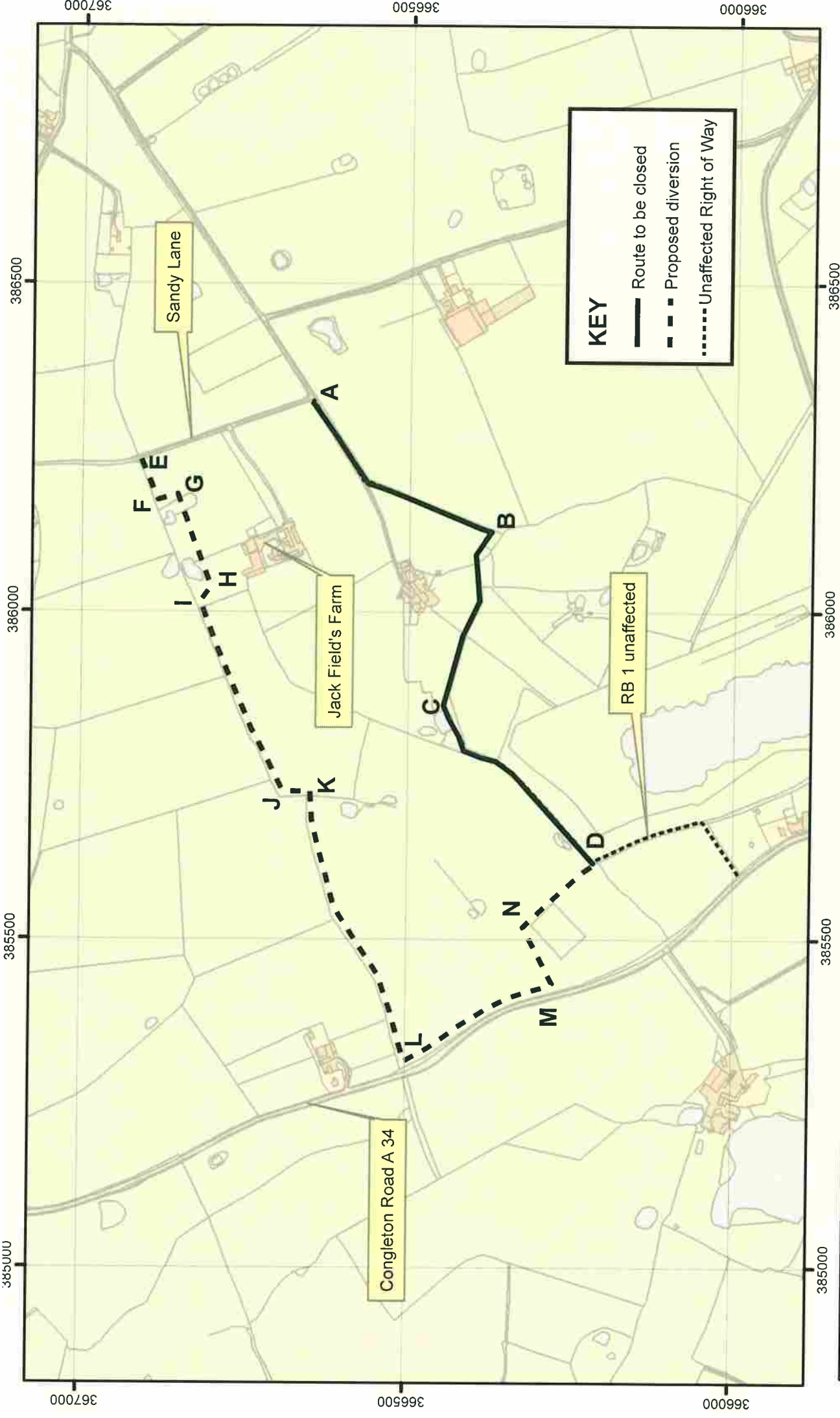
PART 2

Description of site of new Path or Way

A Restricted Byway, in the Parish of Eaton, commencing at O.S. grid reference SJ 8623 6691, at its junction with Sandy Lane (UY 1300) (point E on Plan No. TCPA/034B) and running in a generally west south westerly direction for a distance of approximately 68 metres to O.S. grid reference SJ 8616 6688 (point F on Plan No. TCPA/034B), then running in a generally southerly direction for approximately 37 metres to O.S. grid reference SJ 8617 6685 (point G on Plan no. TCPA/034B) then turning to run in a generally west south westerly direction for a distance of approximately 149 metres to O.S. grid reference SJ 8604 6680 (point H on Plan no. TCPA/034B) then running generally north north westerly for a distance of approximately 29 metres to O.S. grid reference SJ 8601 6682 (point I on Plan no. TCPA/034B) then running in a generally west south westerly direction for approximately 317 metres to O.S. grid reference SJ 8572 6669 (Point J on Plan No. TCPA/034B) then turning to run in a generally southerly direction for approximately 42 metres to O.S. grid reference SJ 8572 6665 (Point K on Plan No. TCPA/034B) then once again turning to run in a generally west south westerly direction for approximately 445 metres to O.S. grid reference SJ 8531 6650 (Point L on Plan No. TCPA/034B) then running in a generally south south easterly direction for a distance of approximately 260 metres to O.S. grid reference SJ 8543 6627 (Point M on Plan No. TCPA/034B) and then running in a generally east north easterly direction for a distance of approximately 98 metres to O.S. grid reference SJ 8552 6632 (Point N on Plan No. TCPA/034B) and finally running in a generally south south easterly direction for a distance of approximately 150 metres its junction with the unaffected section of Restricted Byway No. 1, Eaton at O.S. grid reference SJ 8561 6621 (Point D on Plan No. TCPA/034B) as indicated by a dashed black line between the points marked E-F-G-H-I-J-K-L-M-N-D on Plan No. TCPA/034B.

A total distance of approximately 1595 metres in length.

The restricted byway running between points E-F-G-H-I-J-K-L-M-N-D on Plan No. TCPA/034B is four metres wide throughout.



Town & Country Planning Act s.257
The Cheshire East Borough Council (Restricted Byway no. 1(pt),
Parish of Eaton, Public Path Diversion Order 2017

Plan No.
TCPA /034B



