

PUBLIC PATH DIVERSION ORDER

Section 257 Town and Country Planning Act 1990

ARUN DISTRICT COUNCIL PUBLIC PATH (FOOTPATH 3096 IN THE PARISH OF LITTLEHAMPTON TOWN) PUBLIC PATH DIVERSION ORDER 2023

This Order is made by Arun District Council under Section 257 Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this Order relates, to enable development to be carried out in accordance with a planning permission granted under Part III Town and Country Planning Act 1990 namely:

Outline Planning Permission LU/47/11 and Reserved Matters application references LU/206/21/RES & LU/369/21/RES dated 10 August 2022 for Phase 5 and the Central Wetland Area (for the development of 261 dwellings, green swales, the Central Spine Road and the Central Wetland Area).

BY THIS ORDER

- {1} The footpath over the land shown by a bold black continuous line on the map contained in this Order ("the Order Map") and described in Part 1 of the Schedule to this Order shall be diverted as provided below.
- {2} Notwithstanding this Order, 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.
- {3} There shall be created to the reasonable satisfaction of Arun District Council and West Sussex County Council an alternative footpath for use as replacement for the said footpath as provided in Part 2 of the Schedule and shown by a bold black broken line on the Order Map ("the Alternative Footpath").
- {4} The following works shall be carried out in relation to the Alternative Footpath that is to say:
 - a) The Alternative Footpath shall be a width of at least 2 metres;
 - b) The Alternative Footpath shall be free from all obstructions and shall not include any stiles or structures;
 - c) The Alternative Footpath shall be constructed to a specification agreed with West Sussex County Council as per the requisite agreement pursuant to S.38 of the Highways Act 1980 (as amended);
 - d) The Alternative Footpath shall be waymarked by West Sussex County Council.
- {5} The Developer of the Outline Planning Permission LU/47/11 will cover the costs of and carry out the above mentioned works and any costs associated in the creation of the Alternative Footpath described in Part 2 of the Schedule.

{6} The diversion shall take effect on the date on which Arun District Council certifies that the terms of Articles 3 and 4 above have been complied with.

SCHEDULE

Part 1

Description of Site of Existing Footpath

- a) Part of public path 3096 commencing from Point R on the Order Map running in a north easterly direction for approximately 75 metres to Point K then continuing for approximately another 75 metres to Point J before heading north for approximately 60 metres to Point I then east for approximately 35 metres to Point H then north for approximately 105 metres to Point G then east for approximately 160 metres to point F then north for approximately 150 metres to point E then east for approximately 50 metres to point D and then north for approximately 20 metres to point N.

Part 2

Description of Site of Alternative Footpath

- a) From Point L on the Order Map running in a north easterly direction for approximately 485 metres to Point Q then north for approximately 75 metres to Point P and further north for approximately 100 metres to Point O and east for approximately 35 metres to Point N.
- b) The alternative footpath route shall have a width of 2 metres along its whole length from Point L to Point N.

Dated this 3rd day of May 2023 .

IN WITNESS whereof the Common Seal
of Arun District Council was
hereunto affixed in the presence of:

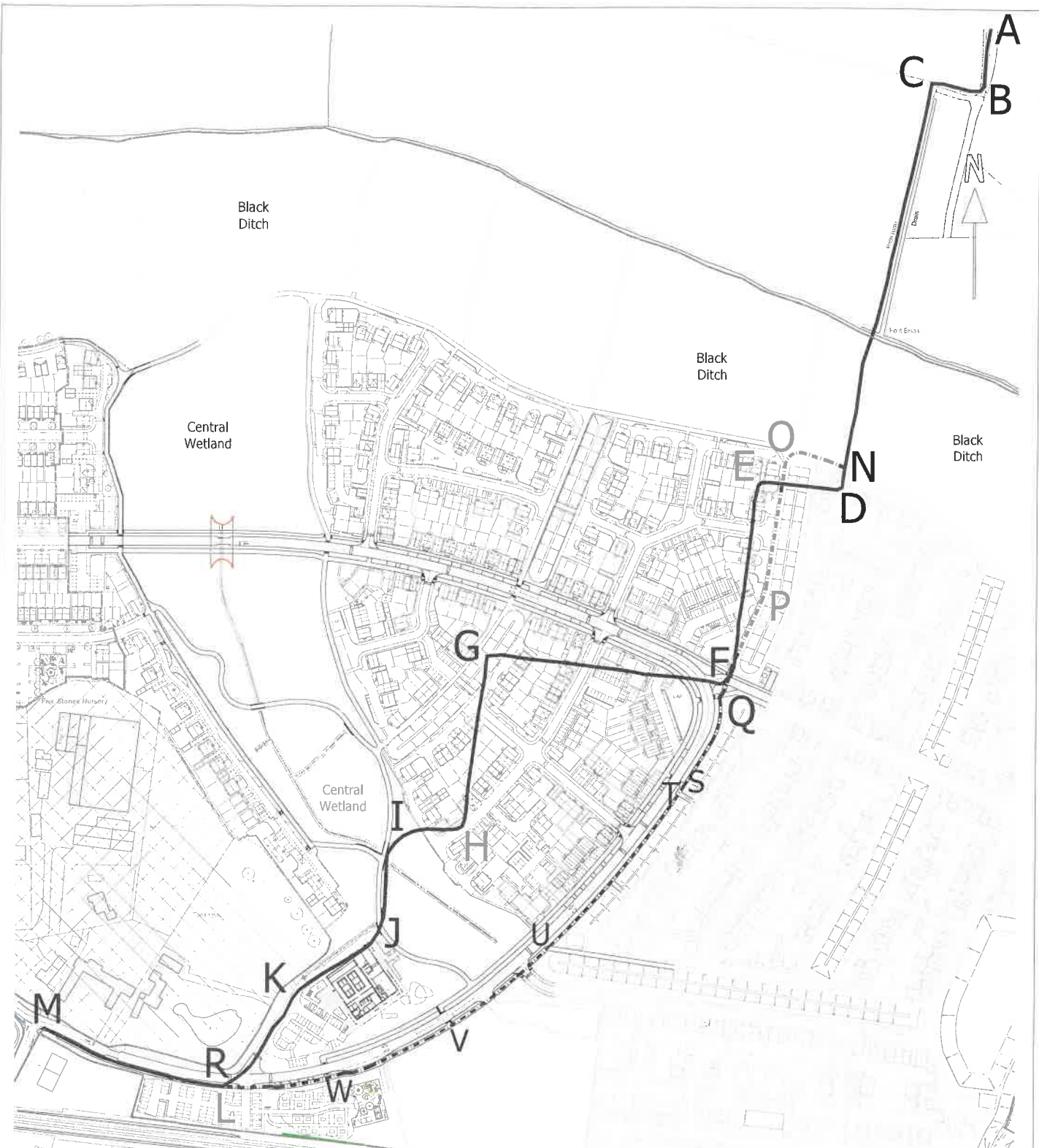


Proper Officer: SOFINA AHMED
Seal Book No: 71/2023
Job Title: SOLICITOR

This Order was confirmed by Arun District Council on (insert date of confirmation)

Authorised Signatory:.....

Job Title:



- KEY:**
- Existing Public Right of Way - Footpath (3096)
 - Public Right of Way Diversion route.
 - Shared Public Footpath and Cycle Way between points 'N' to 'Q' to be adopted by WSCC under the S38 agreement.
 - Public Footpath between points 'Q' to 'S'; 'T' to 'U' and 'V' to 'W' to be adopted by WSCC under the S38 agreement.
 - Shared Public Footpath and Cycle Way between points 'S' to 'T' and 'U' to 'V' are Crossover links providing access to the Central Wetland. To be adopted by WSCC under the S38 agreement.
 - Shared Public Footpath and Cycle Way between points 'W' to 'M' to be adopted by WSCC under the S38 agreement.

- SURFACE TREATMENTS and CONSTRUCTION TYPE:**
- Shared Public Footpath and Cycle Way between points 'N' to 'Q' to be a 3.0m wide path with bitumen macadam (tarmac) construction. Path to be adopted by WSCC under the S38 agreement.
 - Public Footpath between points 'Q' - 'S'; 'T' - 'U' and 'V' - 'W' to be a 2.0m wide path with bitumen macadam (tarmac) construction. Path to be adopted by WSCC under the S38 agreement.
 - Shared Public Footpath and Cycle Way between points 'S' and 'T'; 'U' and 'V' to be 3.0m wide crossover links providing access to the Central Wetland. Paths to be bitumen macadam (tarmac) construction. Paths to be adopted by WSCC under the S38 agreement.
 - Shared Public Footpath and Cycle Way between points 'W' and 'M' to be a combination of 3.0m and 3.5m wide path with bitumen macadam (tarmac) construction. Path to be adopted by WSCC under the S38 agreement.

PLEASE NOTE: This drawing can be read in conjunction with drawing No. 519_MP_PCA_02 for reference purposes only.



JA



<p>Persimmon Persimmon Homes Thames Valley Persimmon House, Knoll Road, Camberley, Surrey GU15 3TQ Tel: 01276 650060</p>	
<p>Phase 5 Littlehampton</p>	<p>Date: July 2021 Scale: 1:2500 @ A3P Drawing No: 519_PL_PROW_02</p>
<p>Drawing Title: Public Right of Way Footpath Diversion Plan</p>	<p>Drawing Status: SUBMITTED</p>
<p>Drawn By: AT Checked By: LU Rev: B</p>	<p>Date: 23.02.23 13.12.22</p>