

PUBLIC PATH DIVERSION ORDER

S257 TOWN AND COUNTRY PLANNING ACT 1990 ARUN DISTRICT COUNCIL

PUBLIC PATH (FOOTPATH 2149 IN THE PARISH OF ANGMERING) DIVERSION ORDER 2023

This Order is made by Arun District Council under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that—

- (a) Planning permission has been granted under Part III of that Act, namely: “Outline application planning permission with some matters reserved for the development of up to 525 residential dwellings (Class C3), 3 ha (gross) of employment land (Class B1), public open space, play areas, access, associated infrastructure and landscaping” (Planning Permission ref: A/40/18/OUT) and subsequent Section 73 Planning Permission (Planning Permission reference A/248/21/PL) and Reserved Matters Planning Approval (Planning Permission ref: A/256/21/RES);
- (b) it is necessary to divert the footpath to which this Order relates in order to enable the development to be carried out in accordance with the above permissions.

BY THIS ORDER

1. The footpath marked by a continuous bold black line on the attached Order Map (“the Order Map”) and described in Part I of the Schedule to this Order (“the Schedule”) shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of Arun District Council and West Sussex County Council an alternative footpath (“the Alternative Footpath”) for use as a replacement for the said footpath as provided in Part II of the Schedule.
3. The footpath over the land described in Part III of the Schedule to this Order “Existing Highway to be Improved” shall be improved to a bridleway to the reasonable satisfaction of Arun District Council and West Sussex County Council.
4. The diversion of the footpath shall take effect on the date on which Arun District Council certifies that the terms of Article 2 and 3 above have been complied with.
5. The following works shall be carried out in relation to the Alternative Footpath described in Part II of the Schedule, that is to say:
 - a) the Alternative Footpath shall be a minimum width of 3.5 metres throughout, except for some minor narrowing to 3.0 metres to avoid existing trees or ditches.
 - b) The Alternative Footpath shall be surfaced throughout with a Type 1 Limestone and Limestone dust finish as per West Sussex County Council Standard design 14399/1 save for where it crosses the estate roads or pavements.
 - c) the Alternative Footpath shall be free from all obstructions and must not include any stiles, gates, posts or other structure.

- d) there shall be suitable provision for users of the Alternative Footpath to cross the internal access road and service roads, at crossing points as necessary.
- e) the Alternative Footpath will be waymarked by West Sussex County Council.

6. The following works shall be carried out in relation to the Existing Highway to be Improved, between points A-K and described in Part III of the Schedule, that is to say:
- a) Widened to 3.5 metres.
 - b) Surfaced, with a type 1 Limestone and Limestone dust finish in accordance with West Sussex County Council standard design 14399/1 save for where it crosses the estate roads and pavements.
 - c) shall be free from all obstructions and must not include any stiles, gates, posts or other structure.
 - d) there shall be provision for users to cross the internal access road and service roads, at crossing points as necessary.
7. Cala Homes (Southern Home Counties) Ltd is hereby required to pay the cost of carrying out all the above-mentioned works.

SCHEDULE

Part I

Description of existing Path or Way which is to be Stopped Up

Part of Public footpath No. 2149 commencing at Point A (Grid Ref: X507614.172 Y104838.179) running in a north westerly direction for approximately 379 metres to Point B (Grid Ref: X507525.951 Y105205.811) then moving in a easterly direction for approximately 23 metres to Point C (Grid Ref: X507541.932 Y105214.638), then continuing in a northerly direction for approximately 30 metres to Point D (Grid Ref: X507545.279 Y105244.097) and continuing in a northerly direction for approximately 235 metres to Point E (Grid ref: X507587.050 Y105472.010) and then continuing in a westerly direction for approximately 169 metres to Point F (Grid ref: X507417.852 Y105466.852) and continuing in a westerly direction for approximately 138 metres to Point G (Grid ref: X507280.241 Y105478.762) as shown by a continuous bold black line on the Order Map.

Part II

Description of Alternative Footpath as Diverted

The new route of the Alternative Footpath having a minimum width of 3.5 metres throughout commences at Point K on the Order Map (Grid ref: X507525.951 Y105205.311) running in a northerly direction for approximately 237 metres to Point L (Grid Ref: X507572.512 Y105422.771), continuing in a north westerly direction for approximately 117 metres to Point M (Grid ref: X507535.807 Y105531.643), then in a westerly direction for approximately 239 metres to Point N (Grid Ref: X507333.383 Y105541.632), followed by a southerly direction of approximately 86 metres to Point G (Grid Ref: X507280.241 Y105478.762), as shown by a broken black line on the Order Map

There is a further section of the new route of the bridleway having a minimum width of 3.5 metres throughout commencing at Point H on the Order Map (Grid ref: X507570.502 Y104949.755) running in a westerly direction for approximately 21 metres to Point I (Grid ref: X507555.146 Y104963.681) then moving in a north easterly direction for approximately 11 metres to point J (Grid ref: X507562.219 Y104971.481), as shown by a bold black broken line interspersed with a perpendicular line on the Order Map.

Part III

Description of Existing Highway to be Improved

Part of public footpath No. 2149 having a minimum width of 3.5 metres throughout commencing at Point A on the Order Map (Grid ref: X507614.172 Y104838.179) running in a north westerly direction for approximately 120 metres to Point H (Grid ref: X507570.502 Y104949.755) and continuing at a length of 32 metres from Point H, to Point I, to Point J (Grid ref: X507562.219 Y104971.481) followed by a north westerly direction for approximately 240 metres to Point K (Grid ref: X507525.951 Y105205.311), all of which are shown by a hatched bold black continuous line on the Order Map.

