

MALDON DISTRICT COUNCIL

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

FOOTPATH 19 GREAT TOTHAM

This Order is made by MALDON DISTRICT COUNCIL under section 257 of the Town & Country Planning Act 1990 because it is satisfied that it is necessary to divert parts of Footpath 19 Great Totham in the District of Maldon 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: **21/00961/RES** - Reserved Matters application for the approval of access, appearance, landscaping, layout, and scale covering the details of strategic landscaping and infrastructure for Phase 2 and part of Phase 4 of the approved planning application (15/00419/OUT) comprising: (i) The landscaping surrounding the eastern section of the Relief Road, and Broad Street Green Roundabout; (ii) The internal spine road, from Broad Street Green Road to the north-eastern corner of Heybridge Wood (including bus stops); (iii) The green corridors that surround Parcels 10, 11 and 12; (iv) The second phase of the acoustic barrier; (v) The play area (LEAP) that lies south of Parcel 12; (vi) The internal road and associated attenuation basins to the north of Parcel 8 that serves the Local Centre; (vii) The proposed pumping station; (viii) Pedestrian and cycle links falling within this phase of the development. Together with details pursuant to Condition 18 (tree protection), Condition 19 (acoustic barrier), Condition 27 (bus stops) and Condition 28 (footpaths and cycle routes) of the approved planning application 15/00419/OUT and **22/00289/RESM** - Reserved Matters application for the approval of access, appearance, landscaping, layout, and scale covering the details of strategic landscaping and infrastructure for Phases 3, 4 and 5 of the approved planning application (15/00419/OUT) comprising: (i) The green corridors, open space, and attenuation features within Phases 3, 4 and 5 including those surrounding Parcels 3, 4, 5, 6, 7 and 9; (ii) Formal play areas, including Local Equipped Areas of Play to the north of Parcel 4 and to the east of Parcel 8 and a Neighbourhood Equipped Area of Play to the east of Parcel 7; (iii) The section of the internal spine road which connects to both the spine road previously approved under the Reserved Matters applications of Phase 1 and 2 and to the approved Relief Road, including details of bus stops; (iv) The internal road to serve Parcel 9, allotments and playing field; (v) Pedestrian and cycle links falling within these phases of the development including Public Rights of Way; (vi) The location and layout of the playing fields south of Parcel 9; (vii) The location and layout of the allotments together with the associated parking, means of access and enclosure; (viii) Proposed pumping station south of parcel 9. Together with details pursuant to Condition 18 (tree protection), Condition 27 (bus stops), Condition 28

(footpaths and cycle routes), Condition 29 (Vehicular Parking) and Condition 31 (Landscaping) of the approved planning application 15/00419/OUT.

Land at Broad Street Green Road, Maypole Road And Langford Road Great Totham/Heybridge Essex.

BY THIS ORDER:

1. Parts of Footpath 19 Great Totham over the land shown by a bold black line on the attached map numbered PROW-23-03 18May2023 ("the order 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 ESSEX COUNTY COUNCIL, as the Highway Authority, alternative highways for use as replacements for the said footpath as described in Part 2 of the schedule and shown by bold black dashes on the order map.
3. The diversion of the footpath shall have effect on the date on which Essex County Council as the Highway Authority certify that the terms of Article 2 above have been complied with.
4. The following works shall be carried out in relation to the highways described in Part 2 of the Schedule:
 - a) Between Points A-C the footpath shall comprise a level, bound gravel surface
 - b) Between Points C-Ds-Dn the footpath shall comprise a level, tarmac surface
 - c) Between Points Dn-E-B the footpath shall comprise a level, bound gravel surface
 - d) Between Points F-H the footpath shall comprise a level, tarmac surface
 - e) Between Points H-G the footpath shall comprise a clear level grass surface
 - f) The proposed new paths shall be signed where appropriate with way-markers in order to show the direction and route of the new diverted paths.
5. Countryside Properties are hereby required to pay the full cost of seeking the diversion order and for carrying out the said works; this to include costs of advertising and administration, accommodation costs for any resulting hearing or inquiry, and the removal or abandonment of any apparatus rendered useless under, in, on, over, along or across the path to be stopped up.
6. 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 out 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-B

A part length of Footpath 19 Great Totham of unspecified width and shown by a bold black line on the order map commencing at Point **A** approximately 525 metres north east of its junction with Holloway Road, Heybridge and approximately 60 metres south of the south western corner of Heybridge Wood at grid reference 58564,20898, proceeding in a general northward direction on the western side of Heybridge Wood for a distance of approximately 600 metres to Point **B** approximately 115 metres north east of the north western corner of Heybridge Wood at grid reference 58553,20934.

F-G

A further part length of Footpath 19 Great Totham of unspecified width shown by a bold black line on the order map commencing at Point **F** approximately 25 metres northeast of the aforementioned Point B at grid reference 58554,20936, proceeding north eastward for a distance of approximately 21 metres to Point **G** at grid reference 58555,20938 approximately 36 metres south of the lake.

PART 2

DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

A-C-Ds-Dn-E-B

A footpath being 3.5 metres in width shown by bold black dashes on the order map commencing from the aforementioned point **A** south of the south western corner of Heybridge Wood, proceeding in a general northward direction along the demarcated pathway running parallel to, and approximately 15 metres to the west of the existing path for a distance of approximately 343 metres, where it turns westward for a further distance of approximately 52 metres to Point **C** connecting to another demarcated pathway at grid reference 58541,20911. The path then continues in a north eastward direction adjacent to the estate road for a distance of approximately 182 metres to Point **Ds** at the northwest corner of Heybridge Wood at grid reference 58551,20926, it then traverses the estate road to join another demarcated pathway at Point **Dn** on the northern side of the estate road at grid reference 58550,20922 and continues in a north north-eastward direction for a distance of approximately 65 metres to Point **E** south of the relief road at grid reference 58551,20934, the path continues along the demarcated way in an eastward direction for a final distance of approximately 16 metres to the aforementioned Point **B**.

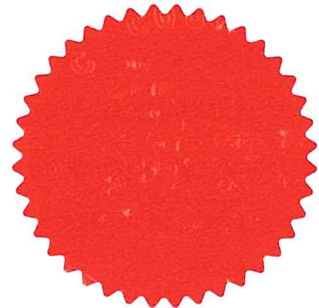
F-H-G

A footpath shown by bold black dashes on the order map commencing from the aforementioned Point **F** at the southern edge of the relief road, proceeding across the relief road via the central island crossing in a north north-westward direction for a distance of approximately 16 metres to Point **H** at grid reference 58555,20938 where it then turns in an east north-eastward direction for a final distance of approximately 13 metres to the aforementioned Point **G** on the northern side of the relief road.

Between Points F-H the Footpath shall be 3.5 metres wide,
Between Points H-G the Footpath shall be 2 metres wide.

Given under the common seal of MALDON DISTRICT COUNCIL
this 30th day of November 2023

The common seal of)
MALDON DISTRICT COUNCIL)
was hereunto affixed in the)
presence of:-)



5957

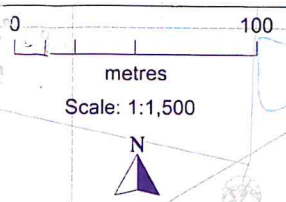
J. J. Queller

This Order is hereby confirmed as an unopposed
Order on 9th February 2024



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J. J. Queller
Authorised Signatory



DIVERSION OF FOOTPATH 19 GREAT TOTHAM SECTION 257 TOWN & COUNTRY PLANNING ACT
 Plan No. PROW-23-03 18May2023
 Routes to close: A-B, F-G
 Diverted routes: A-C-Ds-Dn-E-B, F-H-G
 Unaffected routes:
 Postcode at Heybridge Wood: CM9 4BJ
 Grid Ref at Heybridge Wood: 58564,20898
 Map Scale 1:1,500
 Definitive Map Sheet: TL80NE

