

ESSEX COUNTY COUNCIL

TEMPORARY PUBLIC PATH DIVERSION ORDER

FOOTPATH 3 GREAT AND LITTLE LEIGHS

**IN
THE CITY OF CHELMSFORD**

TOWN & COUNTRY PLANNING ACT 1990 – SECTIONS 257 & 261

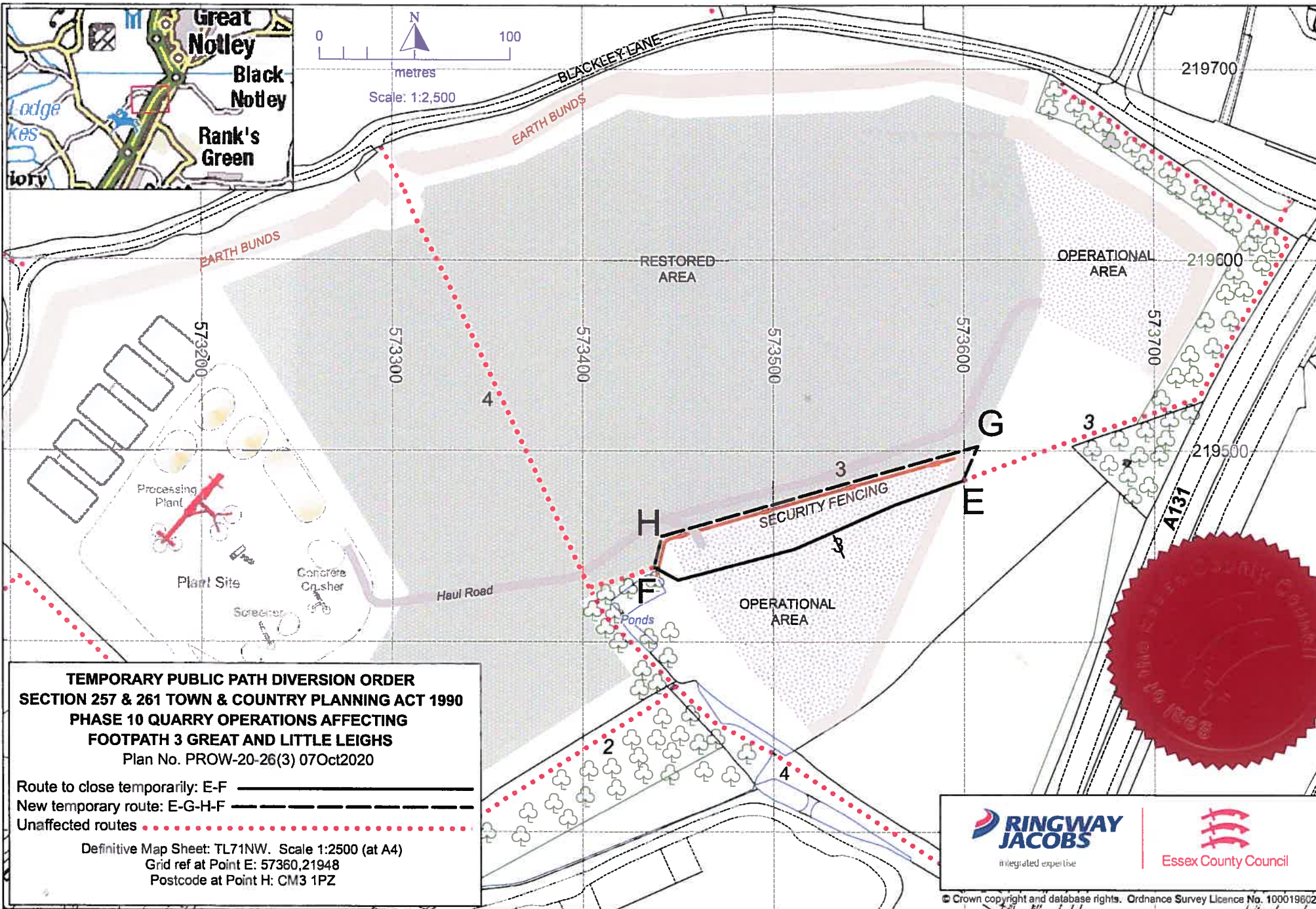
TEMPORARY PUBLIC PATH DIVERSION ORDER

ESSEX COUNTY COUNCIL
TOWN & COUNTRY PLANNING ACT 1990, SECTIONS 257 & 261
TEMPORARY PUBLIC PATH DIVERSION ORDER
FOOTPATH 3 GREAT AND LITTLE LEIGHS
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This order is made by Essex County Council under section 257 & 261 of the Town and Country Planning Act 1990 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 Town and Country Planning Act 1990 namely: for approved application Number ESS/42/17/CHL - Continuation of planning permission ESS/46/16/CHL without compliance with condition 3 (Application details), condition 27 (Stockpile heights and locations) and condition 35 (Tree and hedge planting details) to allow: additional bunding, amended timescales for some planting and clarification as to permitted stockpile locations. Planning permission ESS/16/15/CHL as varied by ESS/46/16/CHL permits "Extraction of an estimated reserve of 2.8 million tonnes of sand and gravel (from sites A38 and A39 as identified in the Minerals Local Plan 2014) and retention of existing access onto the A131, retention of existing sand and gravel processing plant (to be relocated within site A38), progressive restoration to agriculture using inert fill, installation of inert recycling facility, including screening and crushing to recover secondary aggregate. In addition revised restoration scheme for the existing quarry area."

BY THIS ORDER:

1. A part length of the public right of way over the land situated at Blackley Quarry south of Blackley Lane and west of the A131 known as Footpath 3 Great and Little Leighs in the City of Chelmsford and shown by a bold continuous black line on the attached map numbered PROW-20-26(3) 07Oct2020 ("the Order Map") contained in this order and described in Part 1 of the Schedule to this order ("the Schedule") shall be temporarily diverted and reinstated at the first available opportunity but no later than 05 June 2045 as set out in the approved planning permission no. ESS/42/17/CHL dated 30 March 2020, as provided below.



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Planning Officer
 S.E.

2. There shall be created to the reasonable satisfaction of Essex County Council 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 order map.

3. The temporary diversion of the footpath shall have effect on the date on which Essex County Council certify that the terms of Article 2 above have been complied with.

4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule:

- i) the provision of a 2 metre wide clear level path as the temporary replacement footpath;
- ii) the installation of security fencing or earth bunds between the haul road, operational area and the said public footpath for public safety purposes;
- iii) the installation of appropriate drainage adjacent to the path situated at the foot of any such earth bund aforementioned in 4(ii) above in order to mitigate potential saturation of the said footpath;
- iv) the installation of way-marking as required to enable users of the replacement footpath to accurately navigate the replacement route;
- v) the siting of appropriate signage where operation vehicles cross part of the replacement route for the safety of public footpath users.

5. Frank Lyons/Friars Pits of Gatehouse Farm, Gransmore Green, Felsted CM6 3LB are hereby required to pay the full costs of works required to bring the replacement footpath into fit condition for use by the public and for any costs associated with the coming into force of this order (to include the costs of advertising and administration, accommodation costs for any resulting inquiry or hearing, and the costs of removal or abandonment of any apparatus under, in, on, over, along or across the paths 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 on 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 part length of Footpath 3 Great and Little Leighs of undefined width shown by a bold black continuous line on the order map commencing from Point **E** at grid reference 57359,21948 approximately 170 metres north eastward of the ponds proceeding in a general south westward direction across the field for a total distance of approximately 172 metres to Point **F** at grid reference 57343,21943 at the north eastern corner of the ponds.

PART 2

DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

A footpath being 2 metres in width shown by a bold broken black line on the order map commencing from the aforementioned Point **E** north eastward of the ponds proceeding in a north eastward direction on the eastern side of the earth bund for a distance of approximately 20 metres to Point **G** at grid reference 57360,21950 at the corner of the bund and edge of the quarry restored area then continuing in a general south westward direction on the northern side of the fencing and south of the haul road for a further distance of approximately 172 metres to Point **H** at grid reference 57344,21945 where it then heads in a south westward direction for a final distance of approximately 17 metres to the aforementioned Point **F** where it continues west south-westward unaffected.

Given under the Common Seal of Essex County Council this *Seventeenth* day of *February* 2021

The common seal of **ESSEX**)
COUNTY COUNCIL was here-)
unto affixed in the presence of:)



Attesting Officer: *J Edwood*

Dated: 17th day of February 2021

**TEMPORARY PUBLIC PATH
DIVERSION ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990
SECTIONS 257 & 261**

Footpath 3 in the Parish of Great and Little Leighs
in the City of Chelmsford

Paul Turner
Director, Legal and Assurance

Essex Legal Services
Seax House
Victoria Road South
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CM1 1QH

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SECTIONS 257 & 261**

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IN THE CITY OF CHELMSFORD

ESSEX COUNTY COUNCIL in exercise of the powers conferred upon them in that behalf, hereby confirm the foregoing Order:

THIS ORDER IS HEREBY CONFIRMED AS UNOPPOSED ORDER

The COMMON SEAL of the ESSEX COUNTY COUNCIL was hereunto affixed on the Twenty Fifth day of June 2021

E0182

Dated: 25th day of June 2021

CONFIRMATION ORDER

**TEMPORARY PUBLIC PATH DIVERSION
ORDER**

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Footpath 3 in the Parish of Great and Little
Leighs in the City of Chelmsford

PAUL TURNER
Director, Legal and Assurance

Essex County Council
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