

Dated

28th August

2024

CONFIRMATION ORDER

PUBLIC PATH DIVERSION ORDER

TOWN& COUNTRY PLANNING ACT 1990

SECTION 257

Footpath 30 Heybridge and Footpath 3 Langford

Maldon District Council

Council Offices

Princes Road

Maldon

Essex

CM9 5DL

TOWN & COUNTRY PLANNING ACT 1990
SECTION 257
PUBLIC PATH DIVERSION ORDER 2024
FOOTPATH 30 HEYBRIDHE
AND
FOOTPATH 3 LANGFORD

MALDON DISTRICT COUNCIL in exercise of the powers conferred upon them in that behalf hereby confirm the foregoing Order:

THIS ORDER MADE ON 14 MAY 2024, SHOWN ATTACHED
HERETO, IS HEREBY CONFIRMED AS AN UNOPPOSED ORDER

The Common Seal of)
Maldon District Council)
Was hereunto affixed on)
the 28 day of August
2024 in the presence of



A handwritten signature in black ink, appearing to read 'E. H. H. H.', written over a horizontal line.

Attesting Officer

MALDON DISTRICT COUNCIL

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

FOOTPATH 30 HEYBRIDGE AND FOOTPATH 3 LANGFORD

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 Footpaths 30 Heybridge and 3 Langford and stop up a separate part of Footpath 30 Heybridge 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: **RES/MAL/21/00384** - Reserved matters application for the approval of access, appearance, landscaping, layout and scale covering details of strategic landscaping and infrastructure for Phase 1 comprising; (a) landscaping for the approved Relief Road, (b) phase 1 entrance green, (c) phase 1 spine road, (d) green corridors, strategic open space and levels for Phase 1 (including Local Equipped Area of Play) (e) acoustic bund for phase 1 Together with details of a network of pedestrian and cycle routes in relation to Phase 1 pursuant to condition 28 of approved planning application 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development including: (i) Residential development (Use Class C3) for up to 1138 dwellings including 30% as affordable housing (Outline) (ii) Residential Care for up to 120 beds (Use Class C2) (Outline) (iii) "Neighbourhood" uses which may include retail, commercial, and community uses (Use Classes A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or D1a and/or D1b) (Outline) (iv) Primary school and early years childcare facility (Use Class D1c) (Outline) (v) A relief road between Broad Street Green Road and Langford Road (Detailed element) (vi) Formal and informal open space (including any associated sports pavilion/clubhouse) (Use Class D2e) (Outline); (vii) Construction of initial gas and electricity sub-stations (Detailed); and (Viii) All associated amenity space, landscaping, parking, servicing, utilities (other than as listed in item (vii) above), footpath and cycle links, on-site drainage, and infrastructure works (Outline).)

Land at Broad Street Green Road and Langford Road and Maypole Road Great Totham.

BY THIS ORDER:

1. Parts of Footpath 30 Heybridge and Footpath 3 Langford situated over the land shown by a bold black line on the attached map numbered PROW-23-38 06Dec2023 ("the order map") and described in Part 1 of the Schedule to this order ("the Schedule") shall be diverted and stopped up 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 footpaths as described in Part 2 of the schedule and shown by bold black dashes on the order map.
3. The diversion and stopping up of the footpaths 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 grass surface.
 - b) Between Points C-D the footpath shall comprise a level tarmac surface.
 - c) Between Points D-B the footpath shall comprise a level grass surface except where it crosses the new relief road which will be the width of the tarmac carriageway.
 - d) Between Points C-H the footpath shall comprise a level tarmac 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 footpaths.
5. Countryside Properties are hereby required to pay the full cost of seeking the diversion and stopping up 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 paths to be stopped up.
6. Where immediately before the date on which the footpaths are diverted and stopped up, 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 30 Heybridge and a part length of Footpath 3 Langford of unspecified width commencing as Footpath 30 Heybridge at Point **A** approximately 140 metres northwest of its junction with Langford Road, Heybridge at grid reference 58444,20879, proceeding in a general north north-westward direction across the

**PUBLIC RIGHTS OF WAY AFFECTED BY DEVELOPMENT
SECTION 257 TOWN & COUNTRY PLANNING ACT 1990
FOOTPATHS 30 HEYBRIDGE & 3 LANGFORD**

Plan No. PROW-23-38 06Dec2023

Routes to close: A-B, E-H-F-G 

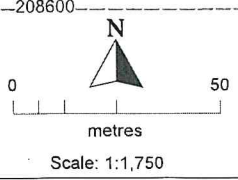
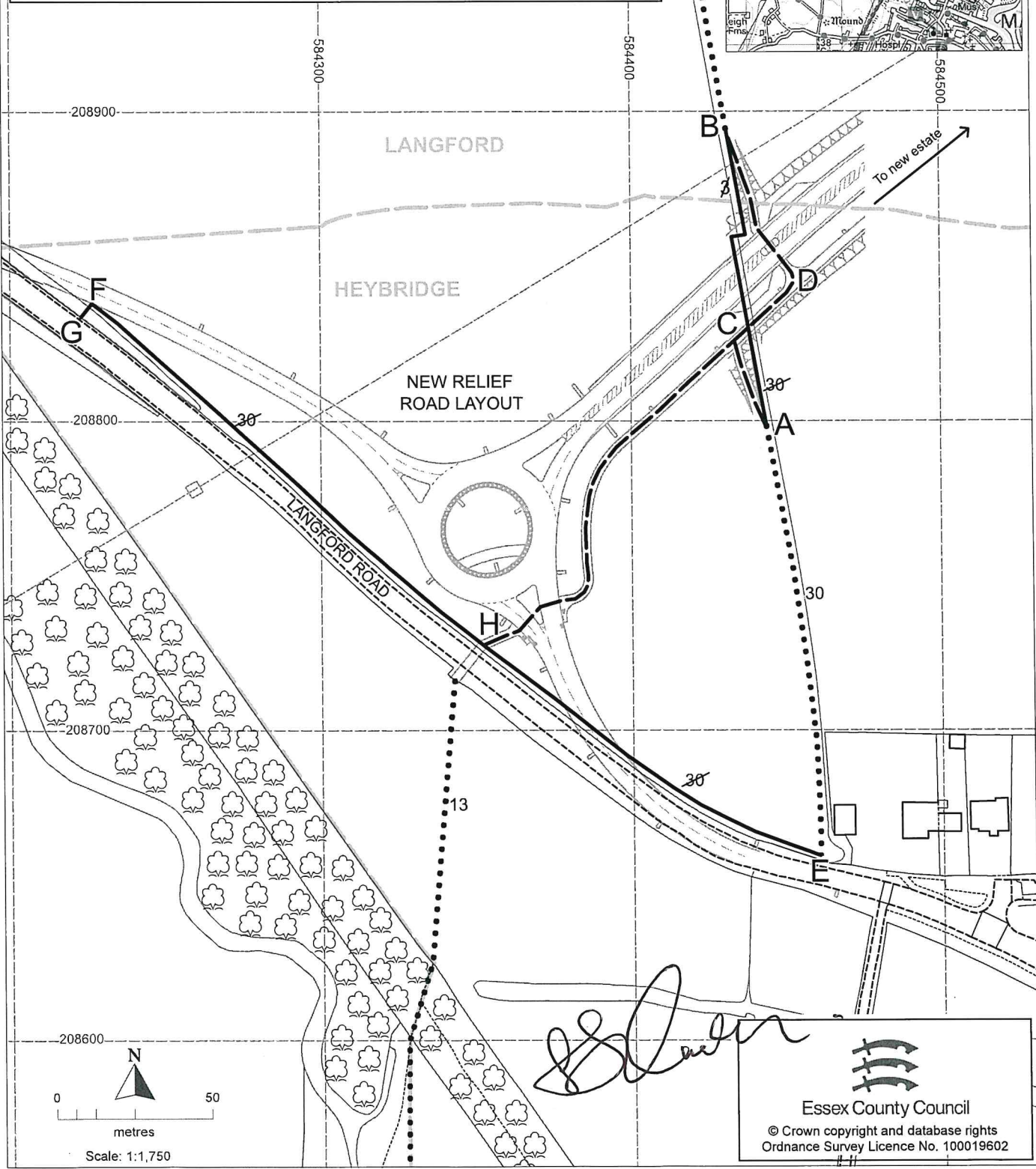
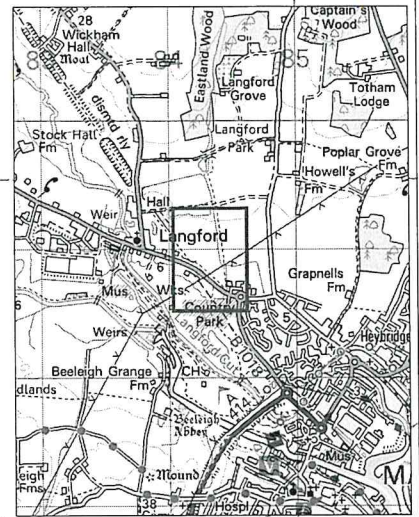
New routes: A-C-D-B, H-C 

Unaffected routes: 

Postcode at Point E: CM9 4SP

Grid Ref at Point E: 58446,20865

Definitive Map Sheet: TL80NW. Map Scale 1:1,750



[Handwritten Signature]



Essex County Council

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Heybridge/Langford parish boundary where it becomes identified as Footpath 3 Langford for a distance of approximately 100 metres to Point **B** at grid reference 58443,20889.

E-H-F-G

A further part length of Footpath 30 Heybridge of unspecified width commencing from Point **E** at grid reference 58446,20865 its junction with the northern side of Langford Road, proceeding in a north westward direction at the field edge adjacent to Langford Road for a distance of approximately 293 metres via Point **H** to Point **F** at grid reference 58422,20883 where it then heads south westward up the embankment for a final distance of approximately 6 metres to Point **G** at grid reference 58422,20883 at its connection with Langford Road approximately 70 metres south east of the bridge over the old dismantled railway.

PART 2

DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAYS

A-C-D-B

A footpath being 3 metres in width commencing from the aforementioned point **A** northwest of Langford Road, proceeding in a north-westward direction for a distance of approximately 22 metres to Point **C** at grid reference 58443,20882 at the southern side of the new relief road, then heading in a north eastward direction on a demarcated pathway adjacent to the relief road for a distance of approximately 26 metres to Point **D** at grid reference 58445,20884, where it then heads in a general north north-westward direction across the new relief road for a final distance of approximately 55 metres to the aforementioned Point **B** north of the new relief road, the path then continues unaffected as Footpath 3 Langford.

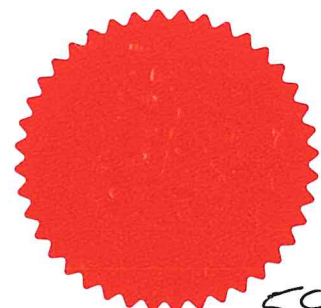
C-H

A footpath being 3 metres in width commencing from the aforementioned Point **C** at the southern edge of the new relief road, proceeding in a general south westward direction adjacent to the relief road on a demarcated pathway and across the island at the southern exit/entrance of the new roundabout for a distance of approximately 144 metres to Point **H** at grid reference 58435,20872 on the northern side of Langford Road opposite the unaffected Footpath 13 Heybridge south of Langford Road.

Given under the common seal of MALDON DISTRICT COUNCIL

this 14 day of May 2024

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



5969