

MID SUFFOLK DISTRICT COUNCIL

Town and Country Planning Act 1990 Section 257

**MID SUFFOLK DISTRICT COUNCIL
(ELMSWELL FOOTPATHS NOS 1(PART), 11(PART) AND 12(PART))
PUBLIC PATH STOPPING UP ORDER 2017**

This is to certify that in accordance with the terms of paragraphs 2 and 3 of this order alternative highways for use as replacements for parts of Elmswell Footpaths Nos 1, 11 and 12 have been created to the reasonable satisfaction of Mid Suffolk District Council.

Dated: 11 October 2017

Signed:



J Free
Assistant Director – Communities and Public Access
Council Offices
131 High Street
Needham Market
IPSWICH
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IP6 8DL

PUBLIC PATH STOPPING UP ORDER

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257

MID SUFFOLK DISTRICT COUNCIL (ELMSWELL FOOTPATHS NOS 1(PART), 11(PART) AND 12(PART)) PUBLIC PATH STOPPING UP ORDER 2017

This order is made by Mid Suffolk District Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to stop up the footpaths 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: Demolition of all buildings on site (comprising redundant factory buildings in Use Class B2, settlement tanks and 6 derelict residential properties), construction of new access road to Station Road (OL/0846/13) and Approval of Reserved Matters pursuant to OL/0846/13 relating to appearance, landscaping, layout and scale for the development which includes the erection of 190 residential dwellings (3918/15) – Former Grampian Harris site, St Edmunds Drive, Elmswell, IP30 9HF.

BY THIS ORDER

1. The footpaths over the land shown by a bold black line on the attached map between points A - B, C - A - D - E - F - G - H and H - J - K - L and described in Part I of the Schedule to this order ("the Schedule") shall be stopped up as provided below.
2. There shall be created to the reasonable satisfaction of Mid Suffolk District Council alternative highways for use as replacements for the said footpaths as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map between points C - B, M - N - P - Q - R - S - T - U and U - V - L.
3. The stopping up of the footpaths shall have effect on the date on which Mid Suffolk District Council certifies that the terms of Article 2 have been complied with.
4. The following works shall be carried out in relation to the highways described in Part 2 of the Schedule hereto, that is to say: The developer shall provide the new footpaths in accordance with the Certificate of Works issued by Suffolk County Council on 27 July 2017.

5. Taylor Wimpey East Anglia are hereby required to pay the cost of carrying out the necessary works.
6. Where immediately before the date on which the footpaths are stopped up 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 SITES OF EXISTING PATHS

Elmswell Public Footpath No 1(part) – the entire width of that part of Elmswell Public Footpath No 1 commencing at Ordnance Survey grid reference TL99106420 at point A and proceeding in a west north westerly direction for approximately 21 metres to Ordnance Survey grid reference TL99086421 at point B; this being the route shown between points A - B on the order map.

Elmswell Public Footpath No 11(part) - the entire width of that part of Elmswell Public Footpath No 11 commencing at Ordnance Survey grid reference TL99126422 at point C and proceeding in a west south westerly direction for approximately 26 metres to the junction with Elmswell Footpath No 1 at Ordnance Survey grid reference TL99106420 at point A then in a generally south south westerly direction for approximately 119 metres to Ordnance Survey grid reference TL99046410 at point D then in a west north westerly then south westerly direction for approximately 26 metres to Ordnance Survey grid reference TL99026410 at point E then in a west north westerly direction for approximately 74 metres to Ordnance Survey grid reference TL98956413 at point F then in a south south westerly direction for approximately 57 metres to Ordnance Survey grid reference TL98926408 at point G then in a west north westerly direction for approximately 70 metres to a junction with Elmswell Public Footpath No 12 at Ordnance Survey grid reference TL98876412 at point H ; this being the route shown between points C - A - D - E - F - G - H on the order map.

Elmswell Public Footpath No 12(part) - the entire width of that part of Elmswell Public Footpath No 12 commencing at Ordnance Survey grid reference TL98876412 at point H at a junction with Elmswell Public Footpath No 11 and proceeding in south westerly direction for

approximately 42 metres to Ordnance Survey grid reference TL98836410 at point J then in a south south westerly direction for approximately 64 metres to Ordnance Survey grid reference TL98806405 at point K then in a westerly direction for approximately 48 metres to Ordnance Survey grid reference TL98756406 at point L; this being the route shown between points H - J - K - L on the order map.

PART 2

DESCRIPTION OF SITES OF ALTERNATIVE HIGHWAYS

Elmswell Public Footpath No 1(part) - commencing at Ordnance Survey grid reference TL99126422 at point C at a junction with Elmswell Public Footpath No 11 and proceeding along an estate path in a westerly and then south south westerly direction for approximately 50 metres to join the existing route at Ordnance Survey grid reference TL99086421 at point B; this being the route shown between points C - B on the order map.

Width – 1.8 metres

Elmswell Public Footpath No 11(part) - commencing at Ordnance Survey grid reference TL99016423 at point M at a junction with Elmswell Public Footpath No 1 and proceeding in a south south westerly direction adjacent to the boundary of a residential property for approximately 20 metres to Ordnance Survey grid reference TL99006422 at point N then in an east south easterly direction along an estate path for approximately 9 metres to Ordnance Survey grid reference TL99016421 at point P then across an estate road in a south south westerly direction for approximately 8 metres to Ordnance Survey grid reference TL99016420 at point Q then along an estate path between residential properties and a public open space in a south south westerly then south south easterly then south south westerly direction for approximately 66 metres to Ordnance Survey grid reference TL98996415 at point R then across an estate road in a south south westerly direction for approximately 6 metres to Ordnance Survey grid reference TL98986414 at point S then along an estate path for approximately 92 metres in a west north westerly direction then curving south south westerly to Ordnance Survey grid reference TL98916412 at point T then in a generally west north westerly direction for approximately 69 metres to join the new route of Elmswell Footpath No 12 at Ordnance Survey grid reference TL98856414 at point U; this being the route shown between points M - N - P - Q - R - S - T - U on the order map.

Width – 1.8 metres

Elmswell Public Footpath No 12(part) - commencing at Ordnance Survey grid reference TL98856414 at point U at a junction with the new route of Elmswell Public Footpath No 11 and proceeding along an estate path for approximately 116 metres in a generally south westerly then south south westerly direction then curving in a westerly direction to Ordnance Survey grid reference TL98766409 at point V then in a southerly direction between a garage forecourt and a residential property for approximately 30 metres to join the existing route at a point on the north of the railway line at Ordnance Survey grid reference TL98756406 at point L; this being the route shown between points U - V - L on the order map.

Width – 1.8 metres



Scale 1:2500 at A3

Ordnance Survey MasterMap

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- Footpath to be stopped up (A - B)
(C - A - D - E - F - G - H) (H - J - K - L)**
- Proposed Footpath (C - B)
(M - N - P - Q - R - S - T - U) (L - V - U)**
- Unaffected Footpath**



**Map referred to in the Mid Suffolk District Council
(Elmswell Public Footpaths Nos 1(part), 11(part)
and 12(part)) Public Path Stopping Up Order 2017 -
Town and Country Planning Act 1990 Section 257**

GIVEN under the Common Seal of Mid Suffolk District Council this 10th day of
August 2017

THE COMMON SEAL of)
MID SUFFOLK DISTRICT)
COUNCIL was hereunto)
affixed in the presence of:-)




Authorised Officer

Mid Suffolk District Council hereby confirms the foregoing Order given under the Common
Seal of Mid Suffolk District Council this 21st day of *September* 2017
The Common Seal of Mid Suffolk District Council was hereunto affixed in the presence of:


Authorised Officer

