IN THE BOROUGH OF ASHFORD

ASHFORD BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990: SECTION 257
(PUBLIC FOOTPATH AT121A (PART) APPLEDORE)
PUBLIC PATH DIVERSION ORDER 2017

The above Order made under Section 257 of the Town and Country Planning Act 1990 will divert the entire width of that length of Public Footpath AT121A (Appledore) which commences at NGR TQ 9545 2987 (Point A on the order plan) and runs in a south-easterly direction for 99 metres to NGR TQ 9551 2979 (Point B on the order plan). As shown by a bold line between points A and B on the Order plan and will provide a new length of Public Footpath numbered AW121A, with a width of 2.0 metres, which commences at NGR TQ 9545 2987 (aforementioned point A), then runs in an east-north-easterly direction for 9 metres to NGR TQ 9546 2987 (point C) and then continues in a south-south-easterly direction for 24 metres to NGR TQ 9546 2985 (point F) and then running in a south-easterly direction for 75 metres to NGR TQ 9551 2979 (aforementioned point B). As shown in bold black dashes between points A-C-D-E-F-B on the Order plan

All directions general, all distances approximate.

A copy of the Order and the Map have been placed and may be seen free of charge at the offices of Ashford Gateway Plus, Church Road, Ashford, Kent, TN23 1AS or Kent County Council, PROW & Access Service, Invicta House, County Hall, Maidstone ME14 1XX during office hours. Copies of the Order and Map may be purchased there at the price of £5.

Any representation about or objection to the Order may be sent in writing to William Barfoot at the Kent County Council (PROW & Access Service, Invicta House, Maidstone, Kent, ME14 1XX. (Tel: 03000 418674 ) (email: william.barfoot@kent.gov.uk) before 8th December 2017. Please state the grounds on which they are made.

Please note that objections/representations cannot be treated as confidential and may come into the public domain. Copies of any objections or representations received may be disclosed to interested parties, including the Planning Inspectorate where the case is referred to it for determination.

If no such representations or objections are duly made, or if any so made are withdrawn, Ashford Borough Council may confirm the Order as an unopposed Order. If the Order is sent to the Secretary of State for the Environment for confirmation any representations and objections which have not been withdrawn will be sent with the Order.

PROW & Access Service
Invicta House
Maidstone
Kent
ME14 1XX
Dated: 10th November 2017

This document is available in alternative formats and can be explained in a range of languages
STATEMENT TO ACCOMPANY
ASHFORD BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990: SECTION 257
(PUBLIC FOOTPATH AT121A (PART) APPLEDORE)
PUBLIC PATH DIVERSION ORDER 2017

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

Under the Town and Country Planning Act 1990, Ashford Borough Council has the power to make Orders to extinguish or divert footpaths and bridleways and restricted byways. Legislation affecting this proposal is contained within Section 257 of the Town and Country Planning Act 1990. The grounds for a diversion are to enable development to be carried out.

Ashford Borough Council has made an Order to divert part of Public Footpath AT121A under section 257 of the Town and Country Planning Act 1990.

An application to divert part of Public Footpath AT121A at Appledore has been received from TG Designer Homes Ltd. Ashford Borough Council have granted planning permission for the demolition of existing dwelling, workshop and buildings and erection of five detached dwellings together with associated parking, garaging, access and landscaping (planning reference : 16/01328/AS)

As a consequence, the diversion of part of Public Footpath AT121A is considered necessary in order for development to be carried out.

The Order will come into force only after it has been confirmed, and the new route certified; making and advertising the Order simply provides an opportunity for objections or representations to be made.

Persons considering objecting or making representations relating to the above Order are invited to discuss their concerns with the Case Officer, Mr William Barfoot, on 03000 418674

Any representation about or objection to the Order may be sent in writing to William Barfoot at the Kent County Council (PROW & Access Service, Invicta House, Maidstone, Kent, ME14 1XX. (Tel: 03000 418674 ) (email: william.barfoot@kent.gov.uk) before 8th December 2017. Please state the grounds on which they are made.

The right of an objection to an Order is a statutory right, but it should be exercised in a reasonable manner. The costs involved in dealing with objections to Orders may be awarded against objectors in cases of unreasonable behaviour.

If any objections are made and not withdrawn, Ashford Borough Council may refer the Order and objections to the Department of the Environment, Food and Rural Affairs for determination. An Inspector from the Planning Inspectorate will then either take written representations or hear the objections at a Public Inquiry or Hearing. The Inspector can confirm the Order, confirm it with modifications, or refuse to confirm it. If no objections are received Ashford Borough Council may confirm the Order itself, but it has no power to modify Orders.

PROW and Access Service
Invicta House
County Hall
Maidstone
Kent ME14 1XX
Date: 10th November 2017

THIS STATEMENT DOES NOT FORM PART OF THE ORDER
IN THE BOROUGH OF ASHFORD

ASHFORD BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990: SECTION 257
(PUBLIC FOOTPATH AT121A (PART) APPLEDORE )
PUBLIC PATH DIVERSION ORDER 2017

This Order is made by the Ashford Borough Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the section of Public Footpath AT121A 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 the demolition of existing dwelling, workshop and buildings and erection of five detached dwellings together with associated parking, garaging, access and landscaping (planning reference 16/01328/AS).

BY THIS ORDER:

1. The Public Footpath over the land shown by a bold black line on the attached Order plan and described in Part I of the Schedule to this Order shall be stopped up as provided below.

2. There shall be created to the reasonable satisfaction of the Kent County Council, on behalf of Ashford Borough Council, an alternative highway for use as a replacement for the said Public Footpath as provided in Part II of the Schedule and shown by bold black dashes on the attached map.

3. The stopping up of the Public Footpath shall have effect on the date on which the Kent County Council, on behalf of Ashford Borough Council, certify that the terms of article 2 above have been complied with.

4. The applicant is required to pay for the costs of bringing the new route into a fit condition for public use.

GIVEN UNDER THE SEAL OF THE ASHFORD BOROUGH COUNCIL THIS 20th DAY OF OCTOBER IN THE YEAR TWO THOUSAND AND SEVENTEEN.

THE COMMON SEAL OF THE ASHFORD BOROUGH COUNCIL WAS HERETO AFFIXED IN THE PRESENCE OF:

[Signature]
Mayor

[Signature]
On behalf of the Head of Legal and Democratic Services
SCHEDULE

PART I:
DESCRIPTION OF SITE OF EXISTING PATH OR WAY

The entire width of that length of Public Footpath AT121A (Appledore) which commences at NGR TQ 9545 2987 (Point A on the order plan) and runs in a generally south-easterly direction for approximately 99 metres to NGR TQ 9551 2979 (Point B on the order plan). As shown by a bold line between points A and B on the Order plan.

PART II:
DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

A new length of Public Footpath numbered AW121A, with a width of 2.0 metres, which commences at NGR TQ 9545 2987 (aforementioned point A), then runs in a generally east-north-easterly direction for approximately 9 metres to NGR TQ 9546 2987 (point C) and then continues in a generally south-south-easterly direction for approximately 24 metres to NGR TQ 9546 2985 (point F) and then running in a generally south-easterly direction for approximately 75 metres to NGR TQ 9551 2979 (aforementioned point B). As shown in bold black dashes between points A-C-D-E-F-B on the Order plan.