

**DARLINGTON BOROUGH COUNCIL  
(PUBLIC FOOTPATH 55 DARLINGTON)  
DIVERSION ORDER 2017**

This Order is made by Darlington Borough Council ('the Council') under Section 257 of the Town and Country Planning Act 1990 ('the Act') 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 Act, namely Planning Application Reference 17/00552/FUL, for the erection of 81 dwellings including all associated landscaping and infrastructure and removal of trees to facilitate development at Former Darlington Equestrian Centre McMullen Road, Darlington ('the Land').

**BY THIS ORDER**

1. The public footpath over the Land shown by a hatched line on the attached map and described in Part 1 of the Schedule to this Order ('the Schedule') shall be stopped up as provided in paragraph 3 below.
2. There shall be a public footpath over the Land shown by a purple line on the attached map and described in Part 2 of the Schedule as provided in paragraph 3 below.
3. The stopping up of the footpath described in Part 1 of the Schedule shall have effect on the date on which the footpath described in Part 2 of the Schedule has been constructed to the satisfaction of the Council and is available for use.
4. Keepmoat Homes Limited (CRN: 02207338) whose registered office is at The Waterfront, Lakeside Boulevard, Doncaster DN4 5PL is hereby required to carry out and pay for the works required in bringing the new footpath into a fit condition for use by the public in consequence of the coming into force of this Order and any expenses which are incurred.
5. 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 FOOTPATH  
FOOTPATH 55 DARLINGTON**

Starting at Point A, NZ 30871 15459 at McMullen Road on Footpath No. 55 going east to Point B, NZ 30880 15464 a distance of 7.9 metres. Width – 2 metres
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**PART 2**

**DESCRIPTION OF SITE OF NEW FOOTPATH  
FOOTPATH 55 DARLINGTON**

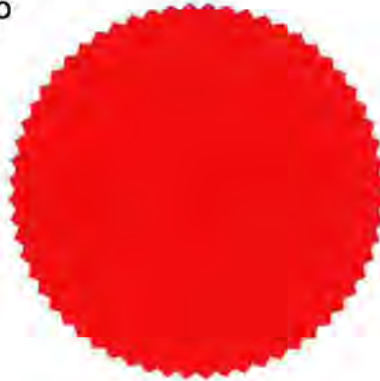
Starting at Point C, NZ 30887 15442 going north west along McMullen Road then turning north east to meet Point B, NZ 30880 15464 a distance of 21.9 metres where it connects with Footpath No. 55. Width – 2 metres

Dated this 3<sup>rd</sup> November 2017

The COMMON SEAL of DARLINGTON  
BOROUGH COUNCIL was hereto  
affixed in the presence of:-



Authorised Signatory



12/11/17

A3

MILLEN ROAD

Proposed Diversion  
Footpath 55 A-B diverted to C-B

A – NZ 30871 15459

B – NZ 30880 15464

C – NZ 30887 15442



Proposed Diversion  
Darlington Footpath 55

S.257 Town and Country Planning Act 1990

PUBLIC RIGHT OF WAY  
(not affected by the order)

Footpath

PUBLIC RIGHT OF WAY  
(affected by the order)

Footpath to  
be diverted

Diversion route  
of footpath

Scale 1:250 at A3

Map number 2

Date: 27 October 2017

Ian Williams (Director)  
Economic Growth Group  
Town Hall  
Darlington DL1 5QT

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This Order is hereby confirmed this 8<sup>th</sup> December 2017

The COMMON SEAL of DARLINGTON  
BOROUGH COUNCIL was hereto  
affixed in the presence of:-



Authorised Signatory



17586