

NOTICE OF PUBLIC PATH ORDER
PUBLIC PATH DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53A(2)

THE COUNTY COUNCIL OF DURHAM
(PUBLIC FOOTPATH No.11 STAINDROP PARISH)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2023

On 4 October 2024, The County Council of Durham confirmed the above order. The effect of the order as confirmed is to **Divert Public Footpath No. 11 Staindrop Parish** from a point to the south of Moor Beck, proceeding in a generally south-westerly then southerly direction across two fields to a point east of the C44 road **to a line running** from the same point to the south of Moor Beck, proceeding in a generally south-westerly direction to the boundary of the new residential development, with a connection to the adopted highway in the development, then in a generally south-south-easterly direction to a field boundary then south-westerly across a field to the same point east of the C44 road as shown on the order map.

A copy of the confirmed order and the order map may be seen free of charge at Barnard Castle library during normal opening hours and via the Council website.

The order will come into force on 4 October 2024 the date on which The County Council of Durham certify that the terms of Article 2 of the order has been complied with but if any person aggrieved by the order desired to question its validity or that of any provision contained in it on the ground that it is not within the powers of the above Act, or on the ground that any requirement of that Act or any regulation made under it has not been complied with in relation to the confirmation of the order, he or she may apply to the High Court for any of these purposes under section 287 of the Town and Country Planning Act 1990 within 6 weeks from the date on which notice is first published as required by paragraph 7 of Schedule 14 to the Act.

Dated: 9 October 2024

HELEN BRADLEY
Director of Legal & Democratic Services
County Hall, Durham, DH1 5UL

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**THE COUNTY COUNCIL OF DURHAM
(PUBLIC FOOTPATH No.11 STAINDROP PARISH)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2023**

This Order is made by The County Council of Durham (“the Authority”) 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 Town and Country Planning Act 1990 namely new residential Development.

This Order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 (“the 1981 Act”) because it appears to the authority that the County Durham definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway hitherto shown or required to be shown in the map and statement.

BY THIS ORDER:

1. The footpath over the land shown by a bold solid black line on the attached map and described in Part 1 to the Schedule of this Order (“the Schedule”) shall be diverted, and the County Durham definitive map and statement shall be modified, as provided below.
2. There shall be created to the reasonable satisfaction of The County Council of Durham 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 map.
3. The diversion of the footpath shall have effect on the date on which The County Council of Durham certify that the terms of Article 2 have been complied and upon the occurrence of that diversion The County Council of Durham definitive map shall be modified by deleting from it the path or way referred to in paragraph 1 of this order and the path or way referred to in paragraph 2 of this order shall be added to it, and the definitive statement shall be modified as described in Part 3 of the Schedule.
4. Homes by Carlton (the Applicant) is hereby required to pay for the cost of carrying out the said works.
5. Where immediately before the date on which the footpath diverted there is any apparatus under, in, on, over, along, 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 had then.

**SCHEDULE
PART 1
DESCRIPTION OF SITE OF EXISTING PATH OR WAY**

No. of Path

Public Footpath No.11 Staindrop Parish

(entire width)

Position

Public Footpath commencing from a point to the south of Moor Beck, grid reference 412601.520303 (point A on the plan) proceeding in a generally south-westerly direction for a distance of some 114 metres to a point in the middle of a field, grid reference 412517.520225 (point B on the plan), then in a generally south-south-westerly direction for a distance of some 101 metres to a field boundary, grid reference 412483.520128 (point C on the plan) then in a southerly direction for some 125 metres to a point in the middle of a field, grid reference 412477.520002 (point D on the plan)

(A – B – C - D)

**PART 2
DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY**

No. of Path

Public Footpath No.11 Staindrop Parish

(width 1.8 metres)

Position

Public Footpath commencing from a point to the south of Moor Beck, grid reference 412601.520303 (point A on the plan) proceeding in a generally south-westerly direction for a distance of some 143 metres to the boundary of the new development and a connection to the adopted highway, grid reference 412538.520173 (point E on the plan), then continuing in a generally south-south-easterly direction alongside the development for a distance of some 34 metres to a gate in the field boundary grid reference 412546.520140 (point F on the plan) then in a generally south-westerly direction for a distance of some 155 metres to a point in the middle of a field, grid reference 412477.520002 (point D on the plan), (A – E – F – D).

**PART 3
MODIFICATION OF DEFINITIVE STATEMENT
VARIATION OF PARTICULARS OF PATH OR WAY**

6/18/42

No: 11

Town/Parish: Staindrop **Name of Path:**

Status: Footpath

OS Sheet: NZ 11 NW & NZ 12 SW

Starting Point: Junction with Public Footpath No. 20 & 21

Description of Route: In a south westerly direction, connecting to a new residential development, to Class 3 No. 44 Road near Cleatlam Bridge, then follows course of Sudburn Beck to Sudburn Bridge, across Road A688 and westerly to Parish Boundary east of Hunger Knowle

Ultimate Destination: Hunger Knowle

Details of Features: 20 19 x stiles
3 x field gates
1 x cart bridge
2 x diversions
2 x pedestrian/kissing gates

Width of Path:

Length of Path:

Type of Construction: Grass

Sections Metalled:

Sections Ploughed: 2 stretches west of Sudburn Bridge

General Conditions of:

- | | | |
|-----|------------------|--|
| (a) | Path | Good, except at first diversion west of Sudburn Bridge |
| (b) | Stiles and Gates | Good |
| (c) | Bridges | Good |
| d) | Stepping Stones | |

Details of any Signs and Notices Boards: No

NOTES: Unrestricted use for over 20 years
Part diverted by the County Council of Durham (Public Footpath No 11 Staindrop Parish) Public Path Diversion and Definitive Mpa & Statement Modification Order 2023

**GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM ON
THE 7th DAY of JULY 2023**

.....
Authorised Signatory

**THE COUNTY COUNCIL OF DURHAM
(PUBLIC FOOTPATH No.11 STAINDROP PARISH)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER 2023**

**THE COUNTY COUNCIL OF DURHAM HEREBY CONFIRMED THE ABOVE ORDER ON
THE 4th DAY OF OCTOBER 2024**

.....
Authorised signatory

**PUBLIC PATH DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER**

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NOTES:

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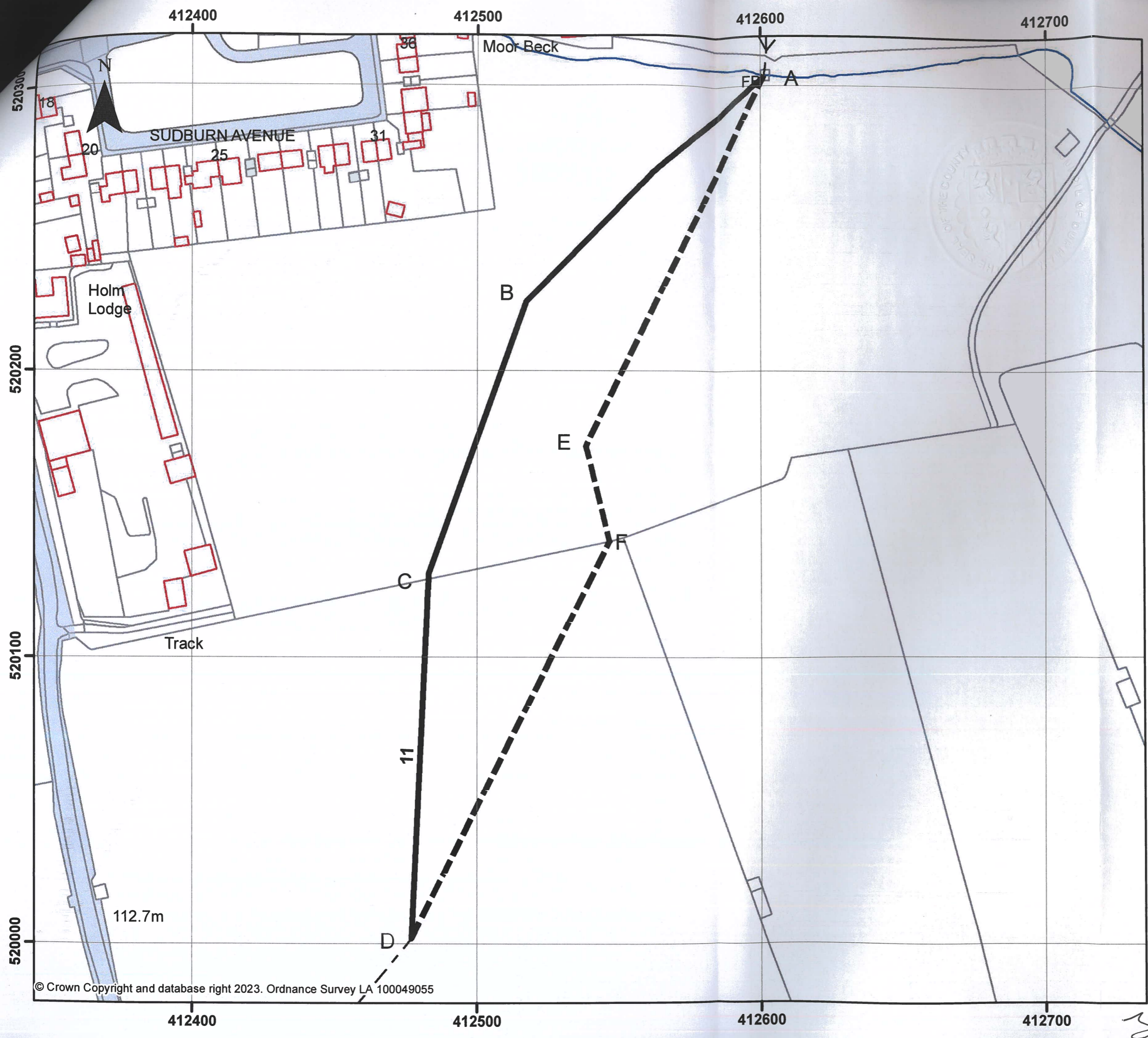
GIVEN UNDER THE COMMON SEAL OF THE COUNTY COUNCIL OF DURHAM ON
THE 7th DAY of JULY 2023



.....
Authorized Signatory



597298



Alan Patrickson
 Corporate Director
 Neighbourhoods and
 Climate Change
 Durham County Council
 County Hall
 Durham DH1 5UQ

**The County Council of
 Durham (Public Footpath
 No 11 Staindrop Parish)
 Public Path Diversion and
 Definitive Map and
 Statement Modification
 Order 2023**

Footpath to be created
 — — — — —
 Footpath to be extinguished
 —————

Scale: 1:1,750

Public Rights of Way /
 Highways not affected by
 the proposal
 - - - - - Footpath
 Adopted
 Highway

Drawn: 02 March 2023

Postcodes: DL2 3XD, DL2 3JY
 DL2 3XA

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Alan Patrickson

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