

THE NORTH YORKSHIRE COUNCIL

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

**BRIDLEWAY No. 35.59/13 LAND AT LUMBY, PARISH OF SOUTH MILFORD, DIVERSION
ORDER 2024**

This order is made by The North Yorkshire Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the bridleway to which this order relates in order to enable development to be carried out in accordance with planning permission sought under Part 3 of the Town and Country Planning Act 1990 (as amended) namely: the proposed construction of a motorway service area on land at Lumby, in the parish of South Milford, pursuant to a planning application under Local Planning Authority reference 2019/0547/EIA.

BY THIS ORDER:

1. The bridleway over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this Order (“the Schedule”) shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of The North Yorkshire Council an alternative highway for use as a replacement for the said bridleway as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the bridleway shall have effect on the date on which The North Yorkshire Council certify that the terms of Article 2 above have been complied with.
4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule: a crushed stone surface of 4 (four) metres in width to be applied along the entire length of the diverted route. A 4-metre-high noise barrier shall be provided from 30 metres south of point D to 50 metres east of point E. A 1.5-metre-high timber post and rail fence shall be provided to the east or south side of the remainder of the bridleway. Gaps to BS 5709:2018 shall be provided at Points C and G.
5. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.
5. Roadchef Motorways Limited is hereby required to pay for the cost of carrying out the said works.
6. Where immediately before the date on which the bridleway 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.

THE COMMON SEAL of)
 THE NORTH YORKSHIRE COUNCIL)
 was hereunto affixed this)
 INSERT DATE)
 in the presence of:-)

SCHEDULE

PART 1

Description of site of existing path or way to be stopped up

Bridleway No. 35.59/13	Length (metres)	Width (metres)	Position & description of Bridleway
Shown on the map by a bold black line as A-B	371	3.5	The existing section of bridleway commences at Point A (Grid Reference 44717, 42988) and proceeds in a generally north easterly direction for approximately 371 metres to Point B (Grid Reference 44721 43019).

PART 2

Description of site of alternative highway to be created

Bridleway No. 35.59/13	Length (metres)	Width (metres)	Position & description of Bridleway
Shown on the map by bold black dashes as A-C-D-E-F-G-B	563	4	The bridleway will commence at Point A (Grid Reference 44717 42988), progressing in an easterly direction for approximately 2 metres to a gap at Point C (Grid Reference 44717 42988), and then continuing in a generally northerly direction for approximately 313 metres to Point D (Grid Reference 44700 43014), and then continuing in a generally north easterly direction for approximately 34 metres to Point E (Grid Reference 44701 43017), and then continuing in a generally easterly direction for approximately 84 metres to Point F (Grid Reference 44709 43018), and then continuing in a generally south easterly

			<p>direction for approximately 125 metres to a gap at Point G (Grid Reference 44721 43018), and continuing in a generally easterly direction for approximately 5 metres to Point B (Grid Reference 44721 43019).</p> <p>The full extent of the bridleway will have a crushed stone surface.</p>
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PART 3

Limitations and Conditions

Position on the Bridleway to which limitations and conditions apply	Limitations and Conditions
Grid Reference 44717 42988 - Point C	Gap to BS5709:2018
Grid Reference 44721 43018 - Point G	Gap to BS5709:2018

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