

Date: 27th August 2024

**Town and Country Planning Act 1990
Section 257**

North Somerset District Council

**(Part Of Footpath LA13/24/20, Youngwood Lane,
Nailsea)**

Public Path Diversion Order No.13 2024

**N P Brain
Head of Legal and Democratic Services
Town Hall
Walliscote Grove Road
Weston-super-Mare
BS23 1UJ**

Ref: PPO 210

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257

NORTH SOMERSET DISTRICT COUNCIL
PART OF FOOTPATH LA13/24/20, YOUNGWOOD LANE, NAILSEA
PUBLIC PATH DIVERSION ORDER NO. 13 2024

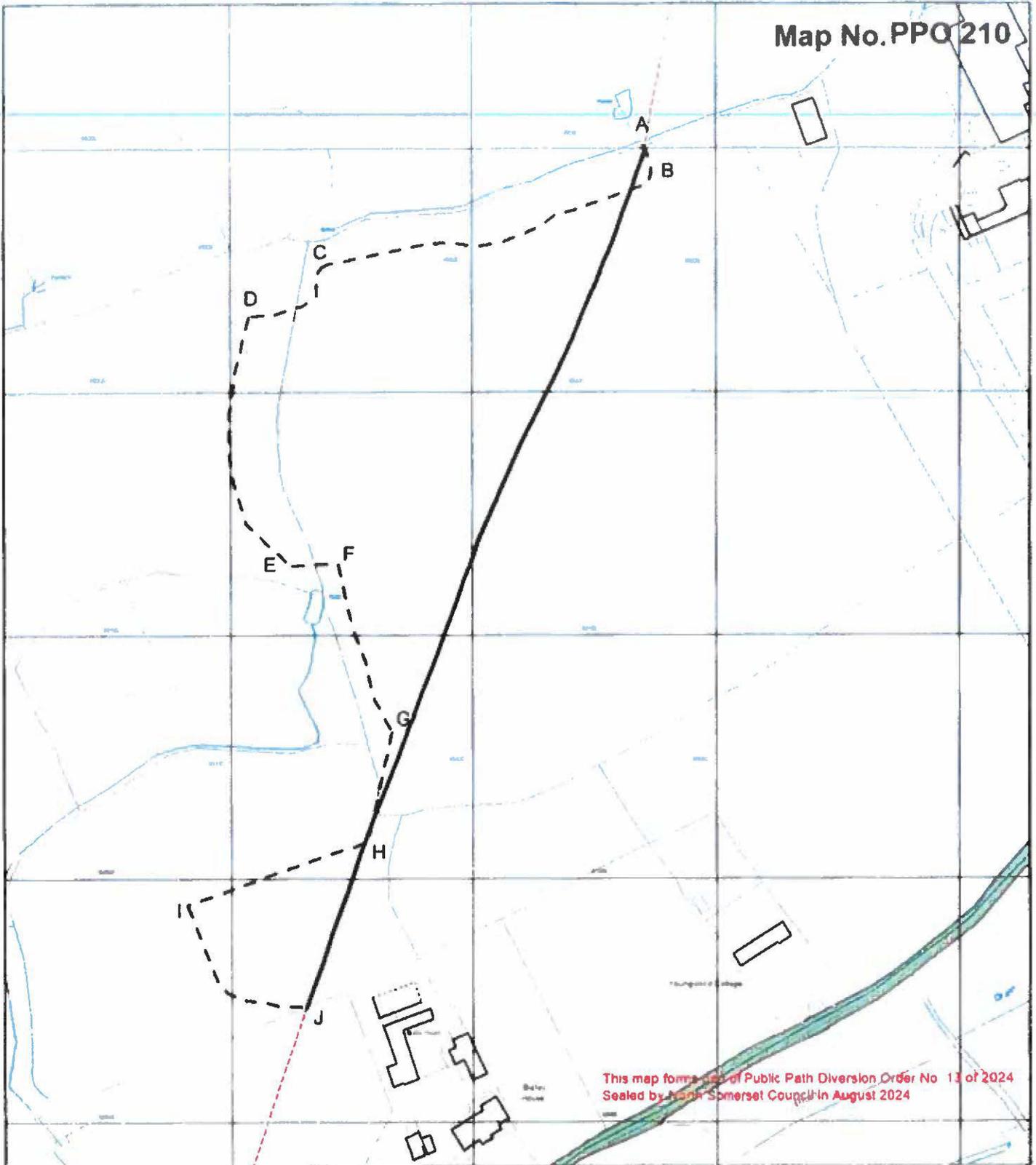
This Order is made by North Somerset District Council ("the authority") under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission no. 16/P/1677/OT2 granted under Part III of the Town and Country Planning Act 1990, namely:

16/P/1677/OT2- Outline planning permission including an Environmental Impact Assessment for residential and related development comprising the erection of up to 450 dwellings, means of access thereto, access roads, footways/cycleways, infrastructure works and associated community infrastructure including open space and landscaping. Land North of Youngwood Lane and East of Netherton Wood Lane Youngwood Lane Nailsea

The applicant has agreed to defray any compensation which becomes payable in consequence of the coming into force of the Order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

BY THIS ORDER:

1. The footpath over the land shown by a bold black line on the attached map no. PPO 210 and described in Part 1 of the Schedule to this Order ("the Schedule") shall be stopped up on the date on which North Somerset District Council certify that work has been carried out to bring the site of the new highway mentioned in Part 2 of the Schedule into a fit condition for use by the public.
2. Where immediately before the date on which the footpaths are 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.
3. There shall at the end of 28 days from the date of confirmation of this order be public footpaths over the land situated north of Youngwood Lane, Nailsea, described in Part 2 of the Schedule and shown by bold broken lines on the Map No. PPO 210 attached to this order.



This map forms part of Public Path Diversion Order No. 13 of 2024 Sealed by North Somerset Council in August 2024

Town and Country Planning Act 1990 - Section 257

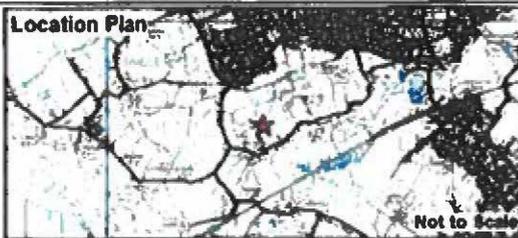
North Somerset District Council

Public Path Diversion Order No. 13 of 2024

Part of Footpath LA1324/20 Youngwood Lane Nailsea Bristol BS48 4NR



Place Directorate
Public Rights of Way,
Streets and Open Spaces
North Somerset Council
Town Hall
Wallscope Grove Road
Weston super Mare
BS23 1UJ
Tel 01934 688 802



Scale 1:2761
Date 24 January 2024
Grid Square ST4830069100
Drawn by Paul Hayward
PATH TO BE DIVERTED
Existing ———
Proposed - - - - -
Connecting - - - - -
Paths

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SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That part of footpath LA13/24/20 from point A (Grid ref ST46471 69301) running southwesterley to point J (Grid ref ST 46331 68947) as shown by a bold continuous line on the attached plan Map No. PPO 210. Total length to be diverted = 388m

PART 2

DESCRIPTION OF SITE OF NEW PATHS OR WAYS

The new route is to start at point A (Grid ref ST46471 69301) running first south southeasterly to point B (Grid ref ST46475 69289) then west south-westerly through point C (Grid ref ST46337 69250) to point D (Grid ref ST46308 69230) then southerly to point E (Grid ref ST46325 69129) easterly to point F (Grid ref ST46344 69130) south southeasterly through point G (Grid ref 46366 69061) south south-westerly to point H (Grid ref ST46356 69015) west south-westerly to point I (Grid ref ST46282 68989) and southeasterly to point J (Grid ref ST46331 68947) as shown by a bold broken line on the attached Map No. PPO 210. Total length of diverted route = 602 m

The new surface will be tarmacked from point A to point I. Point I to point J will be a grassed path and have a width of two metres.

Given under the Common Seal of North Somerset District Council the 27th day of August 2024.

THE COMMON SEAL of)
NORTH SOMERSET)
DISTRICT COUNCIL)
was hereunto affixed in)
the presence of:)

24125-159

A Mich

FOR: Asst Director Legal & Governance

EXPLANATORY STATEMENT

TOWN AND COUNTRY PLANNING ACT 1990
NORTH SOMERSET DISTRICT COUNCIL
(Part Of Footpath LA13/24/20, Youngwood Lane, Nailsea)
Public Path Diversion Order No.13 2024

**THIS STATEMENT IS FOR INFORMATION ONLY
AND DOES NOT FORM PART OF THE ORDER**

Under the provisions of S.257 of the Town and Country Planning Act 1990 a stopping up or diversion can be authorised if it is necessary in order for development to be carried out. A notice that such an order has been made has to be advertised on the site of the path in question and in the local press. This provides an opportunity for objections or representations to be made to the proposed change.

North Somerset District Council ("the authority") has made the above-titled Order under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath, to enable development to be carried out in accordance with planning permission 16/P/1677/OT2, granted under Part III of the Town and Country Planning Act 1990, namely:

"Outline planning permission including an Environmental Impact Assessment for residential and related development comprising the erection of up to 450 dwellings, means of access thereto, access roads, footways/cycleways, infrastructure works and associated community infrastructure including open space and landscaping. Land North of Youngwood Lane and East of Nether-ton Wood Lane Youngwood Lane Nailsea".

This proposed diversion is shown on the attached North Somerset Council **Map No. PPO 210** and set out in detail in the attached **Notice of Making an Order**. The applicant has undertaken to carry out the following works: establishment of tarmac surface between points A – I and grassed path between points I to J with a width of 2 metres. The developers, Taylor Woodrow, are planning an alternative route between point J and Youngwood Lane, to avoid the steps on the remaining part of LA13/24/20. This route, avoiding the steps, is shown on the Taylor Wimpy layout attached plan by the red broken line marked "Alternative access onto Youngwood Lane avoiding steps".

The Order will come into effect only on the confirmation/certification of the Order. Making and advertising the Order simply provides an opportunity for objections or representations to be made.

Any Objections or representations relating to the Order must be made in writing by **2 October 2022** to the Natural Environment Team, North Somerset Council, Town Hall, Walliscote Grove Road, Weston-super-Mare, BS23 1UJ quoting reference **PAP/PPO 210** and stating the grounds on which they are made.

If any objections are made and not withdrawn the matter will be referred to the Council's Public Rights of Way Sub-Committee, to advise that the Order will be submitted to the Planning Inspectorate (as agent for the Secretary of State for the Environment, Food and Rural Affairs) for determination. Once submitted, the Planning Inspectorate will then appoint an Inspector who will determine whether to deal with the matter by written representations, a hearing or a public inquiry. The inspector can confirm an Order, confirm it with modifications, or refuse to confirm it. In some cases the Inspectorate may award costs against objectors. If no objections are received the Council will be able to confirm the Order itself but has no powers to modify Orders.

The right of objection to an Order is a statutory right, but it should be exercised in a reasonable manner. Only objections received during this statutory period will be forwarded to the Secretary of State.



Notice of making of an Order

TOWN AND COUNTRY PLANNING ACT 1990
NORTH SOMERSET DISTRICT COUNCIL
(Part Of Footpath LA13/24/20, Youngwood Lane, Nailsea)
Public Path Diversion Order No.13 2024

The above Order, made on 27 August 2024, under Section 257 of the Town and Country Planning Act 1990, will divert part of Public Footpath LA13/24/20 in the Parish of Nailsea within the District of North Somerset as described below:

Public Footpath LA13/24/20 from point A (Grid ref ST46471 69301) running south-westerly to point J (Grid ref ST 46331 68947) as shown by a bold continuous line on the plan Map No. PPO 210. Total length to be diverted = 388m;

to the new route is to start at point A (Grid ref ST46471 69301) running first south southeasterly to point B (Grid ref ST46475 69289) then west south-westerly through point C (Grid ref ST46337 69250) to point D (Grid ref ST46308 69230) then southerly to point E (Grid ref ST46325 69129) easterly to point F (Grid ref ST46344 69130) south southeasterly through point G (Grid ref 46366 69061) south south-westerly to point H (Grid ref ST46356 69015) west south-westerly to point I (Grid ref ST46282 68989) and southeasterly to point J (Grid ref ST46331 68947) as shown by a bold broken line on the attached Map No. PPO 210. Total length of diverted route = 602 m

The new surface will be tarmacked from point A to point I. Point I to point J will be a grassed path and have a width of two metres.

The Order and Order Map can be viewed online at www.n-somerset.gov.uk/notices or a free copy can be obtained by emailing paul.hayward1@n-somerset.gov.uk or phoning 07584607213. Alternatively, visit Nailsea Post Office to view the Order and Order Map, at Crown Glass Place, Nailsea, Bristol BS48 1RA 9.00am to 1pm Mondays, or 2.00pm to 4.30pm Wednesdays.

Any representation about or objection to the Order may be sent or delivered in writing addressed to the Natural Environment Team, North Somerset Council, at the Town Hall address below not later than **2 October 2024**, quoting the reference PGH/PPO 210. Please state the grounds on which it is made.

If no such representations or objections are duly made, or if any so made are withdrawn, North Somerset District 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.

Dated 4 September 2024

John Flannigan, Head of Open Space, Natural Environment and Leisure
North Somerset Council, Town Hall, Walliscote Grove Road, Weston-super-Mare
BS23 1UJ

