

**APPLICATION FOR THE DIVERSION OF A PUBLIC RIGHT
OF WAY UNDER S.257 OF THE TOWN AND COUNTRY
PLANNING ACT 1990 (as amended)**

**PLEASE READ THE ACCOMPANYING GUIDANCE NOTES CAREFULLY BEFORE
COMPLETING THIS APPLICATION FORM**

IMPORTANT: No authority for the diversion of a footpath, bridleway or restricted byway is granted unless and until a Diversion Order has been confirmed, certified and brought into effect. Any obstruction of the existing route is an offence and may make it impossible to proceed with an application.

1 Applicant details

Name and address of applicant

Radhesh Bhatt

**5 Calico Business Park, Sandy Way, Tamworth B77
4BF**

2 Agent details (if applicable)

Name and address of Agent to whom correspondence should be addressed

Daytime telephone number

E-mail address

3 Particulars of public right of way to be diverted

- a) Footpath/Bridleway/Restricted Byway Number – **44**
- b) Parish/Town: **Checkley**
- c) Length in metres of section to be diverted: **128m**
- d) Width: **1.5m**

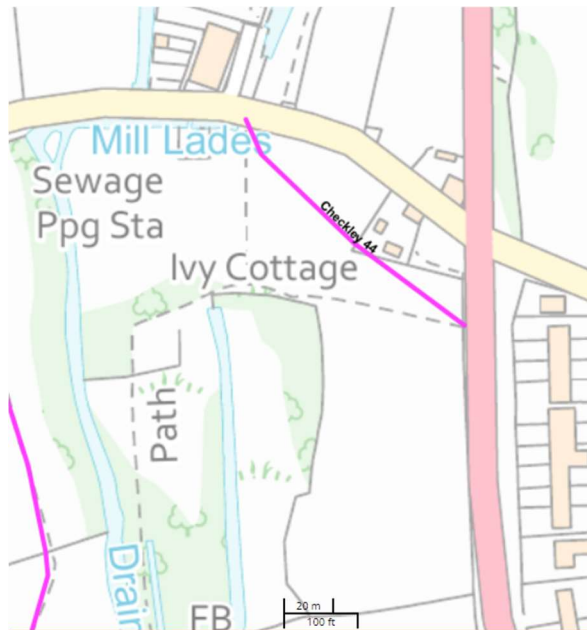
- e) Description of length to be diverted. Describe the existing position, surfacing, any gradients, and any stiles, gates, bridges or steps (please continue on separate sheet if necessary)

Existing position of the PRow starts off Cheadle Road, runs behind Ivy Cottage and then exists near the pumping station.

Existing surfacing is trodden on lawn indicating where PRow is proposed.

Gradient follows the topography of the existing land, higher ground towards Cheadle Road and the levels drop as the PRow falls to Breach Lane.

No Stiles, gate is present at Cheadle Road but not at Breach Lane. No steps along the whole route.



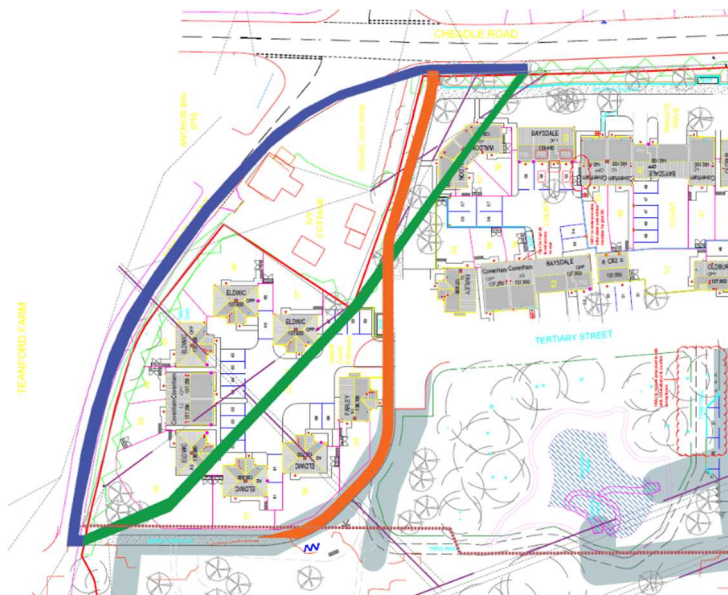
4 Particulars of alternative route to be provided

- a) Length in metres:
- b) Width:
- c) Description of path to be provided. Describe the proposed position, surfacing, any gradients, and any gates, bridges or steps (please continue on separate sheet if necessary)

After speaking to Staffordshire County Council we will be closing the PRow and not proposing an alternative due to health and safety reasons.

We will have a much safer permanent route shown in orange.

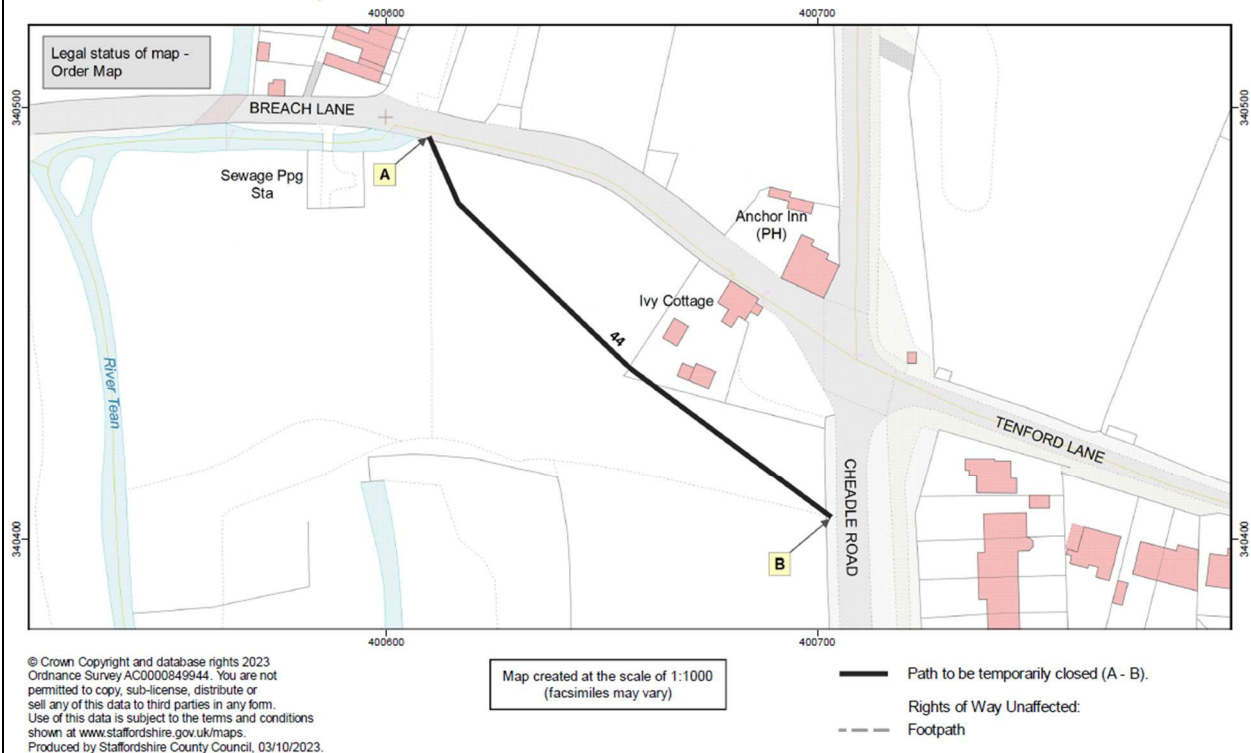
Permanent Orange route – 30th July onwards



Application has been made to Staffordshire County Council regarding the temporary closure. The approvals will be included as part of this form to help assist.

Below is a snapshot of the plan sent across as part of the approved notice.

Road Traffic Regulation Act 1984 (as amended).
Road Traffic (Temporary Restrictions) Act 1991.
Temporary Closure of Public Footpath
No. 44 Checkley Parish.



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State how the proposed diversion satisfies s257 of the Town and Country Planning Act 1990, use separate sheets if necessary:

- a) Reference number of planning consent (no. beginning HPK):
 - SMD/2022/0249
- b) Explain why the diversion is necessary, if required attach a plan:
 - Planning permission approved shows there to be new housing in the location of the PRow.
 - Approved layout shows a new route to be proposed and permanently retained once constructed.
 - Below shows a snapshot of the approved layout – A1013_01N_Planning Layout



- c) Has development begun, if so describe extent of development, if required attach a plan:
- No development has been completed yet.
- d) Is the development substantially complete, **if ‘yes’ you must make your application to Staffordshire County Council:** No
- e) Explain if the diverted path has any advantages or disadvantages, improvements or otherwise over the current path:
- Current path cuts through overgrown landscape and doesn’t have a clear or safe route.
 - New proposed route will provide hard surface from A to B along with actual openings either side.
 - Current PRow does not have a safe exit onto Breach Lane or Cheadle Road.
 - Steps will be provided with hard standing to help maintain better pedestrian safety.

- f) Explain the effect (if any) which the coming into operation of the Order would have as respects other land served by the existing public rights of way:
- N/A
- g) Explain the effect (if any) which the new public right of way would have as respects the land over which the right is created and any land held with it
- N/A

Applicant's declaration and agreement

Note: Where reference is made to singular the declaration is deemed to include plural where it is made by more than one party or relates to more than one public footpath, bridleway or restricted byway

Declaration

- a) I understand that no authority for the diversion of a public footpath/bridleway/restricted byway is conferred unless and until an Order is made, confirmed and, if appropriate certified;
- b) I declare that the footpath/bridleway/restricted byway to be diverted is in no way obstructed and that it is fully available to the public. I undertake that it shall in no way be obstructed before the Order comes into effect;
- c) I have read and understand the guidance notes which accompany this application form;
- d) I confirm that to the best of my knowledge all the particulars given are true and accurate.

Agreement:

I hereby agree:

- a. to make up the new lengths of footpath/bridleway/restricted byway to such standard as is required by the Council or to meet the costs of the works;
- b. to give permission for consultees to inspect the proposed route(s) unaccompanied OR*
to give permission for consultees to inspect the proposed route(s) but they should contact on telephone number in advance
**(delete as appropriate);*
- c. To reimburse the Council any expenses incurred by it in connection with the making of the Order, whether or not the Order is confirmed;
- d. To pay the cost of any works (including installation, removal or re-positioning of any roadside signposts, waymarks or statutory undertakers' apparatus in, or under the highways to be diverted) necessary in consequence of the Order coming into effect
- e. To the information supplied within and in support of this application being shared with other parties as necessary in the context of the application and/or in accordance with the law.

Signed (all applicants must sign)

Full Name(s) Radhesh Bhatt.....

Position (if applicable) Senior Technical Coordinator.....

Date: 31/10/23