

EASTLEIGH BOROUGH COUNCIL

Town and Country Planning Act 1990 (TCPA 1990)

**STOPPING UP ORDER REFERENCE: The Eastleigh Borough Council (Church Road Footpath 732)  
Stopping Up (No. 2) Order 2018 ("the Order")**

This Order is made by Eastleigh Borough Council (Council) under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to stop up the footpath to which this Order relates in order to enable development described in Schedule One to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 by the Council on various dates under references O/16/79469 (approved on 20 October 2017) and RM/17/81969 (approved on 13 February 2018).

**BY THIS ORDER:**

1. The footpath over the land shown by a bold black line on the attached map and described in Schedule Two to this Order shall be stopped up as provided below.
2. The stopping up of the footpath shall have effect on the date on which notice that it has been confirmed is first published in accordance with Part II of Schedule 14 to the TCPA 1990.
3. Where immediately before the date on which the footpath is stopped up 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.

Made: 16 November 2018

The Common Seal of EASTLEIGH

BOROUGH COUNCIL was hereto

Affixed in the presence of:



Authorised Signatory



11168

## **SCHEDULE ONE**

### **The Development**

#### **O/16/79469**

Outline Application for the construction of up to 30 dwellings, including 35% affordable housing, with access from Church Road, open space and landscaping and formal diversion of public right of way Footpath 732 to adjacent existing footpath. All matters reserved except for access.

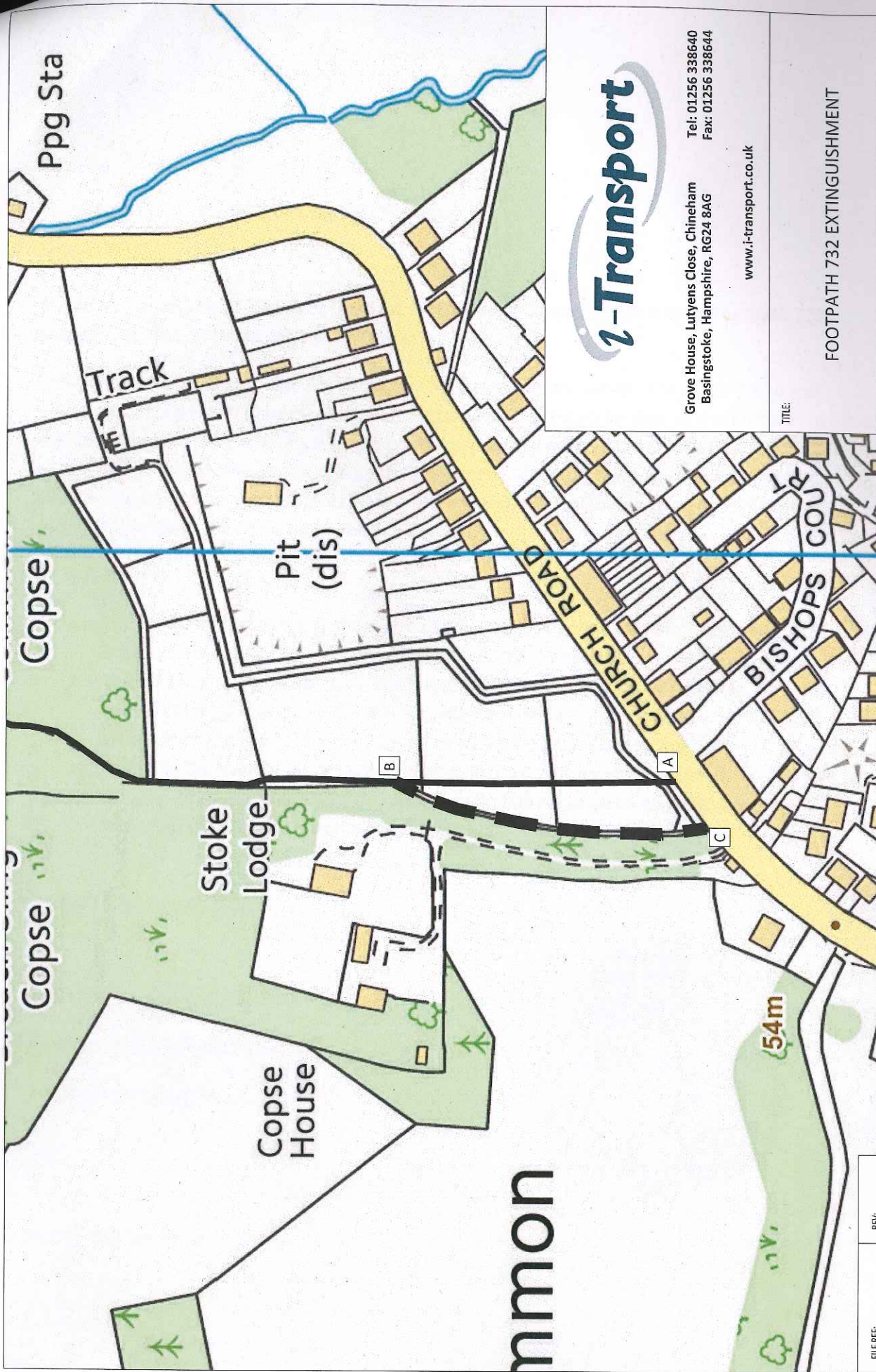
#### **RM/17/81969**

Reserved Matters pursuant to outline planning permission O/16/79469 for construction of 27 dwelling units, open space and ancillary works (layout, scale, appearance and landscaping details).

## **SCHEDULE TWO**

### **Description of site of Existing Path**

An area of the highway known as Church Road Footpath 732 being shown coloured black between points A and B (a distance of approximately 137.5 metres) as shown on the attached Plan (reference ITB12013 Rev A)



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TITLE:

FOOTPATH 732 EXTINGUISHMENT

FIGURE No:

FIGURE 3

FILE REF: ITB12013

REV: A

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FILEPATH