

**EASTLEIGH BOROUGH COUNCIL**

**Notice of a diversion order under section 257 and paragraph 1 of Schedule 14 of the Town and Country Planning Act 1990 (TCPA 1990)**

**DIVERSION ORDER REFERENCE: The Eastleigh Borough Council (Hound Footpath 1) Diversion Order 2018 ("the Order")**

Eastleigh Borough Council (Council) gives notice that it has made an order under section 257 of the TCPA 1990 because it is satisfied that it is necessary to divert the footpath to which the Order relates to enable the development described in Schedule One to be carried out in accordance with the planning permission granted under Part III of the TCPA 1990 to Taylor Wimpey Southern Counties of Colvedene Court, Wessex Business Park, Colden Common, Hants, SO21 1WP by the Council on 29 March 2018 under reference F/18/82322.

**BY THIS ORDER**

1. The Council authorises the diversion of an area of the highway known as Hound Footpath No. 1 being shown as a bold black line between points A and B (a distance of approximately 385 metres) as shown on the attached plan (plan) and described in Part One of Schedule Two as provided below.
2. There shall be created to the reasonable satisfaction of the Council an alternative highway for use as a replacement for the said footpath as provided for in Part Two of Schedule Two and shown dashed black on the Plan.
3. Where immediately before the date of this Order any apparatus of statutory undertakers lies under, in, on, over, along or across and length of highway authorised to be diverted pursuant to this Order then, subject to section 261(4) of the TCPA 1990, those undertakers shall have the same rights in relation to that apparatus after the area is stopped up as they had immediately before.
4. This Order shall come into force 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 or the date on which the Council has certified that the terms of article 2 of this Order have been complied with, whichever is the later and may be cited as The Eastleigh Borough Council (Hound Footpath 1) Diversion Order 2018.

**Made: 16 November 2018**

The Common Seal of EASTLEIGH

BOROUGH COUNCIL was hereto

affixed in the presence of:



11166

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

Authorised Signatory

#### **SCHEDULE ONE**

##### **The Development**

**F/18/82322**

Construction of 200no. dwellings with associated public open space, landscaping, roads, drainage and diversion of public footpath No.1 with associated access from Bursledon Road and vehicular link to land to the south, and laying out of new country park.

#### **SCHEDULE TWO – Part One**

##### **Description of Site of Existing Path**

An area of the highway known as Hound Footpath No.1 being shown coloured black between points A and B (a distance of approximately 385 metres) as shown on the attached Plan.

#### **SCHEDULE TWO – Part Two**

##### **Description of Site of Alternative Highway**

A footpath on the route shown dashed black between points A-C-B (a distance of approximately 450 metres) as shown on the attached Plan.

The width of the said alternative highway is to be 2 metres wide.

