

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257 AND
PARAGRAPH 1 OF SCHEDULE 14**

**KIRKLEES COUNCIL PUBLIC FOOTPATHS SPENBOROUGH 24 (PART) AND
SPENBOROUGH 42 (PART) LAND AT WHITECHAPEL ROAD, CLECKHEATON
PUBLIC PATH DIVERSION ORDER 2023**

This Order is made by Kirklees 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 granted under Part III of the Town and Country Planning Act 1990 namely the implementation of planning consent 2019/62/93658/E for the erection of 122 dwellings, landscaping and associated infrastructure.

BY THIS ORDER

1. The footpath 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 Kirklees Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map
3. The diversion of the footpath shall have effect on the date on which Kirklees Council certify that the terms of Article 2 have been complied with
4. Where immediately before the date on which the footpath 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

5. This Order may be cited as the "Kirklees Council Public Footpaths Spenborough 24 (Part) and Spenborough 42 (Part) Land at Whitechapel Road, Cleckheaton Public Path Diversion Order 2023"

GIVEN under the Corporate Common Seal)
of the Council of the Borough of Kirklees)
this Eighteenth day of July)
Two Thousand and Twenty Three)



020645

Service Director – Legal, Governance and Commissioning/Authorised Signatory

This Order was confirmed
as an unopposed Order by
Kirklees Council on
6th March 2024.

A handwritten signature in black ink, appearing to read "A. Murray".

SCHEDULE

PART 1

Description of existing path (to be stopped up)

That part of public footpath Spenborough 24 having a width of 1.2 metres and shown on the plan annexed hereto by a bold solid line commencing at point A at grid reference SE 1786 2589 and proceeding in a north north-westerly direction for 107 metres to point B at SE 1783 2600

That part of public footpath Spenborough 42 having a width of 1.2 metres and shown on the plan annexed hereto by a bold solid line commencing at point B at grid reference SE 1783 2600 and proceeding in a north easterly then north north-easterly direction for 196 metres to point C at SE 1795 2614

PART 2

Description of new paths (to be added)

Public footpath Spenborough 42 having a width of 2 metres shown on the plan annexed hereto by a bold dashed line commencing at point A at grid reference SE 1786 2589 and proceeding in a north-easterly direction for 20 metres to point D at grid reference SE 1787 2591 then proceeding in a north north-westerly then north north-easterly direction for 67 metres to point E at grid reference SE 1788 2596 then in a north north-easterly then north-westerly direction for 77 metres to point F at grid reference SE 1784 2601 then in a north north-easterly direction for 131 metres to point L at SE 1790 2613

Public footpath Spenborough 42 having a width of 3 metres shown on the plan annexed hereto by a bold dashed line commencing at point L at grid reference SE 1790 2613 and proceeding in a north north-easterly direction for 33 metres to point G at grid reference SE 1792 2616

Public footpath Spenborough 42 having a width varying between 2.5 and 3 metres shown on the plan annexed hereto by a bold dashed line commencing at point G at grid reference SE 1792 2616 and proceeding in a south easterly direction for 37 metres to point C at SE 1795 2614

Public footpath Spenborough 42 having a width of 2 metres shown on the plan annexed hereto by a bold dashed line commencing at point E at grid reference SE 1788 2596 and proceeding in an east south-easterly direction for 10 metres to point H at grid reference SE 1788 2596 then in a north-easterly then north north-easterly direction for 167 metres to point J at grid reference SE 1797 2610

Public footpath Spenborough 42 having a width of 2.5 metres shown on the plan annexed hereto by a bold dashed line commencing at point J at grid reference SE 1797 2610 and proceeding in a north north-easterly then north-westerly direction for 57 metres to point C at grid reference SE 1795 2614



Public footpath Spenborough 42 having a width of 3 metres shown on the plan annexed hereto by a bold dashed line commencing at point G at grid reference SE 1792 2616 and proceeding in north north-easterly direction for 4 metres to point K at grid reference SE 1792 2616

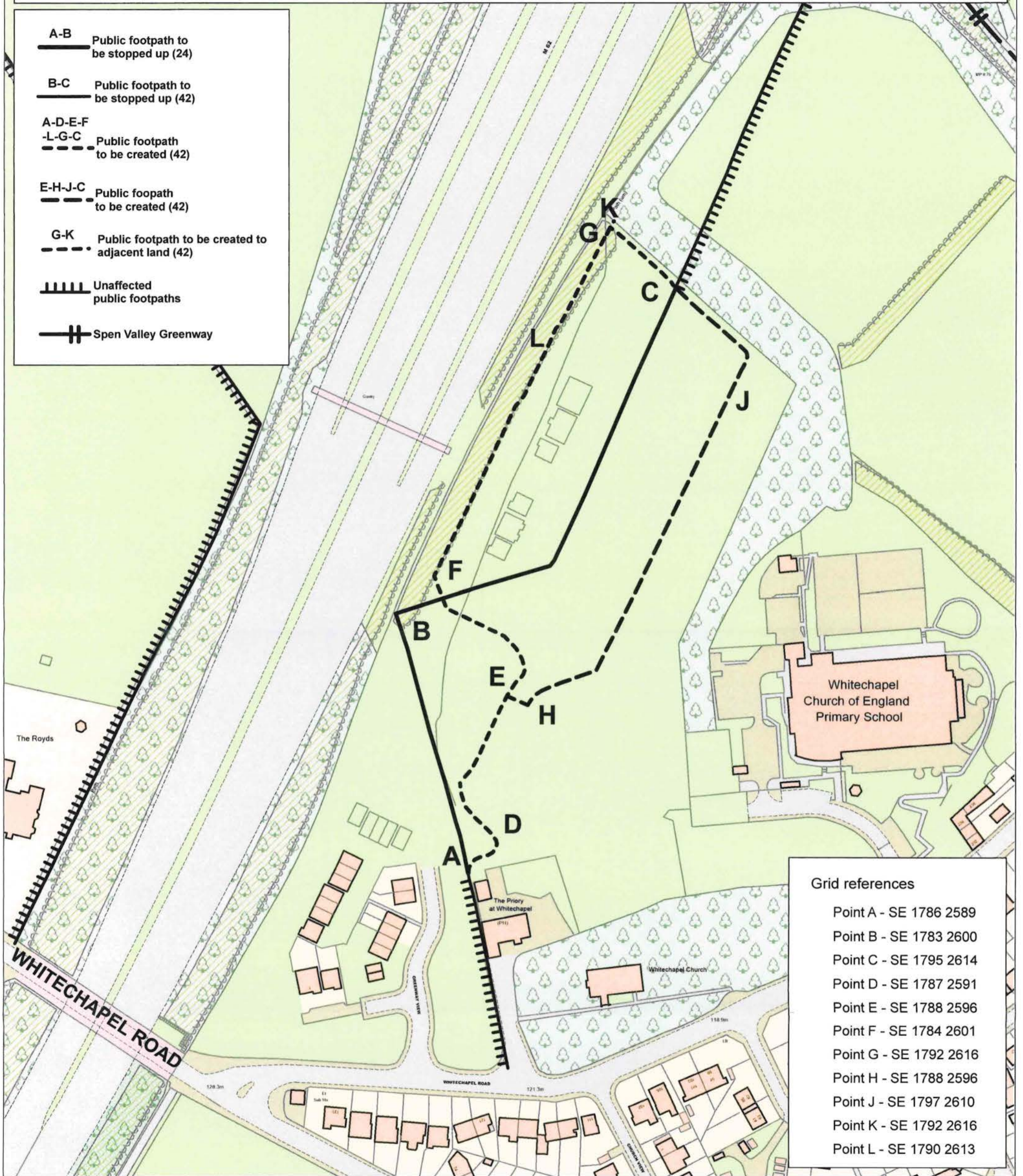
Width: A-D-E-F-L - 2 metres surfaced in tarmac
 L-G-K – 3 Metres surfaced in tarmac
 G-C – varying between 2.5 and 3 metres surfaced in crushed stone
 E-H-J - 2 metres, surfaced in tarmac
 J-C – 2.5 Metres surfaced in crushed stone

Length: 603 metres

Surface: 509 metres - Tarmac
 94 Metres - Crushed Stone

Diversion of public footpaths & provision of alternative route - Spenborough 24 (part) and Spenborough 42 (part) at land at Whitechapel Road, Cleckheaton. Town & Country Planning Act 1990, section 257

- A-B** Public footpath to be stopped up (24)
- B-C** Public footpath to be stopped up (42)
- A-D-E-F**
-L-G-C Public footpath to be created (42)
- E-H-J-C** Public footpath to be created (42)
- G-K** Public footpath to be created to adjacent land (42)
-  Unaffected public footpaths
-  Spen Valley Greenway



Grid references

Point A	- SE 1786 2589
Point B	- SE 1783 2600
Point C	- SE 1795 2614
Point D	- SE 1787 2591
Point E	- SE 1788 2596
Point F	- SE 1784 2601
Point G	- SE 1792 2616
Point H	- SE 1788 2596
Point J	- SE 1797 2610
Point K	- SE 1792 2616
Point L	- SE 1790 2613



Public Rights of Way

Diversion of public footpaths - Whitechapel Road

Date: 30/06/2023

Scale: 1:1500

Filename:



Dated 18th July 2023

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