

TOWN AND COUNTRY PLANNING ACT 1990

THE DIVERSION OF HIGHWAY (YORKSHIRE AND THE HUMBER) (NO.) ORDER 20..

The Secretary of State makes this Order in exercise of powers under section 247 of the Town and Country Planning Act 1990 ("the Act").

1. (1) The Secretary of State authorises the diversion of the highway specified in column (1) of the Schedule to this Order, being satisfied that it is necessary to do so to enable development to be carried out in accordance with planning permissions granted by Kirklees Council under references 2014/62/92814/W and 2017/62/91374/W.

(2) The diversion of the said highway shall be affected by -

- (a) the stopping up of a length of the highway specified in column (1) of the Schedule to this Order, as described in column (2) of the Schedule and as shown in zebra hatch on plan number NATTRAN/Y&H/S247/4337; and
- (b) the provision by the developer, to the reasonable satisfaction of Kirklees Council, of a new highway which shall be a footpath along the diverted route described in column (3) of the Schedule (to take the place of the aforementioned length of stopped up highway in (a) above) and shown in vertical stripe and labelled 'C' on plan number NATTRAN/Y&H/S247/4337.

2. No part of the highway to be stopped up in pursuance of Article 1 (2) (a) of this Order shall take place earlier than the date on which Kirklees Council certify to the developer that the provisions of Article 1 (2) (b) have been complied with; and

3. Where immediately before the date of this Order there is any apparatus of statutory undertakers under, in, on, over, along or across any highway authorised to be stopped up pursuant to this Order then, subject to section 261(4) of the Act, those undertakers shall have the same rights as respects that apparatus after that highway is stopped up as they had immediately beforehand.

4. This Order shall come into force on the date on which notice that it has been made is first published in accordance with section 252(10) of the Act, and may be cited as the Diversion of Highway (Yorkshire and the Humber) (No.) Order 20.. .

Signed by authority of
the Secretary of State

DAVE CANDLISH
An Official in the
National Transport Casework Team
Department for Transport

THE SCHEDULE

Description of highway to be stopped up and diverted

The highway to be diverted is at Holmfirth in the Metropolitan Borough of Kirklees.

Column (1)	Column (2)	Column (3)
Highway to be diverted	Length of Highway to be stopped up	Reference letter of new (diverted) highway
A length of Footpath Holmfirth 60	A length of Footpath Holmfirth 60 at the Wolfstones Heights Farm site, commencing at grid reference E:412850 N:409113 (Point A) and extending in a westerly direction for a distance of 151 metres to Wolfstones Road (Point B). It has a maximum width of 1.2 metres.	C A length of footpath commencing at grid reference E:412850 N:409113 (Point A) and extending overall in a general north westerly direction for a distance of 226 metres. It has a varying width between 2.4 and 3 metres.

DRAFT