

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257  
KIRKLEES COUNCIL (KENMORE DRIVE, KENMORE VIEW, MILTON TERRACE  
AND ROOKS AVENUE, CLECKHEATON) PUBLIC PATHS STOPPING UP  
ORDER 2022**

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 stop up the footpaths 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 2020/91746 for the erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens.

**BY THIS ORDER**

1. The footpaths 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 stopped up as provided below.
2. There shall be created to the reasonable satisfaction of Kirklees Council alternative highways for use as replacements for the said footpaths 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 footpaths are stopped up there is apparatus under, in, on, over, along or across them 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 (Kenmore Drive, Kenmore View, Milton Terrace and Rooks Avenue, Cleckheaton) Public Paths Stopping Up Order 2022".

**GIVEN** under the Corporate Common Seal )  
of the Council of the Borough of Kirklees )  
this Third day of March )  
Two thousand and Twenty two )

*Hillary West*

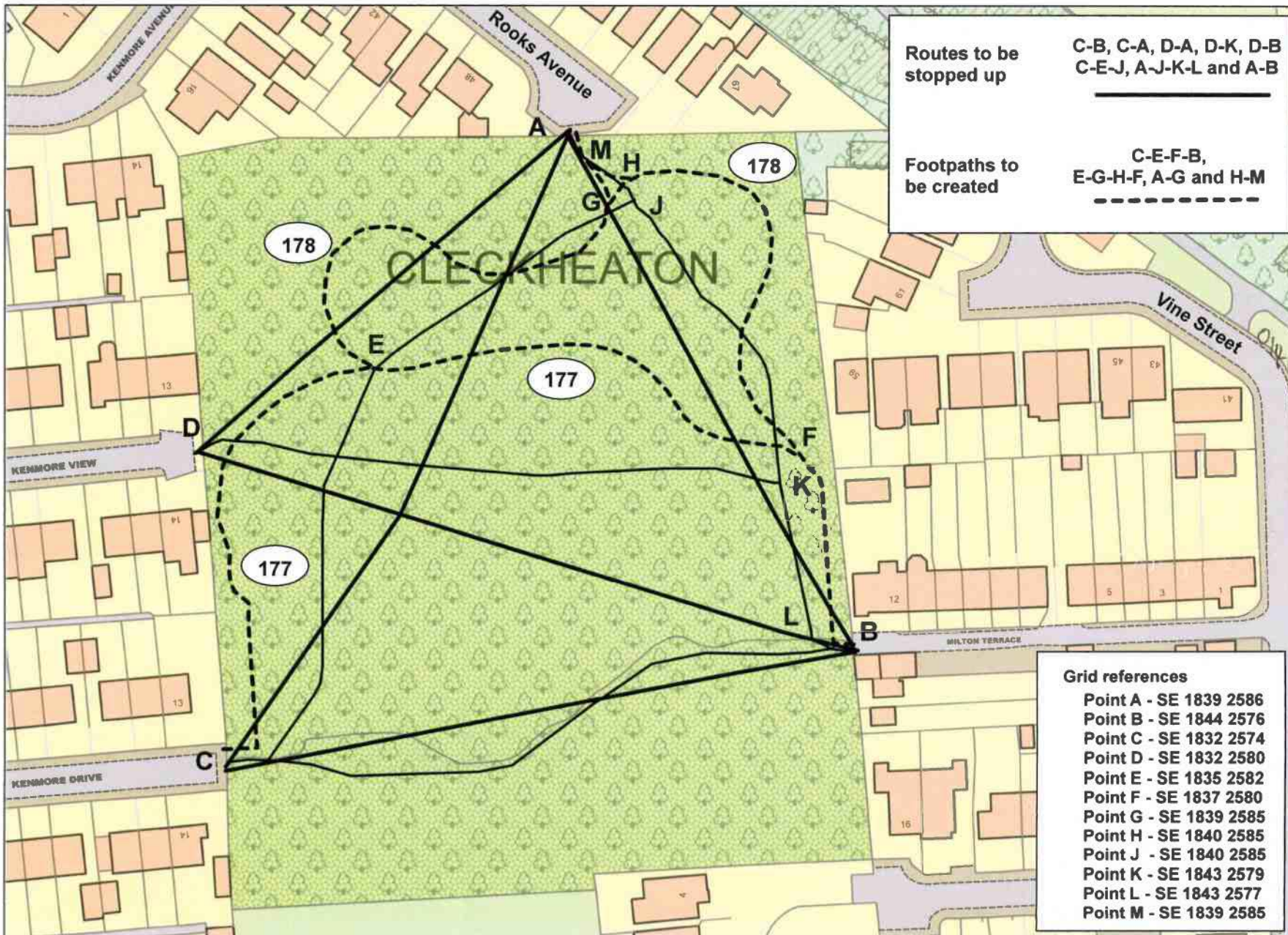
*HILLARY WEST*

Service Director – Legal, Governance and Commissioning/Authorised Signatory





**Town & Country Planning Act 1990, Section 257. Stopping up and provision of alternative footpath routes at Kenmore Drive, Kenmore View, Milton Terrace and Rooks Avenue, Cleckheaton**



**Routes to be stopped up**  
 C-B, C-A, D-A, D-K, D-B  
 C-E-J, A-J-K-L and A-B

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**Footpaths to be created**  
 C-E-F-B,  
 E-G-H-F, A-G and H-M

- Grid references**
- Point A - SE 1839 2586
  - Point B - SE 1844 2576
  - Point C - SE 1832 2574
  - Point D - SE 1832 2580
  - Point E - SE 1835 2582
  - Point F - SE 1837 2580
  - Point G - SE 1839 2585
  - Point H - SE 1840 2585
  - Point J - SE 1840 2585
  - Point K - SE 1843 2579
  - Point L - SE 1843 2577
  - Point M - SE 1839 2585



**Public Rights of Way**

*Hillman*  
*Wool*

Date:  
27/01/2022

Scale:  
1:1000

Filename:  
new plan.WOR

© Crown  
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database right  
2022. Ordnance  
Survey 100019241





## **SCHEDULE**

### **PART 1**

#### **DESCRIPTION OF SITE OF EXISTING PATHS OR WAYS**

A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with Kenmore Drive at point C at grid reference SE 1832 2574 and proceeding in a straight easterly direction for 120 metres to point B at grid reference SE 1844 2576.

A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with Kenmore Drive at point C at grid reference SE 1832 2574 and proceeding in a generally eastern direction for 127 metres to point B at grid reference SE 1844 2576.

A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with Kenmore Drive at point C at grid reference SE 1832 2574 and proceeding in a north easterly direction for 137 metres to point A at grid reference SE 1839 2586.

A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with Kenmore Drive at point C at grid reference SE 1832 2574 and proceeding in an easterly then north easterly direction for 146 metres to point J at grid reference SE 1840 255.

A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with Kenmore View at point D at grid reference SE 1832 2580 and proceeding in a north easterly direction for 92 metres to point A at grid reference SE 1839 2586.

A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with Kenmore View at point D at grid reference SE 1832 2580 and proceeding in a south easterly direction for 130 metres to point B at grid reference SE 1844 2576.

A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with Kenmore View at point D at grid reference SE 1832 2580 and

proceeding in a south easterly direction for 111 metres to point K at grid reference SE 1843 2579.

A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with Rooks Avenue at point A at grid reference SE 1839 2586 and proceeding in a south south-easterly direction for 112 metres to point B at grid reference SE 1844 2576.

A footpath shown on the plan annexed hereto by the bold solid line commencing at its junction with Rooks Avenue at point A at grid reference SE 1839 2586 and proceeding in a south south-easterly direction for 110 metres via points J and K to point L at grid reference SE 1843 2577.

## **PART 2**

### **DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAYS**

A public footpath to be known as Spenborough 177 shown on the plan annexed hereto by the bold dashed line commencing at its junction with Kenmore Drive at Point C at grid reference SE 1832 2574 and proceeding in an easterly direction along the access road then in a northerly then easterly then south easterly then southerly direction for 226 metres via via points E and F to Point B at grid reference SE 1844 2576

A public footpath to be known as Spenborough 178 shown on the plan annexed hereto by the bold dashed line commencing at Point E at grid reference SE 1835 2582 and proceeding in a northerly then easterly then southerly direction for 171 metres via points G and H to Point F at grid reference SE 1837 2580 with a branch commencing at point G at grid reference SE 1839 2585 and proceeding in a north westerly direction for 16 metres to point A at grid reference SE 1839 2586 and a short branch commencing at point H at grid reference SE 1840 2585 and proceeding in a north westerly direction for 8 metres to point M at grid reference SE 1839 2585

**Dated 3<sup>rd</sup> March 2022**

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AND ROOKS AVENUE, CLECKHEATON) PUBLIC PATHS STOPPING UP  
ORDER 2022**

**Kirklees Council  
Legal, Governance and Monitoring  
2<sup>nd</sup> Floor  
High Street Buildings  
High Street  
Huddersfield**