



PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

EXETER CITY COUNCIL

(FOOTPATH NO. 49, EXETER)

PUBLIC PATH DIVERSION ORDER 2015

This Order is made by Exeter City Council 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:

PROPOSAL: The redevelopment of the former St. Loye's Foundation, Topsham Road, Exeter, EX2 6EP to form a retirement village including retirement homes, Extra Care housing units, a residential care home and associated facilities and 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 Exeter City 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 footpath over the land described in Part 3 of the Schedule and shown hatched black on the attached map shall be improved to the reasonable satisfaction of Exeter City Council so that the width and surface materials are consistent with the standards of construction of the remainder of the diverted footpath; namely hard surfaced, and with a width of two metres.

- 4 The diversion of the footpath shall have effect on the date on which Exeter City Council certify that the terms of Article 2 have been complied with.
- 5 Helical Exeter Ltd is hereby required to pay for the cost of carrying out the said works.
- 6 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.

CONFIRMATION OF ORDER

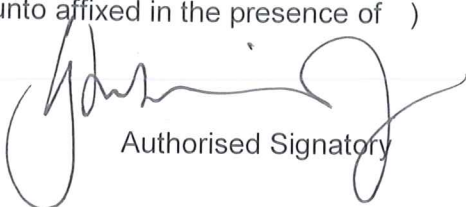
In pursuance of the powers contained in the Town and Country Planning Act 1990 and other enabling legislation Exeter City Council hereby confirms the attached order as an unopposed order.

Dated 15th day of June 2017

The **COMMON SEAL** of)

EXETER CITY COUNCIL was)

hereunto affixed in the presence of)


Authorised Signatory



SCHEDULE

PART ONE **Description of Site of Existing Path**

The section of the path to be diverted runs generally in a south easterly direction from point C (SX29359080) to point B (SX29369069) on the attached plan. The entire width of the footpath between points C and B on the plan is to be diverted. The path to be diverted is shown by a bold black line on the plan and is approximately 194 metres in length.

PART TWO **Description of Alternative Highway**

The path will run in a south easterly direction from point A to point D (SX29359054) where it will turn and follow a north easterly direction to point B as shown by the bold black dashed line on the attached plan. The approximate length of the path is 424 metres. The width of the path shall be two metres.

PART THREE **Description of Existing Highway to be Improved**

That part of the existing footpath shown hatched black and immediately to the south east of point B on the attached plan being approximately 10.5 metres in length and 2 metres in width.

Dated *Second* day of *October* 2015

The **COMMON SEAL** of)
EXETER CITY COUNCIL was)
hereunto affixed in the presence of)

B. Bailey



Authorised Signatory

CONFIRMATION OF ORDER

In pursuance of the powers contained in the Town and Country Planning Act 1990 and other enabling legislation Exeter City Council hereby confirms the attached order as an unopposed order.

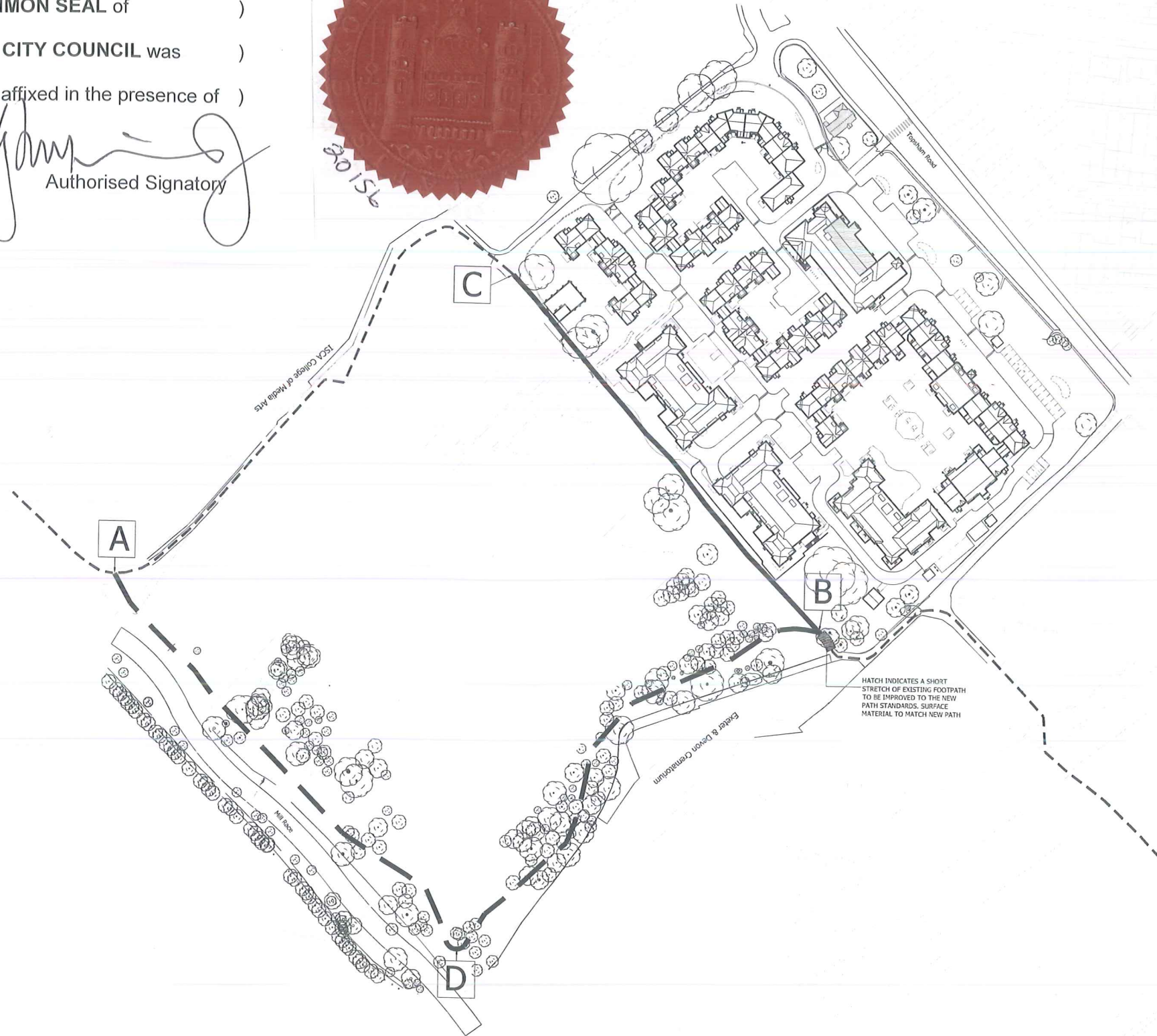
Dated 15th day of June 2017

The **COMMON SEAL** of)

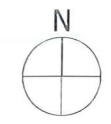
EXETER CITY COUNCIL was)

hereunto affixed in the presence of)

[Signature]
 Authorised Signatory



Revision	Date	Drn	Ckd
K	01.10.14	SP	ST
PROPOSED FOOTPATH LOCATION REVISD TO MATCH TREE CONSULTANTS PLAN			
L	16.01.15	JW	ST
LINE TYPES REVISED, NOTES REVISED FOR FOOTPATH WIDTH AND SECTION OF PATH TO BE IMPROVED			
M	10.02.15	JW	ST
REF. POINT C ADDED, TEXT IN KEY REVISED			
N	17.03.15	JW	ST
REF. POINT D ADDED, LINE TYPE REVISED BETWEEN A & C			
P	14.05.15	JW	ST
DRAWING UPDATED AS SOLICITORS COMMENTS. GRID REFS ADDED			



KEY

	EXISTING FOOTPATH
	ALTERNATIVE FOOTPATH A-D-B
	FOOTPATH TO BE DIVERTED C-B

- A** START POINT OF DIVERTED SECTION - GRID REF: 293411.4, 90641.4
- B** FINISH POINT OF DIVERTED SECTION - GRID REF: 293698.1, 90681.0
- C** GRID REF: 293544.4, 90796.6
- D** GRID REF: 293581.4, 90522.8



Project
FORMER SITE OF ST LOYE'S COLLEGE - EXETER
 Drawing Title
FOOTPATH DIVERSION PLAN

Date	Scale	Drawn by	Check by
DEC 2013	1:2000 @ A3	JW	ST
Project No	Drawing No	Revision	
18503	F101	P	



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