

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257

**CHESTERFIELD BOROUGH COUNCIL
THE PEAK RESORT SITE, UNSTONE, CHESTERFIELD
(BRIDLEWAY BW39 AND PUBLIC FOOTPATHS
FP40, FP41, FP43, FP44, FP45, FP47, AND FP178)**

PUBLIC PATH DIVERSION ORDER 2014

This order is made by Chesterfield Borough Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the bridleway and 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: CHE/0389/0210; CHE/0892/0496; CHE/0301/0164 and CHE/09/00075/FUL for a major leisure development consisting of a dome containing hotel with indoor and outdoor related leisure and educational facilities provision of accommodation lodges and a lake at Birch Hall Golf Course Unstone Green

BY THIS ORDER:

1. The footpaths and bridleway over the land shown by bold grey lines 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 Chesterfield Borough Council alternative highways for use as replacements for the said footpaths and bridleway as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpaths and bridleway shall have effect on the date on which Chesterfield Borough Council certify that the terms of Article 2 above have been complied with.
4. The following works shall be carried out in relation to the highways described on Part 2 of the Schedule: the proposed diverted bridleway will be 3.6 metres wide with minimum 1 metre wide soft verges to each side, the footpath/cycleway will be 2.6 metres wide with minimum 1 metre wide soft verges to each side and the footpaths will in general be 2.4 metres wide with minimum 1 metre wide soft verges to each side. All the routes will include waymarked signage.
5. Peak Resorts Limited (Co. No. 07875791) is hereby required to pay for the cost of carrying out the said works

6. Where immediately before the date on which the footpaths and bridleway are diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying out their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

Part 1

Description of Site of existing Bridleway and Pathways

BR39 runs from point A on the map (grid reference SK436449 375336) diagonally across the site for 1040 metres in a north-west direction to point F on the map (grid reference SK436449 376215).

FP40 runs from A on the map (grid reference SK436449 375336) in a north direction for 880 metres to the existing golf club house (grid reference SK437250 376195) and then turns west for 260 metres until joining FP41 (grid reference SK437000 376120).

FP41 runs from FP40 at grid reference SK437165 375820 for 360 metres in a north-north-west direction to a point where it joins the end of FP40 at grid reference SK437000 376120 on the map. FP41 then proceeds in a north-west-west direction for 540 metres until joining BR39 at grid reference SK436475 376170 and then running further to the west for 300 metres until joining FP47 at grid reference SK436170 376220.

FP44 links FP 40 with BR39 and runs west from FP40 at grid reference SK437165 375770 for 310 metres to BR39 at grid reference SK436870 375735.

FP43 links FP38 with FP27 and runs in a north-north-west direction for 850 metres from grid reference SK436485 375600 to grid reference SK436236 376395.

FP47 links FP 38 with FP43 and runs in a north-east direction for 310 metres from grid reference SK436135 375795 to grid reference SK 436315 376050.

FP45 links FP27 with FP 41 and runs in a south-east direction for 280 metres from grid reference SK436236 376395 to grid reference SK436420 376190.

FP178 connects BR39 through to Sheffield Road and runs in a north-west direction for 330 metres from grid reference SK437062 375336 to grid reference SK437370 375490. Only the section between grid references SK437115 375370 and SK437290 375474 is affected by the proposed diversion.

Part 2

Description of site of alternative highway

The effect of the diversion would be to divert the bridle path and footpaths which cross the site and referred to in Part 1 generally to the perimeter of the site. The perimeter route comprises a mix of footpath, footpath/cyclerooute and bridleway.

From point A on the map (grid reference SK437062 375336) in a north-west-west direction for 1130 metres along the existing track running parallel to the A61 Chesterfield bypass as a footpath to point B on the map (grid reference SK436079 375881). This is route FP38 and is not affected.

The route proceeds in a north-north-east direction up through the woodland and along the woodland edge for 570 metres as a new footpath to point C on the map at a point where existing route FP27 crosses adjacent land (grid reference SK436236 376395).

The route then continues along existing FP27 in a north-north-west direction across the field for 180 metres to point D on the map where it joins FP28 (grid reference SK436165 376560). This part of the route is not affected.

The route then proceeds in a south-east-east direction along existing FP28 for 100 metres to point E on the map (grid reference SK436319 376455) where it joins BR51. This part of the route is not affected.

The route then proceeds in a south-east direction along existing BR51 for 290 metres to point F on the map (grid reference SK436449 376215). This part of the route is not affected.

The route then proceeds as new Bridleway in an north-east-east direction for 260 metres alongside the planted boundary to point G on the map (grid reference SK436674 376252).

The route then proceeds across the golf course dog leg in an north-east-east direction as new bridleway for 190 metres to point H on the map (grid reference SK436831 376351)

The route then proceeds in an east direction for 520 metres to point J on the map (grid reference SK437336 376218) This part of the route follows the woodland edge as new bridleway parallel to Sylvia Road and Cheetham Avenue to a point where it meets the access drive to Unstone Golf Club.

The route then proceeds as new bridleway in a north-east-east direction for 80 metres to point K on the map (grid reference SK437412 376258) where it joins Sheffield Road.

The route proceeds as new bridleway from point J in a south-east direction parallel to Sheffield Road for 190 metres to point L on the map (grid reference SK437480 376113)

The route proceeds as new bridleway in a south-south-west direction alongside the River Drone for 780 metres to point M on the map (grid reference SK437223 375412) where a turning point is proposed.

The route then proceeds as new cycleway/footway connecting to the new site access in a south-west-west direction for 60 metres to point N on the map (grid SK 437175 375385)

The route then proceeds as new footway beneath the new site access in a underpass in a south-west-west direction for 60 metres to point O on the map (grid SK 437115 375370) where it joins FP128.

The route then returns to point A along existing FP128 for 60 metres in a south-west direction.

DATED this 16th day of July Two thousand and fourteen

THE COMMON SEAL of
CHESTERFIELD BOROUGH COUNCIL
was hereunto affixed in the presence of:

Mayor

Authorised Signatory