

## **NOTICE OF CONFIRMATION OF PUBLIC PATH ORDER**

### **TOWN AND COUNTRY PLANNING ACT 1990. SECTION 257 AND PARAGRAPH 7 OF SCHEDULE 14**

#### **EAST SUFFOLK COUNCIL (TRIMLEY ST MARY FOOTPATH NO 4 (PART)) PUBLIC PATH DIVERSION ORDER 2024**

On 10 September 2024 East Suffolk Council confirmed the above order.

The effect of the order as confirmed is to divert the entire width of that part of Trimley St Mary Footpath No 4 running from Ordnance Survey grid reference (OSGR) TM27389 37275 in a westerly direction for approximately 143 metres to OSGR TM27246 37286 to a line running from OSGR TM27389 37275 in a generally west north westerly direction to the spine road at OSGR TM 27380 37278; then crossing the road to OSGR TM 27372 37281; continuing in a generally south south westerly direction along the western side of the spine road to OSGR TM 27351 37222; to then run in a generally north westerly direction to join the existing route at OSGR TM 27246 37286 as described in the order and as shown on the order map.

A copy of the order as confirmed and the order map have been placed and may be seen free of charge at Felixstowe Library, Crescent Road, Felixstowe, IP11 7BY between the hours of 10am and 4pm on Sunday and Monday, 9am and 5:30pm Tuesday, Thursday and Friday, Wednesday between 9am and 7:30pm and Saturday from 9am to 5pm. Copies may be obtained by post or email free of charge by contacting the East Suffolk Public Path Orders Officer by email at [publicpathorders@eastsuffolk.gov.uk](mailto:publicpathorders@eastsuffolk.gov.uk) or telephone 01394 444508. They can also be viewed at <http://www.eastsuffolk.gov.uk/environment/rights-of-way/>

The order comes into force on the date on which East Suffolk Council certifies that the alternative highway has been created to its reasonable satisfaction, but if any person aggrieved by the order desires to question its validity, or that of any provision contained in it, on the ground that it is not within the powers of the above Act, or on the ground that any requirement of that Act, or any regulation made under it has not been complied with in relation to the confirmation of the order he or she may apply to the High Court for any of these purposes under Section 287 of the Town and Country Planning Act 1990 within 6 weeks from the date on which notice is first published as required by paragraph 7 of Schedule 14 to that Act.

Dated: 18 September 2024

C Bally  
Chief Executive  
East Suffolk Council

## **PUBLIC PATH DIVERSION ORDER**

### **TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257**

#### **EAST SUFFOLK COUNCIL (TRIMLEY ST MARY FOOTPATH NO 4 (PART)) PUBLIC PATH DIVERSION ORDER 2024**

This order is made by East Suffolk Council under section 257 of the Town and Country Planning Act 1990 ("the 1990 Act") 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: DC/23/3237/ARM Approval of reserved matters (appearance, landscaping, layout and scale) and details reserved by Conditions: 4 (internal access); 6 (self-build design code); 10 (archaeology); 12 (details of estate roads and footpaths); 14 (EV charging); 15 (parking provision); 16 (cycle storage); 17 (off-site highway improvements); 18 (refuse/recycling); 22 (surface water drainage scheme); 24 (sustainability and energy statement); 28 (M4(2)/(3)); 29 (arboricultural impact assessment); 32 (landscaping scheme); 34 (landscape management plan); 35 (LEMP); 38 (ecological enhancement); 39 (HRA mitigation measures); 47 (noise assessment); and 51 (boundary treatment) of DC/20/5279/OUT – Land Adjacent to Reeve Lodge, High Road, Trimley St Martin.

#### **BY THIS ORDER:**

- 1.** The footpath over the land shown by a bold black line on the attached map between points A – B 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 East Suffolk 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 between points A – C – D – E – B.
- 3.** The stopping up of the footpath shall have effect on the date on which East Suffolk Council certifies that the terms of Article 2 above have been complied with.

4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule, that is to say: The developer shall provide the footpath in accordance with the Certificate of Works issued by Suffolk County Council on 23 May 2024.
5. Bellway Homes Ltd are hereby required to pay the cost of carrying out the said works.
6. When immediately before the date on which the footpath is stopped up 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.

THE COMMON SEAL of the said  
EAST SUFFOLK COUNCIL

was hereunto affixed this 19<sup>th</sup> day of June 2024

in the presence of:

Authorised Officer:

MA MARTIN CLARKE  
LICENSING MANAGER AND  
Housing Clerk



The foregoing Order is hereby confirmed by East Suffolk Council  
as an unopposed Order

THE COMMON SEAL of EAST SUFFOLK COUNCIL

was hereunto affixed this 10<sup>th</sup> day of SEPTEMBER 2024

MA MARTIN CLARKE  
LICENSING MANAGER AND  
Housing Clerk

Authorised Officer:

Authorised Officer:



## SCHEDULE

### PART 1

#### Description of site of existing path

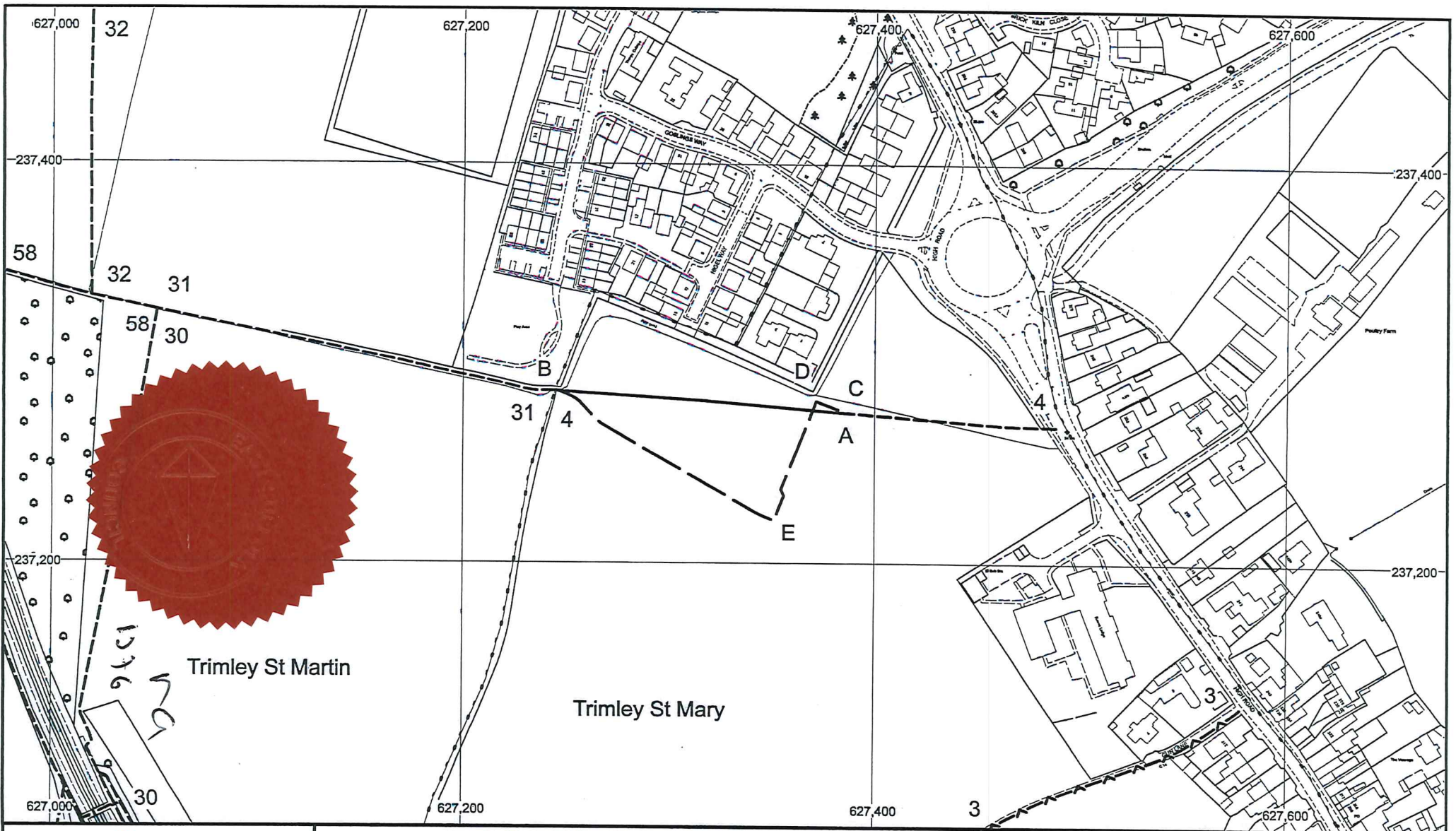
**Trimley St Mary Footpath No 4(part)** – The entire width of that part of Trimley St Mary Footpath No 4 commencing at Ordnance Survey grid reference TM 27389 37275 at point A and proceeding in a westerly direction for approximately 143 metres to Ordnance Survey grid reference TM 27246 37286 at point B; this being the route shown between points A – B on the order map.






### PART 2

#### Description of site of alternative highway

**Trimley St Mary Footpath No 4(part)** – Commencing at Ordnance Survey grid reference TM 27389 37275 at point A and proceeding in a generally west north westerly direction for approximately 10 metres to the spine road at Ordnance Survey grid reference TM 27380 37278 at point C; then crossing the road on a speed table for approximately 9 metres to Ordnance Survey grid reference TM 27372 37281 at point D; continuing in a generally south south westerly direction along the western side of the spine road for approximately 64 metres to Ordnance Survey grid reference TM 27351 37222 at point E; then proceeding in a generally north westerly direction for approximately 124 metres on the north side of the school fence with the southern edge of the footpath 0.5 metres from the fence to join the existing route at Ordnance Survey grid reference TM 27246 37286 at point B ; this being the route shown between points A – C – D – E – B on the order map.

Width: 3 metres



-  Footpath to be diverted (A-B)
-  Proposed Footpath (A-C-D-E-B)
-  Unaffected Footpath
-  Restricted Byway
-  Definitive Map Parish Boundary



Scale: 1:2,500 at A4

**MAP REFERRED TO IN THE EAST SUFFOLK COUNCIL (TRIMLEY ST MARY FOOTPATH NO 4(PART)) PUBLIC PATH DIVERSION ORDER 2024**

DRAWN BY: LH    DATE: 07/06/2024    File reference: Final Order Map

Ordnance Survey MasterMap. Crown Copyright. All rights reserved. Suffolk County Council Licence No. 100023395 2024