

**PUBLIC PATH DIVERSION AND  
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER  
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257  
WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53A(2)**

**THE NORTH YORKSHIRE COUNCIL**

**PUBLIC FOOTPATH No. 05.22/10 LING HAW HILL  
GLUSBURN WITH CROSS HILLS  
DIVERSION ORDER 2023**

**Barry Khan  
Assistant Chief Executive  
(Legal and Democratic Services)  
County Hall  
Northallerton  
DL7 8AH**

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT  
MODIFICATION ORDER**

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**PUBLIC FOOTPATH No. 05.22/10 LING HAW HILL GLUSBURN WITH CROSS HILLS  
DIVERSION ORDER 2023**

This order is made by The North Yorkshire 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 3 of the Town and Country Planning Act 1990, namely:

Application reference APP/C2708/W/17/3178551: Outline planning application with all matters reserved for the construction of twenty houses with the exception of access, layout and scale; allowed on appeal on 21/12/2017. Subsequently varied by application reference: 2019/21188/VAR: Application to vary conditions 2, 8, 10, 11, 13, 14, 18, 19, 20 on outline planning permission 32/2016/17327, granted on appeal on 11/06/2020; and: Reserved Matters to the outline planning permission including Public Footpath mitigation proposals: Application reference: 2020/22357/REM: Approval of appearance and landscaping ref. outline planning permission 32/2016/17327 (granted on appeal APP/C2708/W/17/3178551 and as varied by 2019/21188/VAR), granted on 15/01/2021.

This Order is also made under Section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the Authority that The Craven Definitive Map and Statement require modification in consequence of the occurrence of an event specified in Section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway shown or required to be shown in the map and statement.

Glusburn With Cross Hills Parish Council has been consulted.

**BY THIS ORDER:**

1. The Footpath over the land shown by a bold black continuous 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 The North Yorkshire Council an alternative highway for use as a replacement for the said Footpath as provided in Part 2 of the Schedule and shown by a bold black dashed line on the attached map.
3. The diversion of the Footpath shall have effect on the date which The North Yorkshire Council certify that the terms of Article 2 above have been complied with and thereupon The Craven Definitive Map shall be modified by deleting from it the public right of way described in Part 1 of the Schedule and by adding to it the Public Right of Way described in Part 2 of the Schedule. Under no circumstances shall such certification be given before the date of confirmation of this Order.
4. The Craven Definitive Statement shall be modified as described in Part 4 of the Schedule to this Order.
5. The Owner is hereby required to pay the cost of carrying out the said works, to a standard in accordance with the planning conditions including as detailed in the Schedule Part 3.

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.
7. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part 3 of the Schedule to this Order.

Made this 13<sup>th</sup> day of October, 2023

The Common Seal of  
The North Yorkshire Council  
was hereto affixed

in the presence of



(Authorised Signatory):



## SCHEDULE

### PART 1

#### Description of site of existing path or way

Public Footpath 05.22/10 Glusburn	Length	Width	Position of Footpath
Marked by a bold continuous black line and shown as A – B – C on the attached plan	185 metres approximately	1.2 metres	Commencing at its junction with Cononley Road at GR SD9995 4529 (Point A), proceeding in a north-easterly direction for approximately 140m to GR SE0007 4537 (Point B), then south-easterly for approximately 45m to GR SE0011 4535 (Point C): a total distance of 185 metres approximately on a grass / natural surface.

## PART 2

### Description of site of alternative highway

Public Footpath 05.22/10 Glusburn	Length	Width	Position of Footpath
Marked by a bold broken black line and shown as D-E-F-G-H-I-J-C on the attached plan.	204 metres approximately	2 metres	Commences at its junction with Cononley Road U2351/2/50 at Brow Head, GR SD9995 4529 (Point D), & proceeds in a northerly direction along a tarmac footway for approximately 10m to GR SD9995 4531 (Point E) then continues in a north-easterly direction along a tarmac footway, for approximately 66m to GR SE0000 4535 (Point F); then proceeds in an easterly direction, crossing a tarmac cul de sac, for approximately 15m to GR SE0001 4535 (Point G) and continues in an easterly direction along a tarmac footway, for approximately 50m to GR SE0006 4536 (Point H). The Footpath then proceeds in a south-easterly direction, along a tarmac footway, for approximately 23m, passing through the recreation ground boundary wall at a pedestrian gate at GR SE0008 4534 (Point I), and then continues in a south-easterly direction along a tarmac path, for approximately 7m to SE0008 4533 (Point J) and then in a north-easterly direction along a path of which 1m width is tarmac & the rest natural, for approximately 33m to GR SE0011 4535 (Point C), where it joins the existing recorded route of Footpath 05.22/10: A total distance of 204 metres approximately, on tarmac unless specified otherwise above.

## PART 3

### Limitations and Conditions

Position on Footpath 05.22/10 to which limitations and conditions apply	Limitations and Conditions
Grid Reference SE0008 4534 (Point I)	A one-way opening, self-closing pedestrian gate to BS5709:2018

## PART 4

### Modification of Definitive Statement Variation of Particulars of Path or Way

Path No.	Grid Reference End Points	Description	Nature of Surface	Length (Km)	Width (m)	Lawful Obstructions and Conditions
Footpath <b>05.22/10</b>	39995, 44530 <b>44529</b>  (Start)  To  40038, 44516  (Finish)	Commences at its junction with Cononley Brow Road <b>U2351/2/50 at Brow Head, GR SD9995 4529</b> and proceeds in a northerly direction along a tarmac footway for approximately 10m to GR SD9995 4531 then continues in a north-easterly direction along a tarmac footway, for approximately 66m to GR SE0000 4535; then proceeds in an easterly direction, crossing a tarmac cul de sac, for approximately 15m to GR SE0001 4535 and continues in an easterly direction along a tarmac footway, for approximately 50m to GR SE0006 4536. The Footpath then proceeds in a south-easterly direction, along a tarmac footway, for approximately 23m, passing through the Park boundary wall at a pedestrian gate at GR SE0008 4534, and then continues in a south-easterly direction along a tarmac path, for approximately 7m to SE0008 4533 and then in a north-easterly direction along a path of which 1m width is tarmac & the rest natural, for approximately 33m to GR SE0011 4535, in a north-easterly direction to Long Haw and then south easterly to Rye Croft then north easterly skirting the reservoir to Ling Croft, and south easterly along Baxter Wood U2525/2/50 to meet Park Road C102/1/95 at Green Hill SE0038, 4516.	Metalled	0.644	1.2	Field gate at Grid Reference SD 9995 4530
			Metalled	0.171	2.0	Field gate: Field Gate
			Metalled and grass	0.033	2.0	Self-Closing one-way Pedestrian Gate to BS 5709: 2018 at Grid Reference SE0008 4534
			Metalled	0.459	2.0	Pedestrian Gate at Grid Reference SE0018 4537
				0.663 (Total)	2.0	

# ORDNANCE SURVEY

## GRID REFERENCES (OSGR's)

POINT A = SD 9995 4529

POINT B = SE 0007 4537

POINT C = SE 0011 4535

POINT D = SD 9995 4529

POINT E = SD 9995 4531

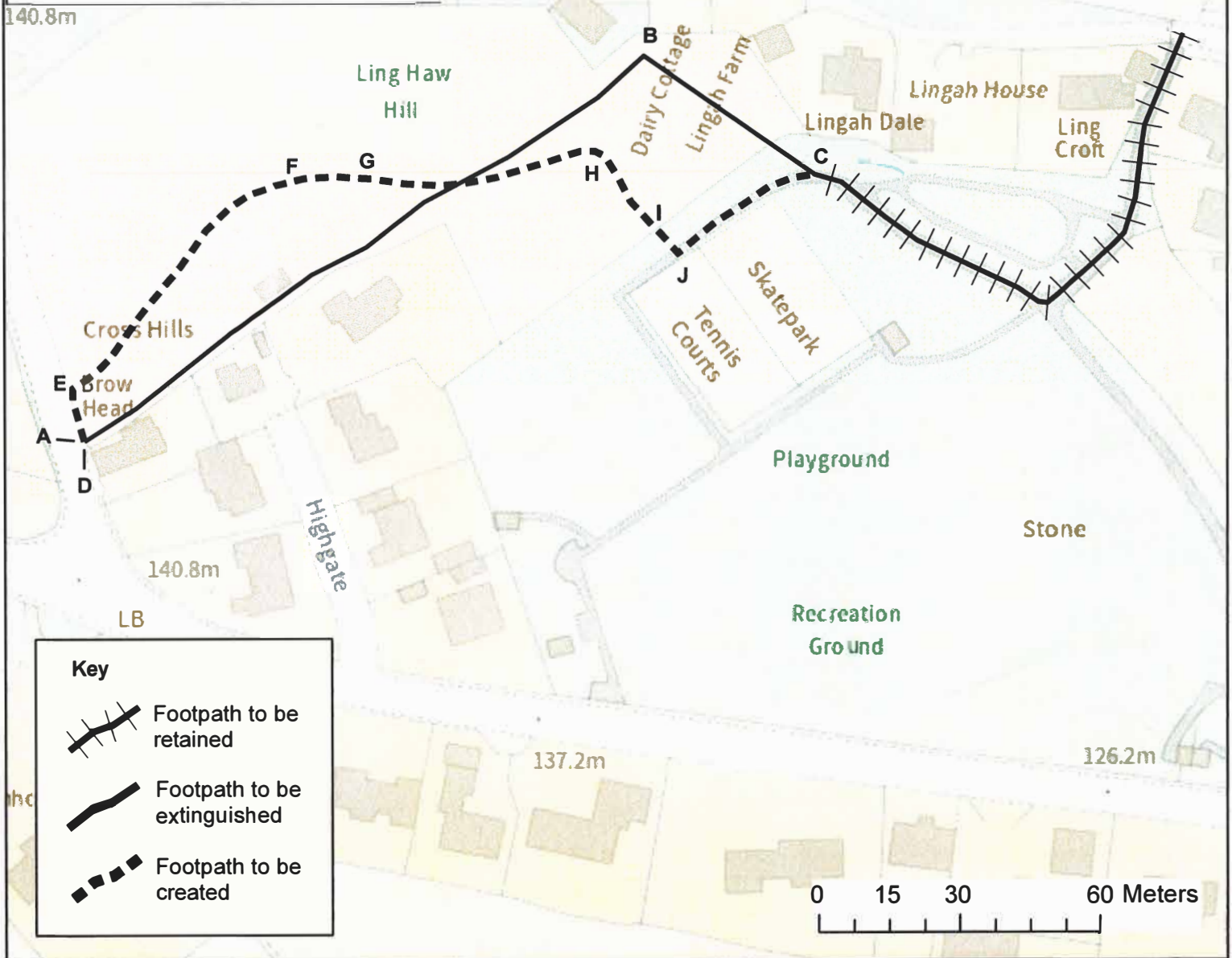
POINT F = SE 0000 4535

POINT G = SE 0001 4535

POINT H = SE 0006 4536

POINT I = SE 0008 4534

POINT J = SE 0008 4533



THE NORTH YORKSHIRE COUNCIL  
PUBLIC PATH DIVERSION ORDER  
TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257  
PUBLIC FOOTPATH No. 05.22/10  
LING HAW HILL GLUSBURN WITH CROSS HILLS  
DIVERSION ORDER 2023

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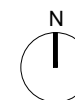
## GENERAL NOTES

THESE PLANS HAVE BEEN PREPARED FOR SUBMISSION TO THE LOCAL AUTHORITY FOR TOWN & COUNTRY PLANNING AND/OR BUILDING REGULATION PURPOSES ONLY AND DO NOT CONSTITUTE FULL WORKING DRAWINGS.

INFORMATION NOTED ON THE PLANS OR ACCOMPANYING DOCUMENTS / DETAILS IS NOT EXHAUSTIVE, AND CONTRACTOR TO CHECK WITH CLIENT AS TO ANY ADDITIONAL WORK NOT SPECIFICALLY NOTED OR IMPLIED.

### Key

-  Footpath to be Deleted  
(Existing PROW 05.22/10 to be diverted)
-  Footpath to be Added
-  Development Site
-  Recreation Ground
-  Other Footpaths



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Client

John Snell

Project

Land at Ling Haw Hill / Brow Top  
BD20 8BD

Title

PROW Proposed Diversion Overlay

Scale

1:1250 @ A4

Date

15.03.23

Drawn

RC

Checked

-

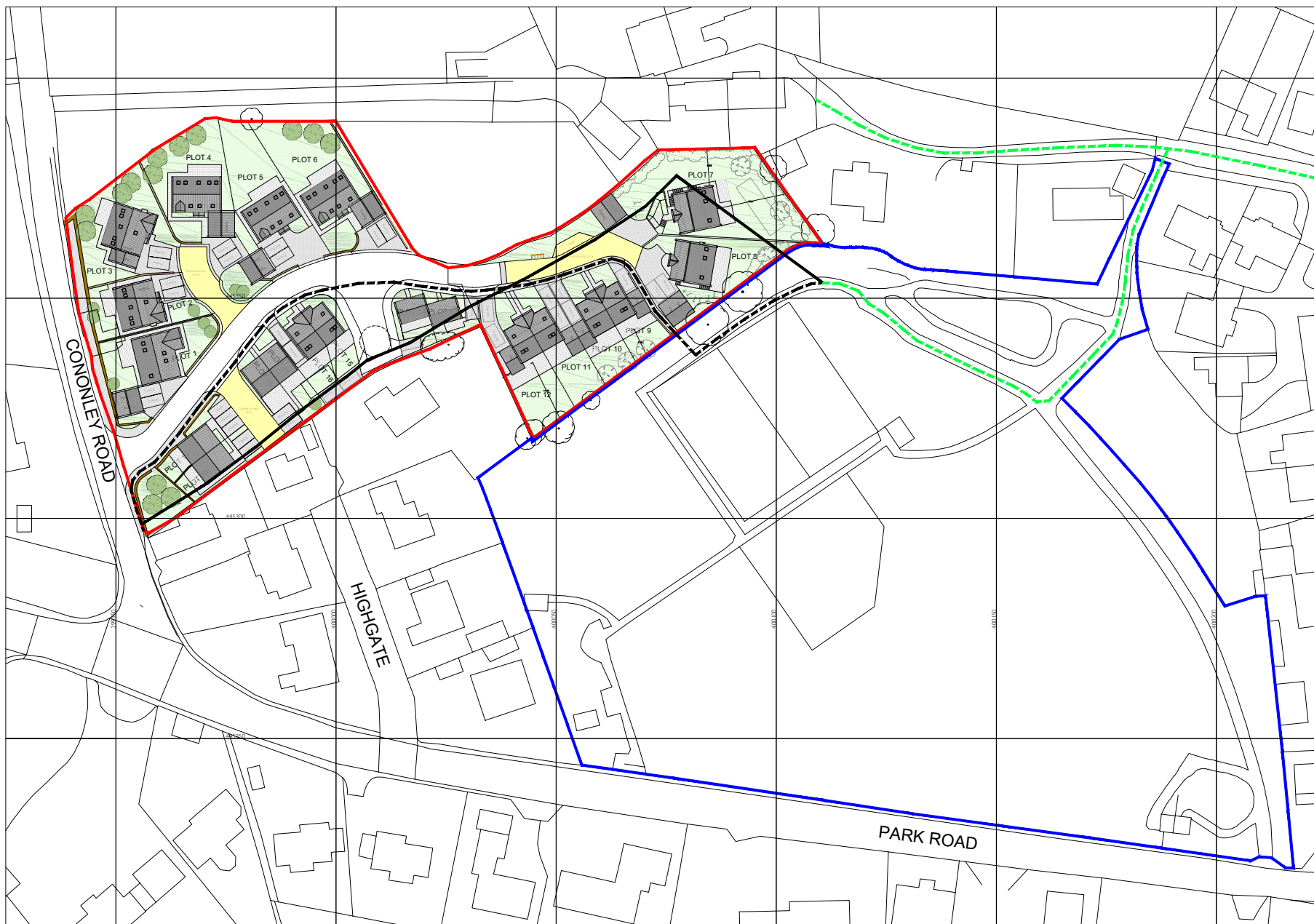
Drawing Number

-

Revision

-

DO NOT SCALE FROM THIS DRAWING  
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Scale 1:1250





## SITE NOTICE

### **NOTICE OF MAKING OF A PUBLIC PATH DIVERSION ORDER** **SECTION 257 TOWN AND COUNTRY PLANNING ACT 1990** **THE NORTH YORKSHIRE COUNCIL**

### **PUBLIC FOOTPATH NO. 05.22/10 LING HAW HILL GLUSBURN WITH CROSS** **HILLS DIVERSION ORDER 2023**

The above Order, made on 13 October, 2023, under Section 257 of the Town and Country Act 1990 will divert the Public Footpath described below.

Public Footpath 05.22/10 commencing at Cononley Road at GR SD9995 4529 proceeding in a north-easterly direction for approximately 140m to GR SE0007 4537 then south-east for approximately 45m to GR SE0011 4535 (**A-B-C**), will be diverted onto a new route from its junction with Cononley Road GR SD9995 4529 proceeding north for 10m to GR SD9995 4531 then continuing generally east for approximately 140m. along a tarmac footway to GR SE0006 4536; then proceeds south-east along a tarmac footway for approximately 23m, entering the Park at a pedestrian gate at GR SE0008 4534 then continues south-east and then north-east for approximately 40m to GR SE0011 4535 (**D-E-H-I-J-C**)

A copy of the Order and the Order map have been placed and may be seen free of charge during normal office hours at Skipton Library, High St, Skipton BD23 1JX - Tel. 01609 534548, North Yorkshire until 24 November, 2023. Copies of the Order and map may be purchased from Countryside Access Service, North Yorkshire Council, County Hall, Northallerton, North Yorkshire, DL7 8AD (tel: 03001312131) at a cost of £2, or can be downloaded free from our website <https://www.northyorks.gov.uk/pathnotices>.

Any representations about or objections to the Order may be sent in writing to Mr. R D Richardson, Definitive Map Team, North Yorkshire Council, County Hall, Northallerton, North Yorkshire DL7 8AD or email [CATO@northyorks.gov.uk](mailto:CATO@northyorks.gov.uk) not later than 24 November, 2023. Please state the grounds on which they are made.

Please note that objections/representations cannot be treated as confidential and may come into the public domain. Copies of any objections or representations received may be disclosed to interested parties, including the Planning Inspectorate where the case is referred to it for determination.

If no such representations or objections are duly made, or if any so made are withdrawn, North Yorkshire Council may confirm the Order as an unopposed Order. If the Order is sent to the Secretary of State for the Environment for confirmation, any representations and objections which have not been withdrawn will be sent with the Order.

Dated 26 October, 2023

Barry Khan  
Assistant Chief Executive  
(Legal and Democratic Services)  
County Hall  
Northallerton  
North Yorkshire  
DL7 8AH

