

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257
DIVERSION/EXTINGUISHMENT OF PUBLIC RIGHT OF WAY**

For Office Use Only

Application No.		Registration Date	
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1. Applicant's Details

APPLICANT	AGENT (if applicable)
Name	Name
Address	Address
Postcode	Postcode
Tel No.	Contact Name
Mobile	Tel No. Mobile
Email Address	Email Address

1. Description of proposed development of site crossed by the path:

(a) Location of the site
(b) Nature of development
(c.) Has planning permission been granted/applied for
(d) Plan Number of permission/application

2. Description of existing path to be extinguished

(a) Number on Definitive Map
(b) Ordnance Survey Sheet Number
(c) Parish
(d) Average width
(e) Description of section of path to be extinguished (4 copies of a plan should be provided, 1:1250 scale preferred, clearly showing the existing route to be extinguished)

3. Full Name and addresses of:

(a) The owners

(b) The lessees

(c) The occupiers of the land crossed by the path

4. Adjoining land

Is the existing path adjoining land in the ownership or occupation of persons other than those listed in (3) above?

Yes No

If yes, please give the names and addresses of all such persons and state whether their approval to the proposed diversion / extinguishment has been sought and obtained.

QUESTION 5,6 AND 7 ONLY RELEVANT FOR APPLICATIONS FOR A DIVERSION**5. The route of the proposed diversion:**

(a) Description (4 copies of a plan should be provided, 1:1250 scale preferred, showing the existing and proposed routes clearly identified by different colours or markings)

Proposed width

6. Land crossed by Diverted path

Is the land crossed by the Diverted path in the ownership or occupation of persons other than those listed at (3) and (4) above?

Yes No

If yes, please give the names and addresses of all such persons.

7. Has the consent of the persons listed in 6 above been obtained to the proposed diversion

Yes No

8. Reasons for diversion / extinguishment

Section 257 of the Town and Country Planning Act 1990 enables the Planning Authority to make Orders for the diversion or extinguishment of public rights of way to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990. Please give brief reasons why the proposed development could not be carried out if the path in question were not diverted / extinguished and why alternative development, which would not require diversion / extinguishment of the path, is not considered practicable, and why if the application is for an extinguishment could not the path be diverted.

9 General

(a) Will any work, and if so what, be required to put the new path into a condition fit for use by the public?

(b) Are there any stiles, gates, fences or bridges existing or necessary on the route of the diversion? Is so, please give details

I/we hereby apply for the diversion / extinguishment of the public right of way as described above and enclose a remittance for £

Signed

Date

NOTES FOR GUIDANCE

1. This form should be completed in all respects. It is appreciated that, at the time of the application, the answers to all the questions may not be known. This should be stated so that enquiries may be made at a later stage. If the Borough Council agrees to make an Order, the procedure is that the following consultations with the various statutory undertakers, the Order will be advertised and if no objections are received it may be confirmed by the Council. If there are objections which cannot be resolved, the Order will have to be referred to the Secretary of State for the Environment, who after considering the need for the Order and the objections received, may decide to hold a Public Inquiry before reaching a decision.
2. The Order, if made, will require the applicant either to carry out such work as is considered necessary to provide a satisfactory path on the diverted route or to pay the cost of such work.
3. The current scale of charges can be obtained from the Planning and Building Service. If the Council does not agree to make an Order, a refund will be made less the retainer charge.