

**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 COUNCIL OF THE BOROUGH OF MIDDLESBROUGH  
FOOTPATH No. 53 (NUNTHORPE) DIVERSION AND DEFINITIVE MAP AND  
STATEMENT MODIFICATION ORDER 2023**

This Order is made by the Council of the Borough of Middlesbrough ("the Council") under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the section of 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 for the conversion of the existing farmhouse and buildings to form seven dwellings and the construction of five newbuild dwellings along with associated works (planning application reference 22/0693/MAJ).

This Order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the Council that The Council of the Borough of Middlesbrough 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 hitherto shown or required to be shown in the map and statement.

**BY THIS ORDER:**

1. The section of footpath over the land shown by a bold black line on the attached Order map and described in Part 1 of the Schedule to this Order ("the Schedule") shall be diverted and The Council of the Borough of Middlesbrough definitive map and statement shall be modified accordingly as provided below.
2. There shall be created to the reasonable satisfaction of the 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 Order map.
3. The diversion of the footpath shall have effect on the date on which the Council certify that the terms of Article 2 have been complied with and upon the occurrence of that diversion The Council of the Borough of Middlesbrough definitive map shall be modified by deleting from it the path or way referred to in Article 1 of this order and the path or way referred to in Article 2 of this order shall be added to it, and the definitive statement shall be modified as described in Part 3 of the Schedule.
4. Shaw Property Developments Ltd (company number 10111567) is hereby required to pay the cost of carrying out the works.
5. Where immediately before the date on which the section of 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.

## **SCHEDULE**

### **PART 1**

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

##### **A – B**

The public footpath commences at its junction with Old Stokesley Road near No. 21 at Grid Ref. NZ 54050 / 13276 (Point A on the Order map) which proceeds in a generally east north easterly direction for approximately 43 metres to a point on the path at Grid Ref. NZ 54089 / 13293 then in a generally north easterly direction for approximately 100 metres along the field boundary to a point on the path at Grid Ref. NZ 54154 / 13369 then in a generally east north easterly direction for approximately 8 metres across the boundary fence to a point on the path at Grid ref. NZ 54161 / 13372 then in a generally north easterly direction for approximately 71 metres along the field boundary to your west to a point on the path at Grid Ref. NZ 54206 / 13425 (Point B on the Order map).

### **PART 2**

#### **Description of site of alternative highway**

##### **C – B**

Width: 2 metres

The path commences at its junction with Middlesbrough (footpath) No. 54 at Grid Ref. NZ 54249 / 13330 (Point C on the Order map) which proceeds in a generally northerly direction through a gate at Grid Ref. NZ 54247 / 13332 for approximately 112 meters to a point on the path at Grid Ref. NZ 54206 / 13425 (Point B on the Order map).

### **PART 3**

#### **Modification of Definitive Statement Variation of particulars of path or way**

Key: words with a line through are to be removed, words in bold are to be added

##### **Amendment of Footpath No. 53**

~~"The public footpath commences at its junction with Old Stokesley Road near No. 21 at Grid Ref. NZ 54050 / 13276. The path proceeds in a generally east north easterly direction for approximately 43 metres to a point on the path at Grid Ref. NZ 54089 / 13293. Then in a generally north easterly then north north easterly direction for~~

~~approximately 100 metres along the field boundary to the east to a point on the path at Grid Ref. NZ 54154 / 13369. Then in a generally east north easterly direction for approximately 8 metres across the boundary fence to a point on the path at Grid ref. NZ 54161 / 13372.~~ **The path commences at its junction with Middlesbrough (footpath) No. 54 at Grid Ref. NZ 54249 / 13330. The path proceeds in a generally northerly direction through a Gate at Grid Ref. NZ 54247 / 13332 for approximately 112 meters to a Point on the path at Grid Ref. NZ 54206 / 13425.** Then in a generally north easterly direction for approximately ~~82~~ **12** metres along the field boundary to your west to a Gate at Grid Ref. NZ 54215 / 13434. Then in a generally east north easterly direction for approximately 42 metres between a hedge and a fence to a point on the path at Grid Ref. NZ 54230 / 13446 then across the A172 to a Gate at Grid Ref. NZ 54249 / 13458. Then in a generally north easterly direction for approximately 355 metres along the field boundary to the west to a point on the path at Grid Ref. NZ 54386 / 13599 and then to its junction with the boundary of the borough of Redcar & Cleveland at Grid Ref. NZ 54496 / 13714."

THE COMMON SEAL of THE )  
COUNCIL OF THE BOROUGH OF )  
MIDDLESBROUGH was hereunto )  
affixed on the 24<sup>th</sup> day of ~~oct~~ )  
20[23] in the presence of: )

Authorised Officer

 Andrew Peddington



8216229

## Key:

Route to be Closed A - B ———

New Route C - B - - - - -

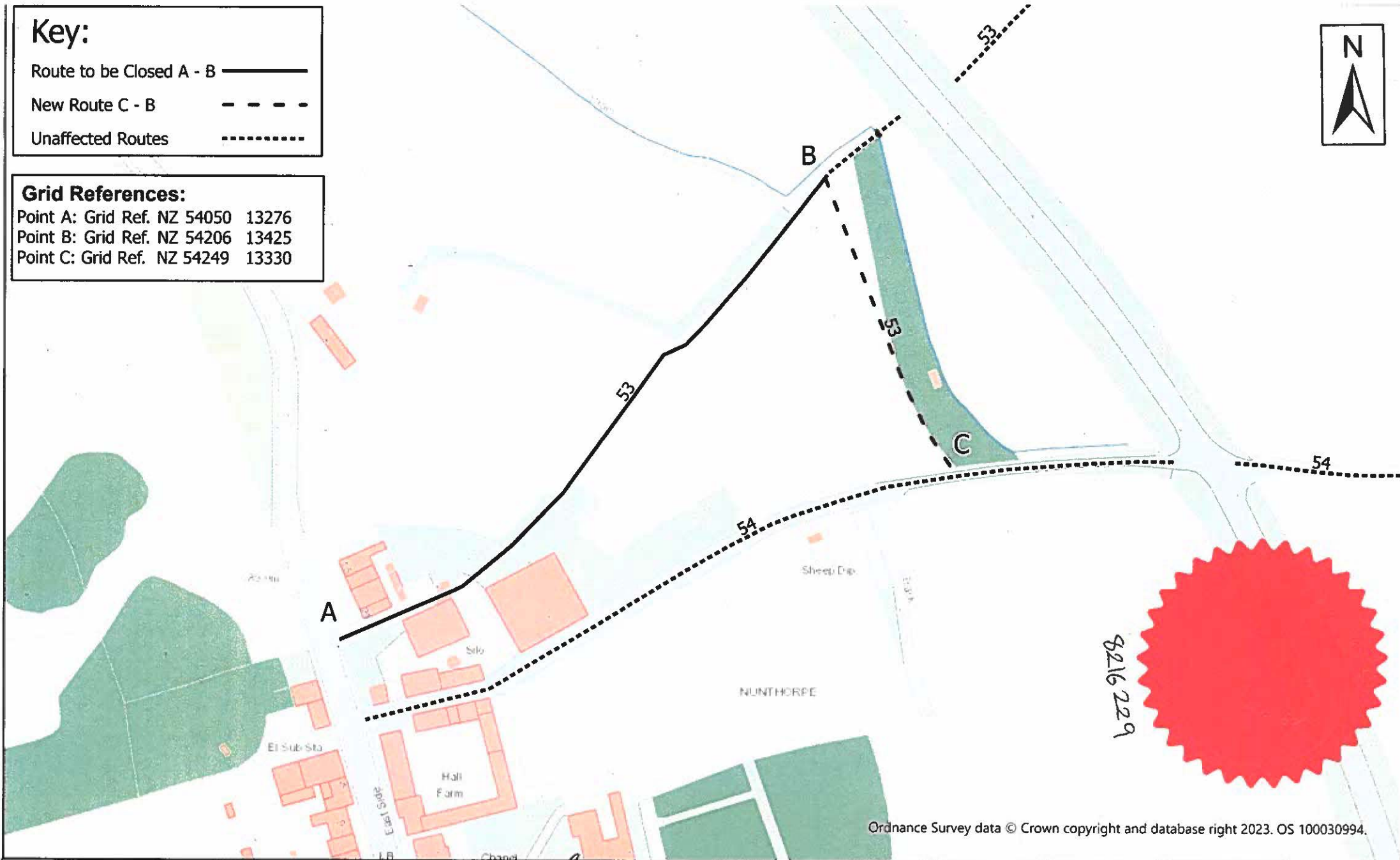
Unaffected Routes ..... 53

## Grid References:

Point A: Grid Ref. NZ 54050 13276

Point B: Grid Ref. NZ 54206 13425

Point C: Grid Ref. NZ 54249 13330



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## Public Path Diversion Order


s.257 Town and Country Planning Act 1990  
Middlesbrough (Footpath) No. 53 Diversion Order 2023

Plan No. PPO-01-M53

Nearby Postcode: TS7 0NP  
Center of Area: NZ 54187 13351

Scale: 1:1,563

Date Created:  
03/08/2023

  
**Middlesbrough**  
moving forward