

**PUBLIC PATH STOPPING UP ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990**

**CHESTERFIELD BOROUGH COUNCIL**

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

**PUBLIC PATH STOPPING UP 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 stop up 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.

North East Derbyshire District Council has pursuant to section 101(1)(b) Local Government Act 1972, authorised Chesterfield Borough Council to make the order in so far as it affects those parts of the new highways.

**BY THIS ORDER:**

1. The footpaths and bridleway over the land shown by bold solid black lines on the attached map and described in Part 1 of the Schedule to this order ("the Schedule") shall be stopped up 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 stopping up 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 in Part 2 of the Schedule:
  - (a) The alternative bridleways will be 3.6 metres wide with a recycled Toptrec surface material.
  - (b) The alternative footpath will be 2.4 metres wide with a recycled Toptrec surface material.

- (c) All the routes will include waymarked signage. The junctions of the routes with Sheffield Road will accommodate suitable safeguards to meet TA 57/87 – Roadside Features.
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 stopped up 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

Section as indicated on map	<b>DESCRIPTION OF SITE OF EXISTING FOOTPATHS AND BRIDLEWAY</b>
<b>Bridleway 39 A-B-C</b>	The whole width of that part of Chesterfield Bridleway 39 commencing at Point A (GR SK437025 375355) and proceeding in a north westerly direction for a distance of approximately 450 metres to Point B (GR SK436820 375730) and onwards for a distance of approximately 570 metres to Point C (GR SK436470 376175) a total distance of 1020 metres or thereabouts.
<b>Footpath 40 D-E-F-G-H</b>	The whole width of that part of Chesterfield Footpath 40 commencing at Point D (GR SK437065 375336) and proceeding in a generally north, north easterly direction for a distance of approximately 900 metres through Points E and F to Point G (GR SK437260 376200). Then turning to a west, south westerly direction for a distance of approximately 280 metres to Point H (GR SK436980 376120) a total distance of 1180 metres or thereabouts.
<b>Footpath 41 F-H-C-J-K-L</b>	The whole width of that part of Chesterfield Footpath 41 commencing at Point F (GR SK SK437125 375818) and proceeding in a north, north westerly direction for a distance of approximately 360 metres to Point H (GR SK436980 376120). Then turning to a generally north westerly then west, south westerly direction for a distance of approximately 560 metres to Point C (GR SK SK436470 376175) and then continuing in a generally westerly direction through Points J and K for a distance of approximately 300 metres to Point L (GR SK436175 376200) a total distance of 1220 metres or thereabouts.

**Footpath 43  
M-N-K-O-P**

The whole width of that part of Chesterfield Footpath 43 commencing at Point M (GR SK436470 375610) and proceeding in a generally north, north westerly direction through Point N, Point K and Point O for a distance of approximately 850 metres or thereabouts to Point P (GR SK436245 376400).

**Footpath 44  
B-E**

The whole width of that part of Chesterfield Footpath 44 commencing at Point B (GR SK436820 375730) and proceeding in a generally east, north easterly direction for a distance of approximately 330 metres or thereabouts to Point E (GR SK437138 375770).

**Footpath 45  
J-O**

The whole width of that part of Chesterfield Footpath 45 commencing at Point J (GR SK436420 376185) and proceeding in a generally north westerly direction for a distance of approximately 260 metres or thereabouts to Point O (GR SK436250 376385).

**Footpath 47  
Q-N**

The whole width of that part of Chesterfield Footpath 47 commencing at Point Q (GR SK436120 375800) and proceeding in a generally north easterly direction for a distance of approximately 310 metres or thereabouts to Point N (GR SK 436308 376050).

**Footpath 178  
D-I-Z**

The whole width of that part of Chesterfield Footpath 178 commencing at Point D (GR SK437065 375336) and proceeding in a generally north easterly direction for a distance of approximately 270 metres or thereabouts through Point I to Point Z (GR SK437290 375474). *200 metres to point 2 (GR SK 437290 375474)*

\* Point I (GR SK 437125 375376)

**PART 2**

Section as indicated on map

**DESCRIPTION OF SITE OF NEW FOOTPATH AND BRIDLEWAYS**

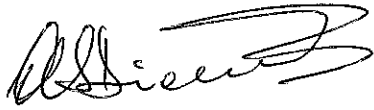
**Footpath  
R-L-P-S-T**

A 2.4 metre wide Toptrec surface footpath at Birch Hall Golf Course, in the Borough of Chesterfield, commencing at Point R (GR SK436085 375820) and proceeding in a northerly then north, north easterly, direction for a distance of approximately 660 metres through Point L then turning to a north easterly direction through Point P (GR SK436245 376400) and continuing to Point S (GR SK436295 376435). Then turning to a south easterly direction for a distance of 290 metres to Point T (GR SK436450 376215) a total distance of 950 metres or thereabouts.

- Bridleway C-U-Wi** A 3.6 metre wide Toptrec surface bridleway at Birch Hall Golf Course, in the Borough of Chesterfield, commencing at Point C (GR SK 436470 376175) and proceeding in an east, north easterly then turning to a generally east, south easterly then southerly direction for a distance of approximately 920 metres to Point U (GR SK 437340 376225). Then continuing in a south, south easterly direction turning to an east, north easterly direction for a distance of approximately 45 metres to Point Wi (GR SK437366 376215) a total distance of 965 metres or thereabouts.
- Bridleway U-Vi** A 3.6 metre wide Toptrec surface bridleway at Birch Hall Golf Course, in the Borough of Chesterfield, commencing at Point U (GR SK 437340 376225) and proceeding in an east, north easterly direction for a distance of approximately 20 metres or thereabouts to Point Vi (GR SK 437355 376230).
- Bridleway Wii-Z-X-Y** A 3.6 metre wide Toptrec surface bridleway at Birch Hall Golf Course, in the Borough of Chesterfield, commencing at Point Wii (GR SK 437492 376080) and proceeding in a generally south, south westerly direction for a distance of approximately 670 metres to Point Z (GR SK 437290 375474). Then turning to a south westerly direction for a distance of 100 metres to point X (GR SK 437215 375405), then turning to a southerly then south easterly direction for a distance of 110 metres to Point Y (GR SK 437205 375300) a total distance of 880 metres or thereabouts.
- Footpath X-I** A 2.6 metre wide Toptrec surface footpath at Birch Hall Golf Course, in the Borough of Chesterfield, commencing at Point X (GR SK 437215 375405) and proceeding in a generally south westerly direction, turning to a westerly direction for a distance of approximately 100 metres to Point I (GR SK 437125 375376).
- Unstone Bridleway Vi-Vii** A 3.6 metre wide Toptrec surface bridleway at Birch Hall Golf Course, in the Parish of Unstone, District of North East Derbyshire, commencing at Point Vi (GR SK 437355 376230) and proceeding in an east, north easterly direction for a distance of 65 metres or thereabouts to Point Vii (GR SK 437410 376255).
- Unstone Bridleway Wi-Wii** A 3.6 metre wide Toptrec surface bridleway at Birch Hall Golf Course, in the Parish of Unstone, District of North East Derbyshire, commencing at Point Wi (GR SK437366 376215) and proceeding in an east north easterly direction then turning to a south, south easterly direction for a distance of 215 metres or thereabouts to Point Wii (GR SK 437492 376080).

No. in Seal Book	61098
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THE COMMON SEAL of CHESTERFIELD )  
BOROUGH COUNCIL was hereunto affixed )  
this 16th day of December Two thousand )  
and fourteen in the presence of:- )



Mayor



Authorised Signatory

The foregoing order is hereby confirmed  
subject to the red ink modifications thereon :

*Alison Lea* 15 DEC 2015

An Inspector appointed by The Secretary  
of State for Environment, Food and  
Rural Affairs