

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAY (NORTH WEST) (NO.72) ORDER 2018

The Secretary of State makes this Order in exercise of powers under section 247 of the Town and Country Planning Act 1990 ("the Act").

1. The Secretary of State authorises the stopping up of the highway described in the Schedule to this Order and shown on the plan, in order to enable development to be carried out in accordance with the planning permission granted under Part III of the Act by Cheshire West & Chester Council under reference 16/02282/OUT.

2. No part of the said highway shall be stopped up pursuant to this Order earlier than the date on which the provisions of article 3 (1) of this Order have been complied with.

3. (1) The Council shall provide:-

(a) New highway shown by stipple on plan 2; and

(b) Improvement of the highway shown by cross hatching on plan 2.

(2) The new roads and footway shall be highway which for the purposes of the Highways Act 1980 are highways maintainable at the public expense and the Council shall be the highway authority for them.

4. Where immediately before the date of this Order there is any apparatus of statutory undertakers under, in, on, over, along or across any highway authorised to be stopped up pursuant to this Order then, subject to section 261(4) of the Act, those undertakers shall have the same rights as respects that apparatus after that highway is stopped up as they had immediately beforehand.

5. In this Order:-

"the Council" means Cheshire West and Chester Council.

"the plan" means the plans numbered NATTRAN/NW/S247/2938 (Plan 1 and Plan 2) marked "Highway at Chester in the District of Cheshire West and Chester", signed by authority of the Secretary of State and deposited at the Department for Transport, Deposit Document Service, F Floor, Ashdown House, St Leonards-on-Sea, Hastings, East Sussex TN37 7GA.

6. This Order shall come into force on the date on which notice that it has been made is first published in accordance with section 252(10) of the Act, and may be cited as the Stopping Up of Highway (North West) (No.72) Order 2018.



Signed by authority of
the Secretary of State
19 September 2018

DAVE CANDLISH
An Official in the
National Transport Casework Team
Department for Transport

THE SCHEDULE

Description of highway to be stopped up

The highway to be stopped up is at Chester in the District of Cheshire West and Chester, shown on plan 1 as:

- A) A length of Princess Street. Commencing at grid reference E:340266.727 N:366392.043, it extends in an easterly then north easterly direction for a maximum distance of 175 metres. Marked A on plan 1.
- B) A length of Hunters Walk and southern part width of Hunter Street. Commencing at grid reference E:340368.800 N:366450.100, it extends in a northerly direction for a maximum distance of 50 metres then an easterly direction for a maximum distance of 38 metres. Marked B on plan 1.
- C) A length of Trinity Street including its junction with Hamilton Place. Commencing at grid reference E:340295.100 N:366396.00, it extends in a south easterly direction for a maximum distance of 122 metres. Marked C on plan 1.
- D) A length of Hamilton place. Commencing at grid reference E:340325.493 N:366328.378, it extends in a north easterly direction for a maximum distance of 142 metres. Marked D on plan 1.
- E) A length of Crook Street. Commencing at grid reference E:340370.900 N:366328.200, it extends in a south easterly direction for a maximum distance of 44 metres. Marked E on plan 1.
- F) A length and part width of Goss Street. Commencing at grid reference E:340431.299 N:366349.218, it extends in a south easterly direction for a maximum distance of 38 metres. It has a maximum width of 14 metres. Marked F on plan 1.
- G) A length of unnamed highway consisting carriageway to the east of Goss Street. Commencing at grid reference E:340460.867 N:366348.966, it extends in a south easterly direction for a maximum distance of 19 metres. Marked G on plan 1.
- H) An irregular shaped area of highway comprising footway to the west of Northgate Street. Commencing at grid reference E:340479.616 N:366421.019, it extends in a south easterly direction for a maximum distance of 6 metres. It has a maximum width of 2 metres. Marked H on plan 1.
- I) A southern part width of Hunter Street comprising carriageway and footway. Commencing at grid reference E:340405.722 N:366515.988, it extends in a north easterly direction for a maximum distance of 8 metres. It has a maximum width of 3 metres. Marked I on plan 1.