



Growth and Infrastructure Act 2013

2013 CHAPTER 27

Promoting growth and facilitating provision of infrastructure, and related matters

12 Stopping up and diversion of public paths

- (1) Part 10 of the Town and Country Planning Act 1990 (highways) is amended as follows.
- (2) In section 257 (footpaths, bridleways and restricted byways affected by other development: orders by other authorities), after subsection (1) insert—
 - “(1A) Subject to section 259, a competent authority may by order authorise the stopping up or diversion in England of any footpath, bridleway or restricted byway if they are satisfied that—
 - (a) an application for planning permission in respect of development has been made under Part 3, and
 - (b) if the application were granted it would be necessary to authorise the stopping up or diversion in order to enable the development to be carried out.”
- (3) In that section, in subsection (4)—
 - (a) omit the “and” following paragraph (a), and
 - (b) after paragraph (b) insert—
 - “(c) in the case of development in respect of which an application for planning permission has been made under Part 3, the local planning authority to whom the application has been made or, in the case of an application made to the Secretary of State under section 62A, the local planning authority to whom the application would otherwise have been made.”
- (4) In section 259 (confirmation of orders made by other authorities), after subsection (1) insert—
 - “(1A) An order under section 257(1A) may not be confirmed unless the Secretary of State or (as the case may be) the authority is satisfied—

Changes to legislation: There are currently no known outstanding effects for the Growth and Infrastructure Act 2013, Section 12. (See end of Document for details)

- (a) that planning permission in respect of the development has been granted, and
 - (b) it is necessary to authorise the stopping up or diversion in order to enable the development to be carried out in accordance with the permission.”
- (5) In that section, in subsection (2), for “any such order” substitute “ any order under section 257(1) or 258 ”.

Changes to legislation:

There are currently no known outstanding effects for the Growth and Infrastructure Act 2013, Section 12.