

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

**PERTH AND KINROSS COUNCIL (CORE PATH LUNC/121 AND RIGHT OF WAY)
STOPPING UP AND DIVERSION (NO 3) ORDER 2021**

Perth and Kinross Council, in exercise of the powers conferred on them by Section 208 of the Town and Country Planning (Scotland) Act 1997 (hereinafter referred to as 'the Act') and of all other powers enabling them in that behalf, being satisfied that it is necessary to stop up and divert part of the footpath specified in the Schedule to this Order to enable development to be carried out in accordance with planning permission granted under Part III of the Act, hereby make the following Order:-

- 1 This Order may be cited as the "Perth and Kinross Council (Core Path LUNC/121 and Right of Way) Stopping Up and Diversion (No 3) Order 2021" and shall come into operation when the developers have completed the stopping up and diversion works and made the diverted footpath operational, to the satisfaction of Perth and Kinross Council as the planning authority.

- 2 The stopping up of the footpath LUNC/121 and Right of Way described in Part I of the Schedule to this Order and indicated on the plan entitled "LUNC/121 and Right of Way Stopping Up and Diversion Order Plan" (hereinafter referred to as "the said Plan") and diversion of the said footpath to a route described in Part II of the said Schedule and indicated on the said Plan, which said Schedule and Plan are annexed and executed as relative to this Order, are hereby authorised.

- 3 Perth and Kinross Council, as the developer, having its principal office at 2 High Street, Perth, PH1 5PH, has agreed to meet the costs of making and advertising this Order together with building the new path and making arrangements for its future maintenance.

- 4 Where immediately before the date on which this Order comes into operation in terms of Article 1 above, there are any statutory undertakers having apparatus of theirs which is under, in, over, along or across the said stopped up and diverted footpath then any such statutory undertakers shall, without prejudice to the provisions of Section 224 of the Town and Country Planning (Scotland) Act 1997, have the same rights in respect of that apparatus as they had immediately before that date.

Given under the common seal of Perth and Kinross Council at Perth on the TWELFTH day of MARCH TWO THOUSAND AND TWENTY-ONE.

.....
Legal Manager, Legal & Governance Services

This is the Schedule referred to in the foregoing Perth and Kinross Council (Core Path LUNC/121 and Right of Way) Stopping Up and Diversion (No 3) Order 2021

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SCHEDULE

Part I (Description of Stopped Up Section of Footpath)

That section of the footpath forming part of the existing Core Path LUNC/121 and Right of Way as shown in red on the said plan.

Part II (Description of Diverted Route of Footpath)

That route shown in light blue on the said plan.

STATEMENT OF REASONS

for the making of

Perth and Kinross Council (Core Path LUNC/121 and Right of Way) Stopping Up and Diversion (No 3) Order 2021

Planning permission 19/01837/FLM was granted on 21 October 2020 for a development by Perth and Kinross Council for the formation of the Cross Tay Link Road and associated works at the A9 over the River Tay to the A93 and A94 North of Scone.

Perth and Kinross Council is satisfied that a stopping up and diversion order is necessary in order to enable the above development for which planning consent has been granted to be carried out.

The existing footpath is both a core path and a right of way. The section of existing footpath to be stopped up is shown in red on the attached plan. The proposed new route is shown in light blue on the attached plan.

Primarily due to engineering works to realign the A9, a section of the A9 end of the existing footpath is to be stopped up. The proposed diversion will allow the footpath to be diverted back to a low point along an improved, shallower gradient. The proposed diversion will also connect to a new path to be constructed to the north and south (that new path is not part of this Order). The stopped up section is approximately 49m in length. The proposed new route is approximately 49m in length.

It is the Council's view that this stopping up and diversion order is necessary in order to formally divert the core path from its existing line onto the proposed diverted route.



Hillcrest

Shamrock

REDGORTON

The Paddocks

Lunc/114

Lunc/121 and RoW







to Luncarty

Diversion of Lunc/124 path

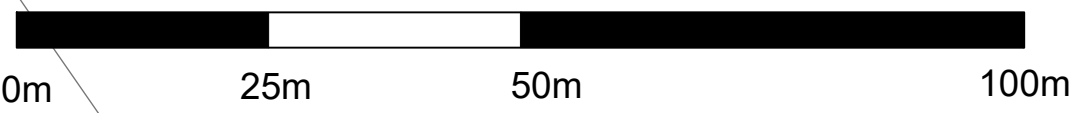
Path connects to crossing point on A9. See overview plans for more details


Existing path stopped up due to A9 engineering works and steep gradient. New path provided with improved gradient as an alternative

to Perth

- Notes
-  - New path provided as part of enhanced public access within CTRLR project (shown for information only)
 -  - Diverted path
 -  - Existing Core Path and Right of Way stopped up
 -  - Existing Right of Way
 -  - Existing Core Path
 -  - Pedestrian Crossing Point
 - Black Lines - Proposed CTRLR Scheme
 - Grey Lines - Existing Mapping
 - Diversion details:
Length of path stopped up = 49m
Length of diverted path = 49m
No change in path length

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Revision Details		by	Apprd	Date
AMENDMENTS				
 PERTH & KINROSS COUNCIL	LUNC/121 and Right of Way Stopping Up and Diversion Order Plan			
	Planning & Development		ROADS INFRASTRUCTURE	
Drawn by: BR	Checked by: SM	Approved by: RF	Date: 15/11/20	Drawing No: LUNC/121
Drawing Scale: 1:750		Project Code: CTRLR		