

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

**PERTH AND KINROSS COUNCIL CORE PATH BLAI/29 AND RIGHT OF WAY  
17/29 STOPPING UP AND DIVERSION ORDER 2024**

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 BLAI/29 and Right of Way 17/29 Stopping Up and Diversion Order 2024” 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 BLAI/29 and 17/29 described in Part I of the Schedule to this Order and indicated on the plan entitled “Perth and Kinross Council Core Path BLAI/29 and Right of Way 17/29 Stopping Up and Diversion Order 2024” (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 West Park Partnership LLP, registered number SO300164 and having their registered office at Waterside Studios, 64 Coltbridge Avenue, Edinburgh, EH12 6AH, as the developer, 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 FIFTH day of FEBRUARY TWO THOUSAND AND TWENTY-FOUR.

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Legal Manager

Legal & Governance Services

This is the Schedule referred to in the foregoing Perth and Kinross Council Core Path BLAI/29 and Right of Way 17/29 Stopping Up and Diversion Order 2024

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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 BLAI/29 and existing Right of Way 17/29 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 BLAI/29 and Right of Way 17/29 Stopping Up and Diversion Order 2024

Permission (Approval of Matters Specified in Conditions) 22/00060/AMM was issued on 22 March 2023 for a development by West Park Partnership LLP and Others for the erection of 71 dwellinghouses and 32 flats at land 200 metres West of Blairgowrie and Rattray Cottage Hospital, Perth Road, Blairgowrie. The houses and flats will be affordable housing. Permission was amended by what is known as non-material variation, granted on 13 October 2023. This permission is part of the Planning in Principle permission, 17/00939/IPM, issued 21 December 2018 for a mixed use development including residential development, employment land, education/recreation/community facilities, and infrastructure including roads and footpaths.

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.

The construction of flats and garden ground will obstruct a section of the footpath where it meets Perth Road, Blairgowrie. By also diverting the footpath northwards as it moves away from Perth Road, the footpath will be integrated into a wider pedestrian and cycling network and will allow for the future construction of what is intended to be a hotel to the south, as part of the wider West Park, Blairgowrie development. The stopped up section is approximately 36m in length. The proposed new, diverted route is approximately 39m in length, an addition of 3m. During construction, a temporary footpath will be in place before moving to the permanent, diverted route. The diverted route is to be 3m wide, paved and lit. It is intended that it is adopted by Perth and Kinross Council.

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.



**NORTH**




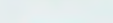

Drawing illustrating the alterations and improvements to the line of the existing Core Path and Right of Way reference BLAI/29 and RoW 17/29.

This plan reflects the approved Planning Consent reference 22/00060/AMM, as amended, which include the wider multi-user footpath and cycleway integration.

Depicted to the north of the alterations to the footpath is the affordable housing to be constructed under planning consent reference, 22/00060/AMM. The large unit and car parking depicted immediately to the south of the path alterations is intended for the future. The retail units further to the south have mostly been constructed.

The new path is to be adopted by the Council, and will be paved and lit. It will integrate into the wider pedestrian and cycling network.

**KEY**

-  existing Core Path & RoW
-  extent of existing Core Path and RoW to be stopped-up
-  proposed line of temporary Core Path
-  proposed line of new Core Path & RoW as per Planning Approval
-  integration of Core Path with wider multi-user path network

**Diversion Details**

Length of Path Stopped-up - 36m

Length of Diverted Path - 39m

Increase in Path Distance - 3m

**Perth and Kinross Council Core Path BLAI/29 and Right of Way 17/29 Stopping Up and Diversion Order 2024**



This is the Plan referred to in the foregoing Perth and Kinross Council Core Path BLAI/29 and Right of Way 17/29 Stopping Up and Diversion Order 2024

CLIENT	Westpark Partnership LLP						
JOB	Proposed Affordable Housing Development, Perth Road, Blairgowrie						
DRAWING	Core Path BLAI/29 and Right of Way 17/29 Stopping Up and Diversion Order Plan						
STATUS	PLANNING						
Drawn	Checked	Approved	DATE	JOB NO	DR NO	REV	
			Nov 2023	4457	s208/01		
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						ref drawing	A3

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