

Subject: FW: Town and Country Planning Act 1990 S.257 Footpath Lyneham 4 2023-008
Date: Tuesday, 6 June 2023 at 14:48:23 British Summer Time
From: Roberts, Ali
Attachments: image001.png, image002.png, image003.gif, image004.png, 199.0004-0001.P01.pdf

Good afternoon again,

I do apologise, in my initial email I have quoted the incorrect planning application number, it should be PL/2021/09817, all further information is correct, i.e. The diversion has been applied for to enable the development of 50 dwellings and provision of land for D2 use; including the creation of new vehicular access, public open space, landscape planting, pumping station, surface water attenuation and associated infrastructure, planning permission PL/2022/08551 granted on 8 March 2022.

Kind regards,

Ali

Ali Roberts (Miss)
Definitive Map Officer
Definitive Map and Highway Records
Wiltshire Council
County Hall
Trowbridge
BA14 8JN



Tel: 01225 756178
Email: ali.roberts@wiltshire.gov.uk
Web: www.wiltshire.gov.uk

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From: Roberts, Ali
Sent: Tuesday, June 6, 2023 12:30 PM
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Subject: Town and Country Planning Act 1990 S.257 Footpath Lyneham 4 2023-008

Town and Country Planning Act 1990 Section 257
The Proposed Diversion of Footpath Lyneham 4

-
Wiltshire Council are in receipt of an application, dated 5 May 2023, to divert Footpath Lyneham 4

(LYNE4) under Section 257 of the Town and Country Planning Act 1990. The site location is Pound Farm, South View, Lyneham. The proposal is to divert LYNE4 as shown on the attached plan from the route shown with a bold black continuous line, a length of 125 metres, to new route shown with a bold black dashed line, a length of 150 metres and a recorded width of 2 metres and no additional furniture. The diversion has been applied for to enable the development of 50 dwellings and provision of land for D2 use; including the creation of new vehicular access, public open space, landscape planting, pumping station, surface water attenuation and associated infrastructure, planning permission PL/2022/08551 granted on 8 March 2022.

An application is made under Section 257 of the Town and Country Planning Act 1990 and requires the order making authority to be satisfied that the diversion of the footpath is necessary to enable development to be carried out, in accordance with planning permission granted under part III of the 1990 Act:

“257. Footpaths and bridleways affected by development: orders by other authorities

- (1) Subject to section 259, a competent authority may by order authorise the stopping up or diversion of any footpath, bridleway or restricted byway if they are satisfied that it is necessary to do so in order to enable development to be carried out-*
(a) in accordance with planning permission granted under Part III,

Where an application is refused Wiltshire Council must demonstrate that the development, for which a planning application has been granted, can be carried out without the need to divert the footpath. In this particular case the proposed development lies directly over the legal line of LYNE4, therefore the development cannot continue without the successful diversion of the footpath.

If you would like to make any observations or representations regarding the proposals, I would be very grateful if you could reply to me via email, no later than 4 July 2023.

Kindest regards,

Ali

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Ali Roberts (Miss)
Definitive Map Officer
Rights of Way and Countryside
Wiltshire Council
County Hall
Trowbridge
BA14 8JN

Wiltshire Council

Tel: 01225 756178

Email: ali.roberts@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

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