

PUBLIC PATH TEMPORARY DIVERSION ORDER 2023
TOWN AND COUNTRY PLANNING ACT 1990 SECTIONS 257 AND 261
WILTSHIRE COUNCIL ORDER FOR THE TEMPORARY DIVERSION OF FOOTPATH NO.18
(PART)
AND BRIDLEWAY NO.5 (PART) COMPTON BASSETT

This Order is made by Wiltshire Council under Section 257 and Section 261 of the Town and Country Planning Act 1990 because it is necessary to divert the public rights of way to which this order relates in order to enable development to be carried out namely that planning permission has been granted as follows:

Planning Permission Ref: 3809/NW dated 5 September 1956 to extract soft sand at site
Planning Permission Ref: 16/05464/WCM dated 14 March 2022 the approval of conditions relating to the extraction of minerals and soft sand at this site.


Pursuant to Section 261 of the Act, Wiltshire Council is satisfied that this Order is required for the purpose of soft sand extraction and that Footpath no.18 (part) and Bridleway no.5 (part) Compton Bassett can be restored to a condition not substantially less convenient to the public.

BY THIS ORDER:

1. The footpath and bridleway over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this Order ("the schedule") shall be temporarily diverted as provided below.
2. There shall be created to the reasonable satisfaction of Wiltshire Council alternative highways for use as temporary replacements for the said footpath and bridleway as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The temporary diversion of the footpath and bridleway shall have effect on the date on which Wiltshire Council certify that the terms of Article 2 above have been complied with.
4. As per condition 1 of 16/05464/WCM, the extraction will cease within six years of the notified date of commencement and within 12 months of the permanent cessation of mineral extraction, as per condition 31, the existing footpath and bridleway described in Part 1 of the Schedule shall be restored to the reasonable satisfaction of Wiltshire Council and at the cost of the landowner.
5. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

THE COMMON SEAL OF }
THE WILTSHIRE COUNCIL }
Was hereunto affixed this }
31 May 2023 }

In the presence of: -

Authorised Signatory
Wiltshire Council


EMMA HOURLEY



14608

SCHEDULE

PART 1

Description of site of existing path or way

- 1 That length of Footpath no.18 Compton Bassett, as shown on the attached map by a bold black line, leading from point A, at OS Grid Reference SU 0281-7251, in a broadly north-westerly direction for approximately 283 metres to point B, at OS Grid Reference SU 0256-7264.

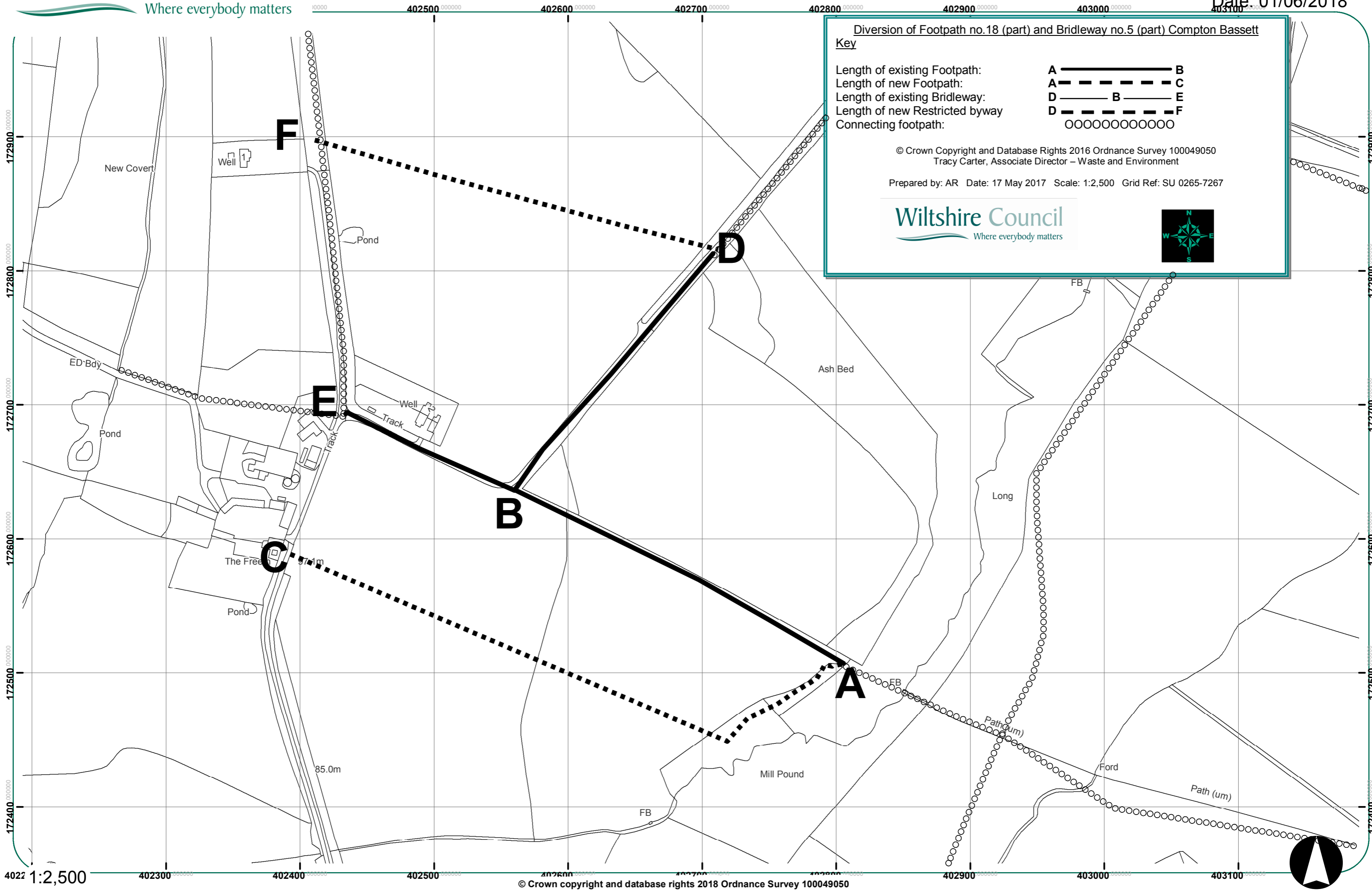
- 2 That length of Bridleway no.5 Compton Bassett, as shown on the attached map by a bold black line, leading from point D, at OS Grid Reference SU 0271-7281, in a broadly south-westerly direction for approximately 232 metres to point B, then in a broadly north-westerly direction for approximately 145 metres to point E, at OS Grid Reference SU 0243-7269.

PART 2

Description of site of alternative highway

- 1 That length of footpath, as shown by bold black dashes on the attached map, leading from point A, at OS Grid Reference SU 0281-7251, in a broadly south-westerly direction for approximately 109 metres to OS Grid Reference SU 0272-7245, then in a broadly north-westerly direction for approximately 350 metres to point C, at OS Grid Reference SU 0239-7259 having a width of 2 metres

- 2 That the length of restricted byway, as shown by bold black dashes on the attached map, leading from point D, at OS Grid Reference SU 0271-7281, in a north-westerly direction for approximately 305 metres to Point F at OS Grid Reference SU 0241-7290 having a width of 6 metres.



Diversion of Footpath no.18 (part) and Bridleway no.5 (part) Compton Bassett

Key

Length of existing Footpath: A ——— B
 Length of new Footpath: A - - - - - C
 Length of existing Bridleway: D ——— E
 Length of new Restricted byway: D - - - - - F
 Connecting footpath: OOOOOOOOOO

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 Tracy Carter, Associate Director – Waste and Environment

Prepared by: AR Date: 17 May 2017 Scale: 1:2,500 Grid Ref: SU 0265-7267

Wiltshire Council
Where everybody matters

PUBLIC PATH TEMPORAY DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990

AN ORDER FOR THE TEMPORARY DIVERSION OF FOOTPATH NO.18 (PART)

AND BRIDLEWAY NO.5 (PART) COMPTON BASSETT

PURSUANT TO SECTIONS 257 AND 261

This Order is made by Wiltshire Council under Section 257 and Section 261 of the Town and Country Planning Act 1990 because it is satisfied that –

- (a) an application for planning permission has been made under Part 3 of that Act, namely –
for the construction of a quarry field conveyor to transport excavated soft sand at Freeth Farm Quarry to the existing processing plant located at Sands Farm,
and
- (b) if the application were granted it would be necessary to authorise the temporary diversion of the footpath and bridleway to which this Order relates in order to enable development to be carried out.

Pursuant to Section 261 of the Act, Wiltshire Council is satisfied that this Order is required for the purpose of the construction of a quarry field conveyor to transport excavated soft sand and that Footpath no.18 (part) and Bridleway no.5 (part) Compton Bassett can be restored to a condition not substantially less convenient to the public.

BY THIS ORDER:

1. The footpath and bridleway over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this Order ("the schedule") shall be temporarily diverted as provided below.
2. There shall be created to the reasonable satisfaction of Wiltshire Council alternative highways for use as a temporary replacements for the said footpath and bridleway as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The temporary diversion of the footpath and bridleway shall have effect on the date on which Wiltshire Council certify that the terms of Article 2 above have been complied with.
4. Upon completion of the transport of excavated sand the existing footpath and bridleway described in Part 1 of the Schedule shall be restored at the cost of Hills Quarry Products Ltd.

THE COMMON SEAL OF }

THE WILTSHIRE COUNCIL }

Was hereunto affixed this }

4 June 2018 }

In the presence of: -


Team Leader (Legal)



81233

SCHEDULE

PART 1

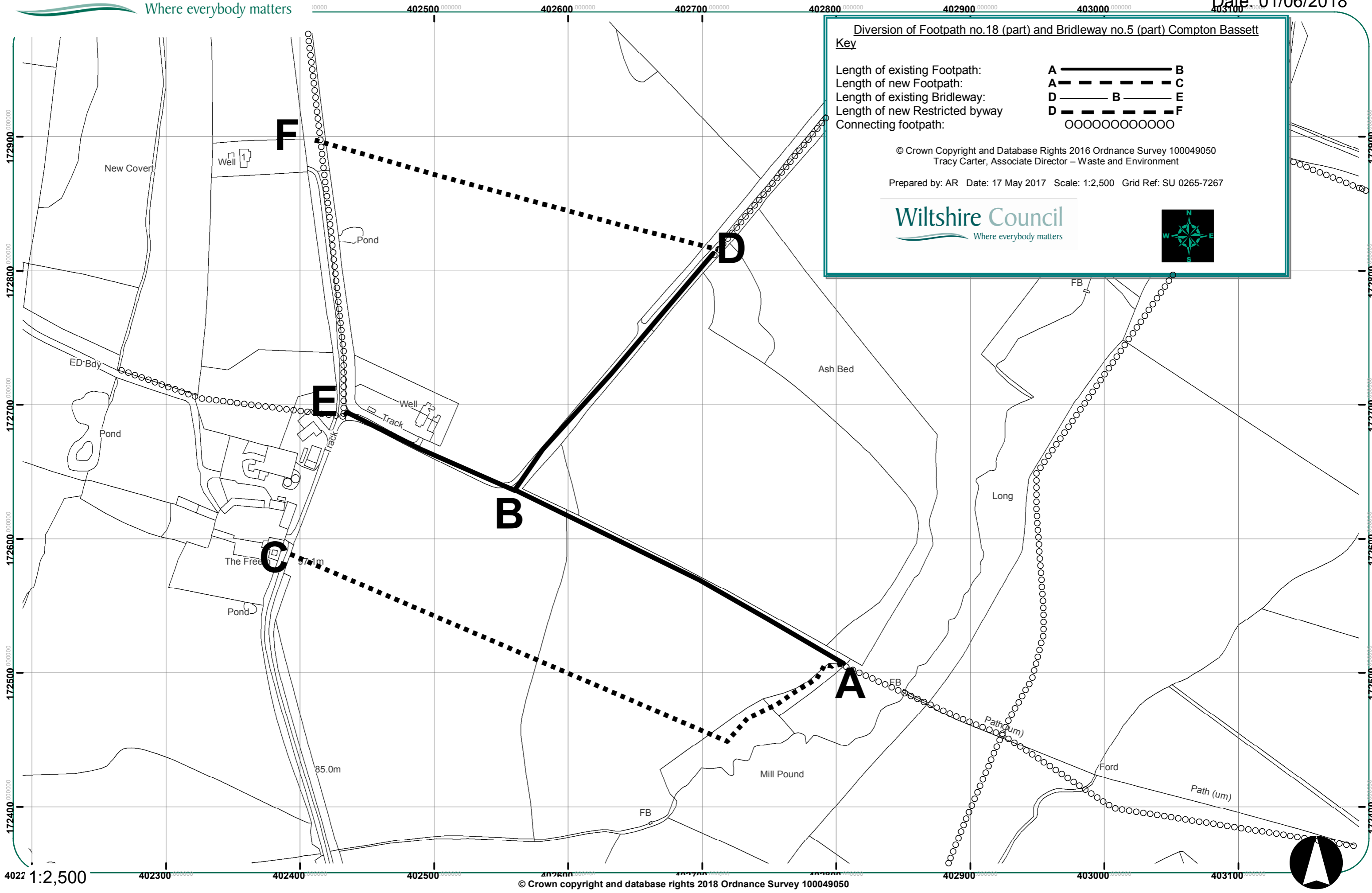
Description of site of existing path or way

- 1 That length of Footpath no.18 Compton Bassett, as shown on the attached map by a bold black line, leading from point A, at OS Grid Reference SU 0281-7251, in a broadly north-westerly direction for approximately 283 metres to point B, at OS Grid Reference SU 0256-7264.
- 2 That length of Bridleway no.5 Compton Bassett, as shown on the attached map by a bold black line, leading from point D, at OS Grid Reference SU 0271-7281, in a broadly south-westerly direction for approximately 232 metres to point B, then in a broadly north-westerly direction for approximately 145 metres to point E, at OS Grid Reference SU 0243-7269.

PART 2

Description of site of alternative highway

- 1 That length of footpath, as shown by bold black dashes on the attached map, leading from point A, at OS Grid Reference SU 0281-7251, in a broadly south-westerly direction for approximately 109 metres to OS Grid Reference SU 0272-7245, then in a broadly north-westerly direction for approximately 350 metres to point C, at OS Grid Reference SU 0239-7259 having a width of 2 metres
- 2 That the length of restricted byway, as shown by bold black dashes on the attached map, leading from point D, at OS Grid Reference SU 0271-7281, in a north-westerly direction for approximately 305 metres to Point F at OS Grid Reference SU 0241-7290 having a width of 6 metres.



Diversion of Footpath no.18 (part) and Bridleway no.5 (part) Compton Bassett

Key

Length of existing Footpath: A ——— B
 Length of new Footpath: A - - - - - C
 Length of existing Bridleway: D ——— E
 Length of new Restricted byway: D - - - - - F
 Connecting footpath: OOOOOOOOOO

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 Tracy Carter, Associate Director – Waste and Environment

Prepared by: AR Date: 17 May 2017 Scale: 1:2,500 Grid Ref: SU 0265-7267

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