

Dear Sirs,

I wish to object to the Order made on 24 March 2011.

The grounds on which my objection is made are as follows:-

1. The application for the planning permission granted under part III of the Town and Country Planning Act 1990 on which the Order is founded (reference no. W/10/02170/FUL) showed a proposed diversion route of Westbury footpath no. 25 adjacent to and along the southwest boundary of the proposed development, and not as now specified.
2. The diversion route now specified between point A and point B is not convenient or commodious for existing users of Westbury footpath no. 25 and is excessively and unnecessarily lengthy and circuitous, being in excess of three times the length of the existing route of Westbury footpath no. 25 (viz. 70 metres from point A to point B to be deleted; 220 metres from point A to point B to be added).
3. It is not essential or reasonably necessary to enable development to be carried out in accordance with the planning permission granted. Substantially the only part of that development requiring any diversion of Westbury footpath no. 25 at present is the two storey primary care centre building itself. No diversion is essential or reasonably necessary to enable the change of use of the remainder of the application site or the laying out of the permitted site works on that land. The purpose of the statutory provisions set out in Section 257 of the Act is to enable the permitted development only, and not to sweep the whole of the application site clear of all public rights of way to enable future development not yet permitted.
4. The A3098 at Mane Way is already an adopted and publicly-maintained highway, and no good purpose is served by creating a new length of highway starting at point A and leading northeast for approximately 80 metres (to the roundabout) within its existing boundaries.
5. The portion of the permitted development comprising a macadam-surfaced footway along its northern boundary was designed primarily to serve the purposes of that development, and there is no additional benefit to anyone in changing its status to a public footpath (unless the whole of the rest of the route of Westbury footpath no. 25 westwards to the parish boundary and the connecting footpath through to Penleigh Mill within the parish of Dilton Marsh are similarly re-built to the same specification; in any event, the whole of the route of Westbury footpath no. 25 west of point B is archaeologically sensitive).
6. It is an additional and unnecessary hazard to users of Westbury footpath no. 25 to have to cross the main vehicular access to the permitted development between point A and point B.
7. A planning application by Persimmon Homes (Wessex) Ltd. for 24 dwellings on the land fronting Mane Way southeast of point A (reference no. W/10/03876/FUL) is awaiting determination and, if permitted, is likely to be followed by a further Order pursuant to Section 257 of the Act to divert Westbury footpath no. 25 to enable that development too. The character and usefulness of Westbury footpath no. 25 for its present and future users can best be preserved and safeguarded by co-ordinating both diversions of it generally to the southwest of its existing route to a new junction with Westbury footpath no. 23 adjacent to the western extremity of the permitted primary care centre development (to the southwest of point B).
8. For the avoidance of doubt, all of these grounds also apply to the proposed changes to the Warminster and Westbury Rural District Council Area Definitive Map and Statement dated 1953.

I reserve the right to amend or add to these grounds in due course.

Yours faithfully,

Francis Morland