





**DECISION REPORT AMENDMENT  
TOWN AND COUNTRY PLANNING ACT 1990 S.257 AND WILDLIFE AND COUNTRYSIDE  
ACT 1981 S.53A(2)**

**THE DIVERSION OF BAYDON PATHS 2 (part) and 11 (part) PLEASE SIGN NEXT TO YOUR  
NAME**

Name	Signature	Date	Approved Yes/No
Barbara Burke Senior Rights of Way Officer		14 Nov 2013	No the width is inadequate - see ROWIP and width
Sarah Marshall/Paul Taylor Legal Unit		27/11/2013	Noted above but approved on legal grounds. (yes)
Richard Broadhead Rights of Way and Countryside Manager		27/11/2013	Yes
Ian Brown Head of Service Environment		27/11/13	Yes.
From:	Sally Madgwick Rights of Way Officer		
Date of Report:	13 November 2013		
Return to:	Sally Madgwick (Ext. 13392)		

SCHIZA HYSAD 1980

**SUMMARY:**

- 1 In October 2013 Officers considered an application to divert parts of Baydon Paths 2 & 11 to enable a permitted development to proceed.
- 2 The applicant had laid out a permissive route on the line of the proposed diversion route and officers considered that although the new route was broadly reasonable as an alternative, responses from the public reflected the need for a readily accessible route of least equal utility to the old route.
- 3 The Decision to make an order recognised this and recommended that certain requirements relating to width, gradient and surface condition were met.
- 4 After considering the Council's decision the applicant asked officers of the Council and the elected member, Cllr Mr James Sheppard, to attend a site meeting to discuss these requirements.
- 5 A site meeting was held at Baydon House Farm on 08 November 2013 and the new senior rights of way warden for the area, Stephen Leonard, was introduced to the applicant and to the proposed new route.
- 6 Agreement was reached between Stephen Leonard and the applicant as to the surfacing requirement and construction necessary to remove adverse camber and minimise the gradient and this agreed specification is appended here at A.
- 7 In the matter of the width the applicant demonstrated that to make the path wider would require either the removal of a large building or the purchase of additional land from the neighbour (which may not have been possible). There would also be a need to re-site an HV electricity supply pole.
- 8 Failure to progress this application could lead to the permitted development not proceeding.
- 9 It is therefore considered appropriate to make and publish an Order reflecting the applicant's desired width. This has the advantage of progressing the application and allowing Wiltshire

Council's Eastern Area Planning Committee to consider any objections and representations to the Order prior to resolving to either abandon the Order or to forward it to the Secretary of State for determination.

**Officer's Recommendation:**

**That Wiltshire Council makes the order appended at B under s.257 of the Town and Country Planning Act 1990 to divert parts of Baydon 2 and 11 to enable a permitted development to proceed at Baydon House Farm.**

**That if no representations or objections are received that the order be confirmed but that confirmation and certification of the route are only carried out after the construction of an acceptable route as detailed in the specification attached at A.**