

Agenda item No. 7

Title: **Proposed Diversion of Footpath 42 Melksham Without**

Portfolio holder: **Cllr Jeff Osborn, Planning & Development**

Reporting officer: **Peter Westbury**

Purpose

To divert Footpath 42 Melksham Without to enable a warehouse to be built on the site.

Background

Application has been made to this Council by EDP (agents for Cereal Partners UK) to divert Footpath 42 Melksham Without. This application has been made under Section 257 of the Town and Country Planning Act 1990 to enable them to build a warehouse on their site adjacent the A350 to the east of Hampton Park West.

Key issues

The proposed route is shown on the attached plan by a broken black line **BCDEF** and has a length of approximately 290 metres. The definitive route is shown by a solid black line **AB** and has a length of approximately 250 metres.

Footpath 42 Melksham Without runs in a southerly direction from Shails Lane parallel with the A350) through open fields to Newtown Farm and crosses the Kennet and Avon Canal before joining Footpath 45 Melksham Without.

The proposed route will be diverted onto adjoining land owned by Wiltshire County Council, which is used as a Sports Field. The new route will run parallel to the existing route and is no less commodious. Interested parties that have been consulted include:

- Wiltshire County Council (Rights of Way) has no objection subject to works to the proposed route agreed with the developer are carried out to their satisfaction
- The Ramblers Association has no objection
- Melksham Without Parish Council has no objection
- Utilities have no objection
- Trail Riders Fellowship has no objection
- The Open Spaces Society has no objection

Effect on strategies and codes

None

Risk management Implications

None

Finance and performance implications

None

Legal and human rights implications

None

Next Steps

If the Planning Committee recommend the making of an Order to divert Footpath 42 Melksham Without, the Order will be advertised in the local press and posted on site for a period of 28 days to allow the opportunity for any queries and objections to be resolved before the Order is confirmed.

Recommendations

An Order be made for the diversion of Footpath 42 Melksham Without and the new route be provided to the satisfaction of the highway authority (Wiltshire County Council).

Background papers

File H1F166 Footpath 42 Melksham Without available from Property and Estates Office.

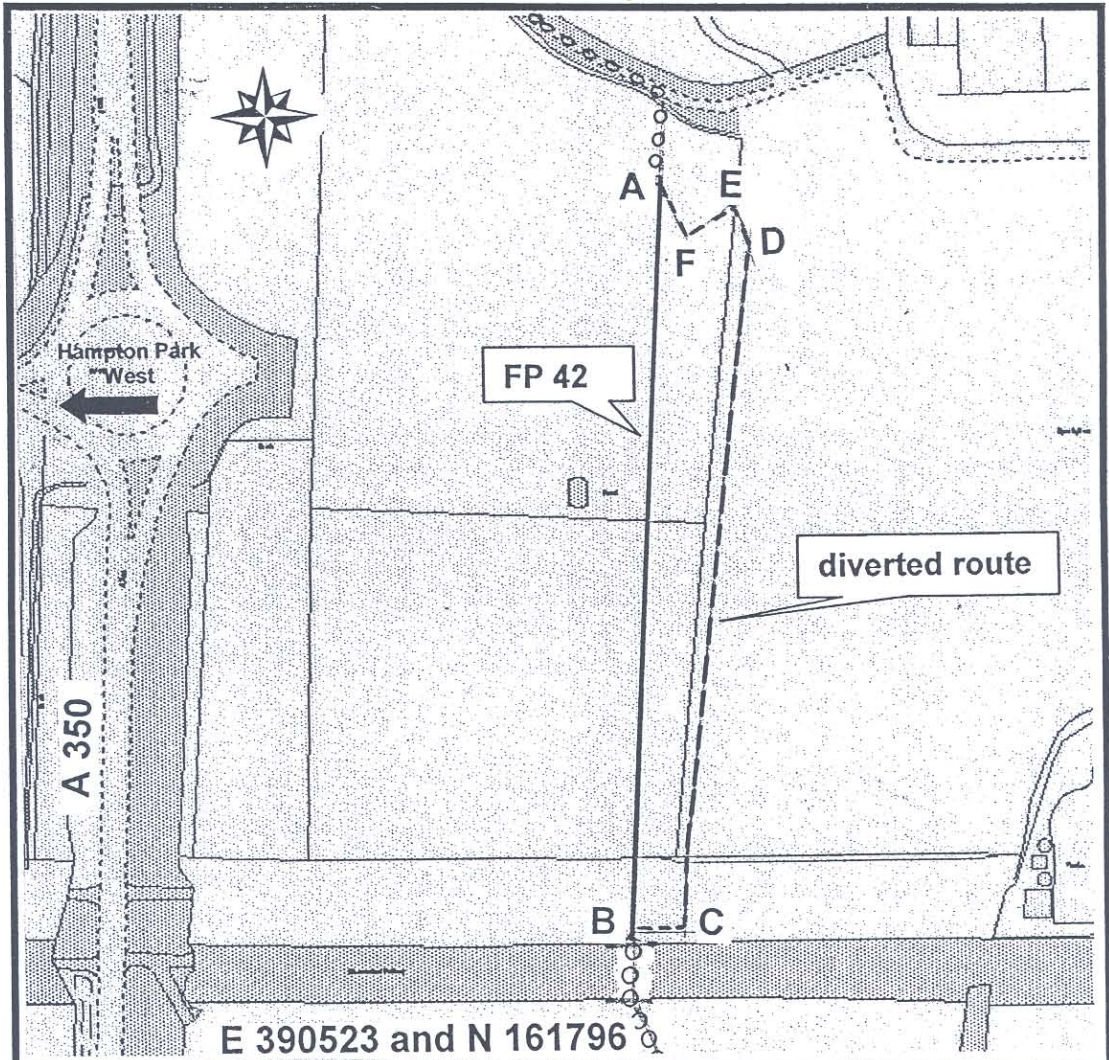
Proposed Diversion of Footpath No 42 Melksham Without

Legend

Existing Route —————

Proposed Diversion -----

Footpath Continuation o o o o o o o o o o o o o o o o



Scale 1:2500

November 2006

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