

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER**

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53(A)(2)

**WILTSHIRE COUNCIL PARISH OF WESTBURY PATH No. 15 (PART)
DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER 2019**

This order is made by Wiltshire Council under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under part III of the Town and Country Planning Act 1990 namely the erection of 300 dwellings and public open space, play areas, teenage facility and associated infrastructure in accordance with application number 17/12194/REM.

This order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the Westbury Urban Council area definitive map and statement dated 1953 as modified under the Wildlife and Countryside Act 1981 require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of highways hitherto shown or required to be shown in the map and statement.

BY THIS ORDER:

1. The footpath 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 diverted and the Westbury Urban Council area definitive map and statement dated 1953 and as modified by the Wildlife and Countryside Act 1981 shall be modified as provided below.
2. There shall be created to the reasonable satisfaction of Wiltshire Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath shall have effect on the date on which Wiltshire Council certify that the terms of paragraph 2 of this order have been complied with and upon the occurrence of that diversion the Westbury Urban Council area definitive map and statement dated 1953 as modified under the Wildlife and Countryside Act 1981 shall be modified by deleting from it those paths or ways referred to in paragraph 1 of this order and the paths or ways referred to in paragraph 2 of this order shall be added to it, and the definitive statement shall be modified as described in part 3 of the Schedule.

4. 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 }

2nd day of April 2019 }

Team Leader (Legal)

elay



89147.

In the presence of: -

SCHEDULE

PART 1

Description of site of existing paths or ways

That length of footpath Westbury no. 15 leading from point A on the northern side of the level crossing at Oldfield Road in a broadly north westerly direction for 155 metres to Point B as shown on the plan attached hereto as a solid black line. Approximate length 155 metres

PART 2

Description of site of alternative highway

That length of footpath as shown on the attached plan by a broken black line leading from point A on the northern side of the level crossing at Oldfield Road following built and surfaced paths and footways in a broadly north westerly direction for 160 metres to Point B. Width 2 metres. Approximate length 160 metres

PART 3

Modification of Definitive Statement

Variation of particulars of path or way

Parish	Path No	Description	Modified under WCA 81 Section
Westbury	15	FOOTPATH from the western end of Oldfield Road leading south west along and then north west over the Railway Loop line following path and footway to the former B.R. Engine sheds to the Main Line.	53(3)(a)(i)

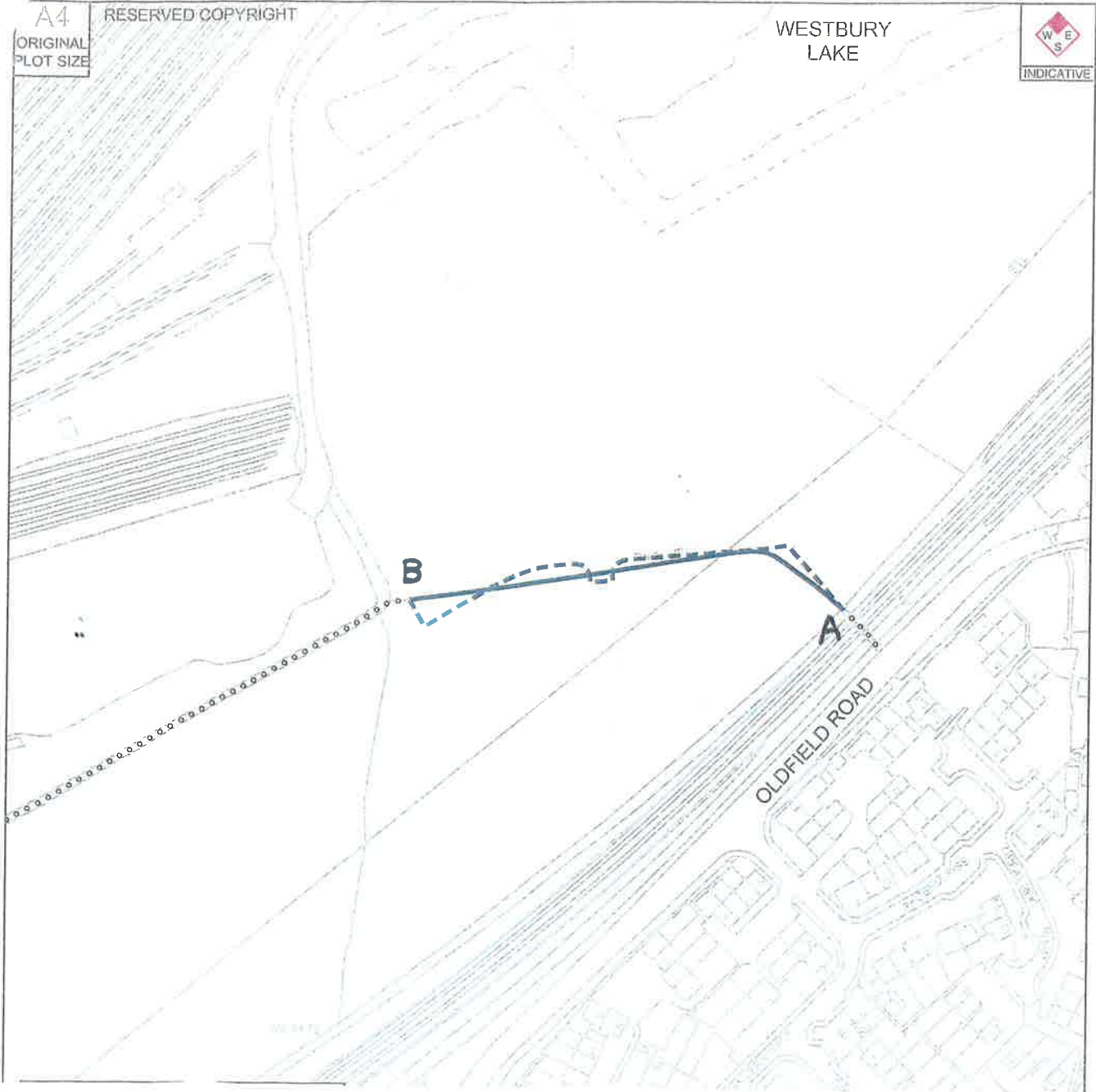
Approximate length 691 metres

Width from OS Grid ref ST 8627 5153 to ST 8613 5153 2 metres

A4
ORIGINAL
PLOT SIZE

RESERVED COPYRIGHT

WESTBURY
LAKE



The Diversion of Westbury 15 (part)

Key

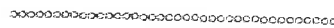
Length of Footpath to be closed



Length of New Footpath



Length of unaffected Footpath



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Point A OS Grid reference ST 8627 5153 Scale at A4 = 1:2000

Wiltshire Council
Where everybody matters

