


RECORD OF OFFICER DECISION

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257

AND SECTION 53A OF THE WILDLIFE AND COUNTRYSIDE ACT 1981 – FOOTPATH HILPERTON 54

PLEASE SIGN OFF THE REPORT NEXT TO YOUR NAME

Name	Signature	Date	Approved Yes/No
Sally Madgwick Definitive Map and Highway Records Manager		16 August 2022	Approved
Chris Clark Head of Local Highways	Copy for information only		
From:	Ali Roberts Definitive Map Officer		
Date of Report:	15 August 2022		
Return to:	Ali Roberts		

Nature of Report:

This is a report from Ali Roberts (Case Officer) to Sally Madgwick (Officer with the relevant delegated powers). The application to divert Footpath Hilperton 54 is made 26 April 2022. The associated planning application to this diversion is no. 120/09701/FUL was approved with conditions on 30 June 2022.

Section 257 of the Town and Country Planning Act 1990 requires the order making authority to be satisfied that the diversion of the footpath is necessary to enable development to be carried out, in accordance with planning permission granted under part III of the 1990 Act. The line of the existing footpath passes directly through the development site. It is therefore clearly necessary for the path to be diverted to allow the development to be carried out.

Officer's Recommendation:

That an order to divert Footpath Hilperton 54, is made under Section 257 of the Town and Country Planning Act 1990 and s.53 of the Wildlife and Countryside Act 1980, to divert the footpath affected by the development and Wiltshire Council to confirm the order if no representations or objections are received.

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257
AND SECTION 53A OF THE WILDLIFE AND COUNTRYSIDE ACT 1981 –
FOOTPATH HILPERTON 54

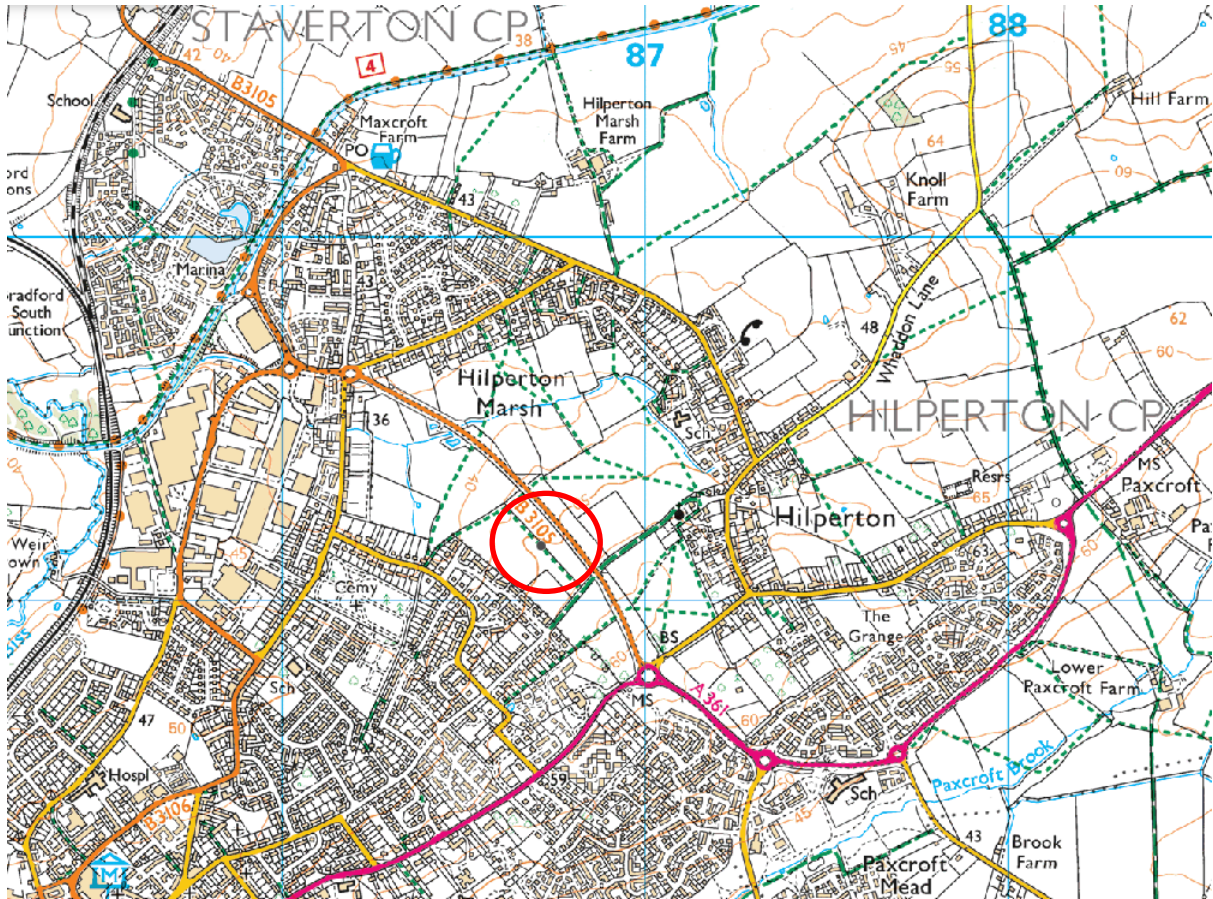
1. Application

Application No: P/2022/08
Application Date: 26 April 2022
Applicant: BDW Trading Ltd (Barratt Bristol Division)
Barratt House
710 Waterwide Drive
Aztec West
Almondsbury
Bristol BS32 4UD
Planning Ref: 20/09701/FUL
Location: Land at Elizabeth Way, Hilperton, Trowbridge
Development: Construction of up to 187 dwellings, means of access,
landscaping, drainage, public open space and all other
associated infrastructure.
Planning Decision: Approved with conditions 30 June 2022

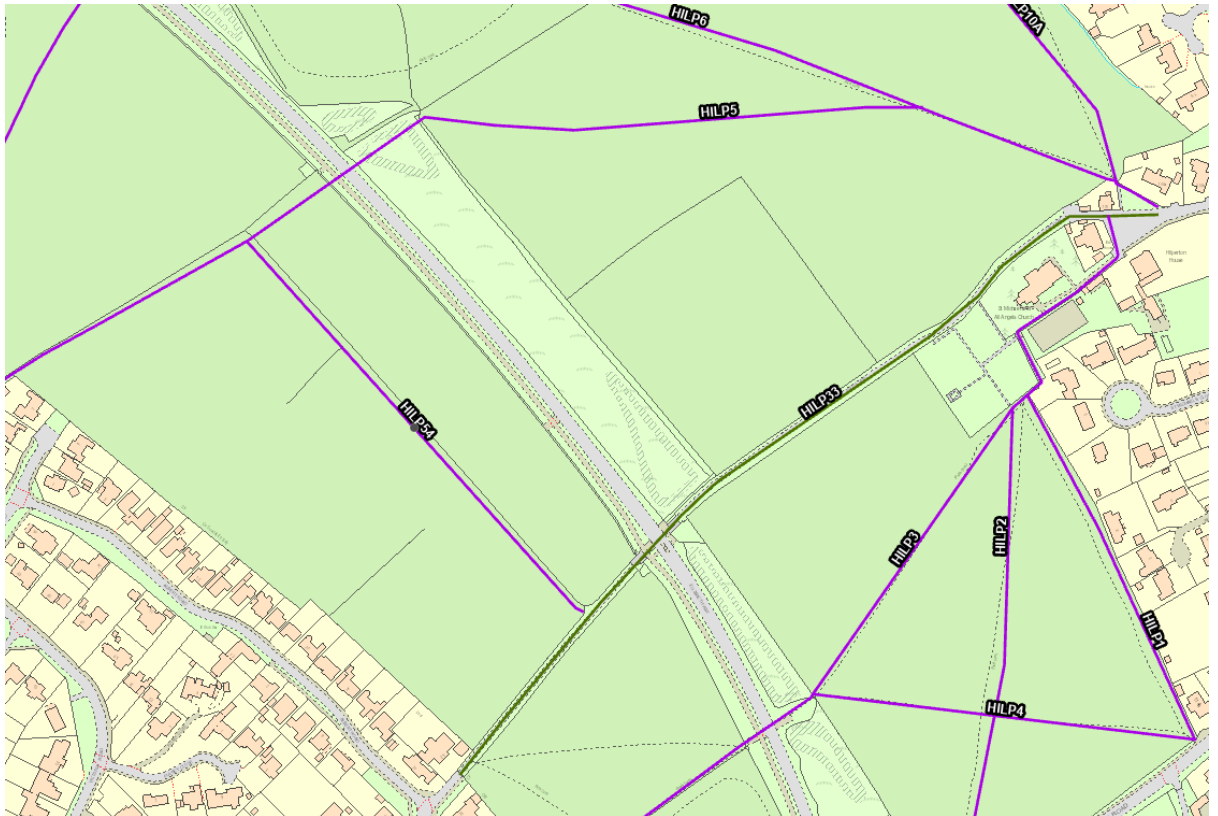
2. Relevance to Council's Business Plan

- 2.1 Working with the local community to provide a rights of way network fit for purpose, making Wiltshire an even better place to live, work and visit.

3. **Location Plan and working copy of the definitive map and definitive statement**



Hilperiton	54	<u>FOOTPATH</u> . From path No.5 leading south-east to path No.33, Middle Lane. Approximate length 320 m.	relevant date 23rd December 1991
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3. Planning application and site plan

3.1. The Department for Environment Food and Rural affairs Rights of Way Circular 1/09 advises the following:

7.2 The effect of development on a public right of way is a material consideration in the determination of applications for planning permission and local planning authorities should ensure that the potential consequences are taken into account whenever such applications are considered

7.3 Most outline planning applications do not contain sufficient information to enable the effect on any right of way to be assessed (and are not required to do so) and consequently such matters are usually dealt with during consideration of the matters reserved under the planning permission for subsequent approval.

7.8 In considering potential revisions to an existing right of way that are necessary to accommodate the planned development, but which are acceptable to the public, any alternative alignment should avoid the use of estate roads for the purpose wherever possible and preference should be

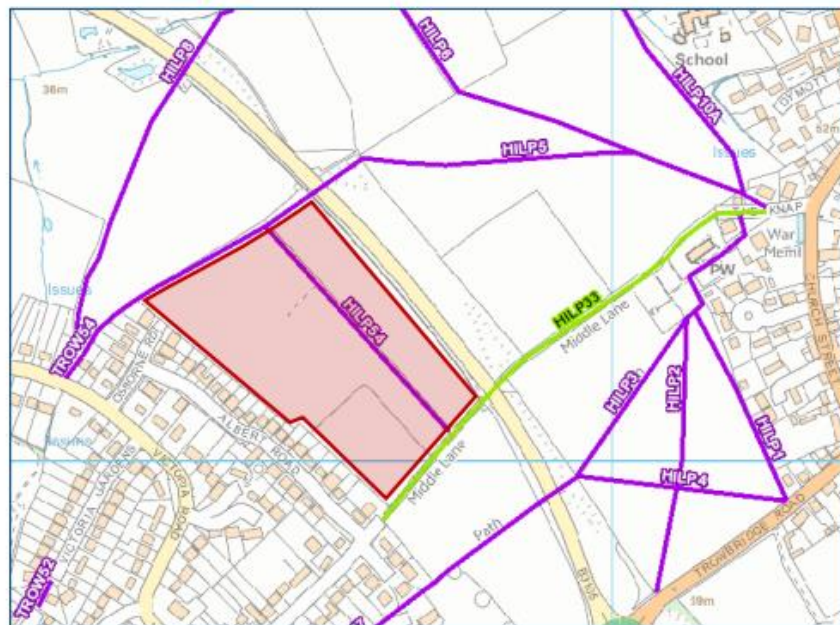
given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic.”

- 3.2. The developer highlighted the need to deal with the rights of way within the site location in their travel plan of their planning application. “HILP54 is proposed to be improved and diverted as part of the development, which will retain its connection between TROW54 and Middle Lane (HILP33) allowing both routes to be accessed from the site.”

3.2 Public Rights of Way

- 3.2.1 A number of Public Rights of Way (PRoW) exist in the local area, including HILP54 which crosses the site, and HILP5 and HILP33 which bound the site to the north and south respectively. The PRoWs within close proximity to the site are shown in Figure 3.1.

Figure 3.1: Public Rights of Way

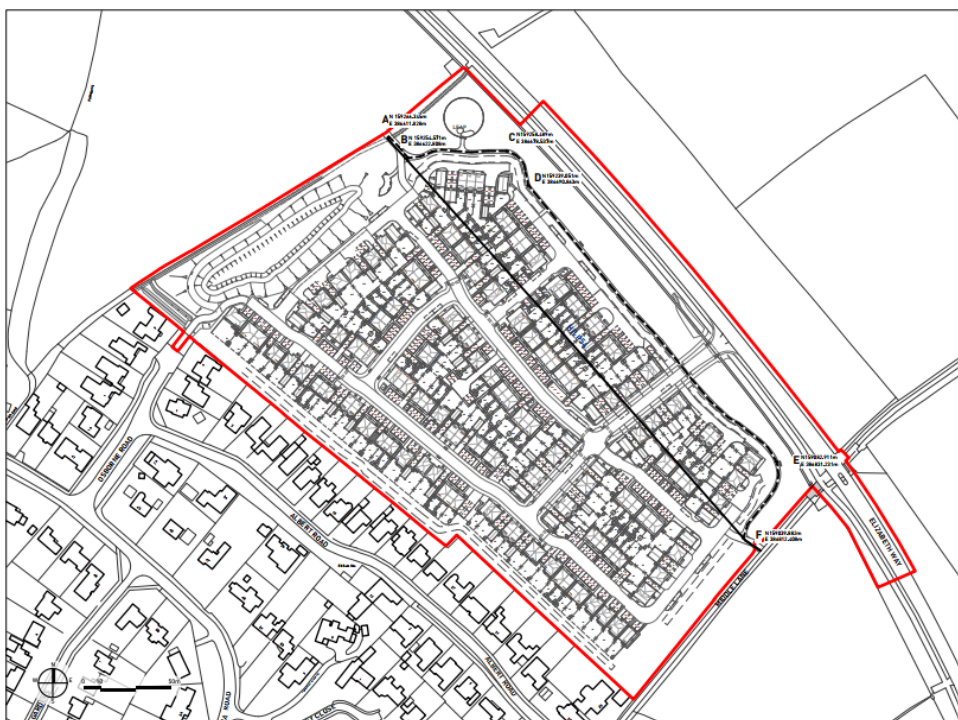


- 3.2.2 This includes a Bridleway along Middle Lane on the sites southern edge (HILP33), a public footpath along the sites northern edge (HILP5), and a public footpath through the site joining the other two paths (HILP54).
- 3.2.3 A diversion of HILP54 will be proposed as part of the development to ensure an alignment appropriate for the movement strategy for the site.

- 3.3. The site layout shows the diverted path through open space grassland to the northeast of the estate away from vehicular traffic.



5. Diversion Plan



- 5.1 It is proposed to divert Footpath Hilperton 54 as shown by a bold continuous line to a new path as shown by a bold broken line on the plan.

6. Location Photograph

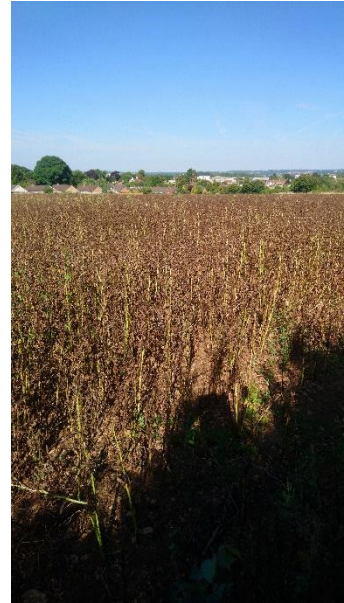
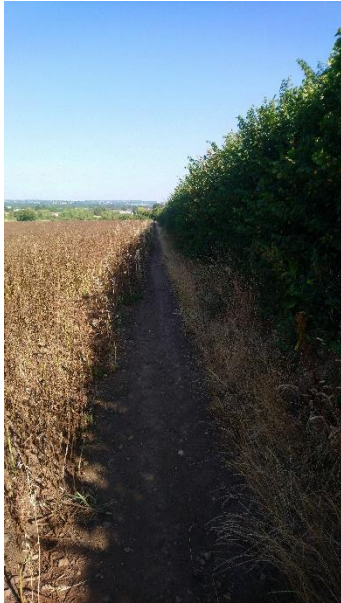
6.1 Aerial view



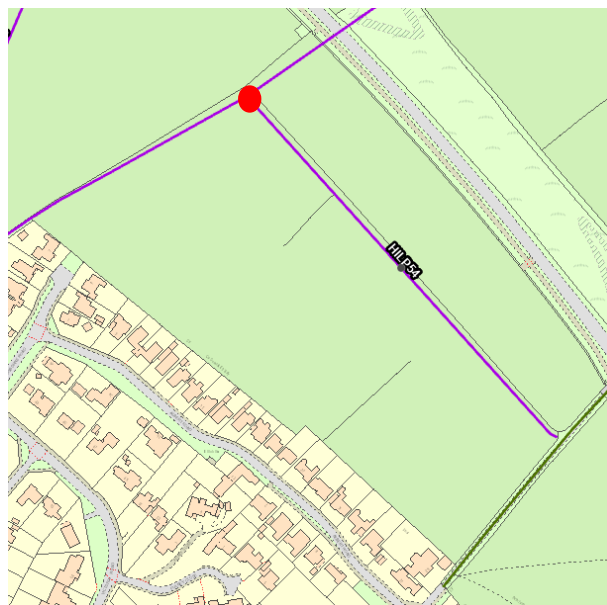
6.2 Current route of path



Kissing gate access to a crop field at the southeastern end of the path



Narrow field edge unsurfaced path enclosed by a tall hedgerow and a dead crop



The northwestern access on to TROW54 has no rights of way furniture at this point.

7. **Registered Landowner and applicant**

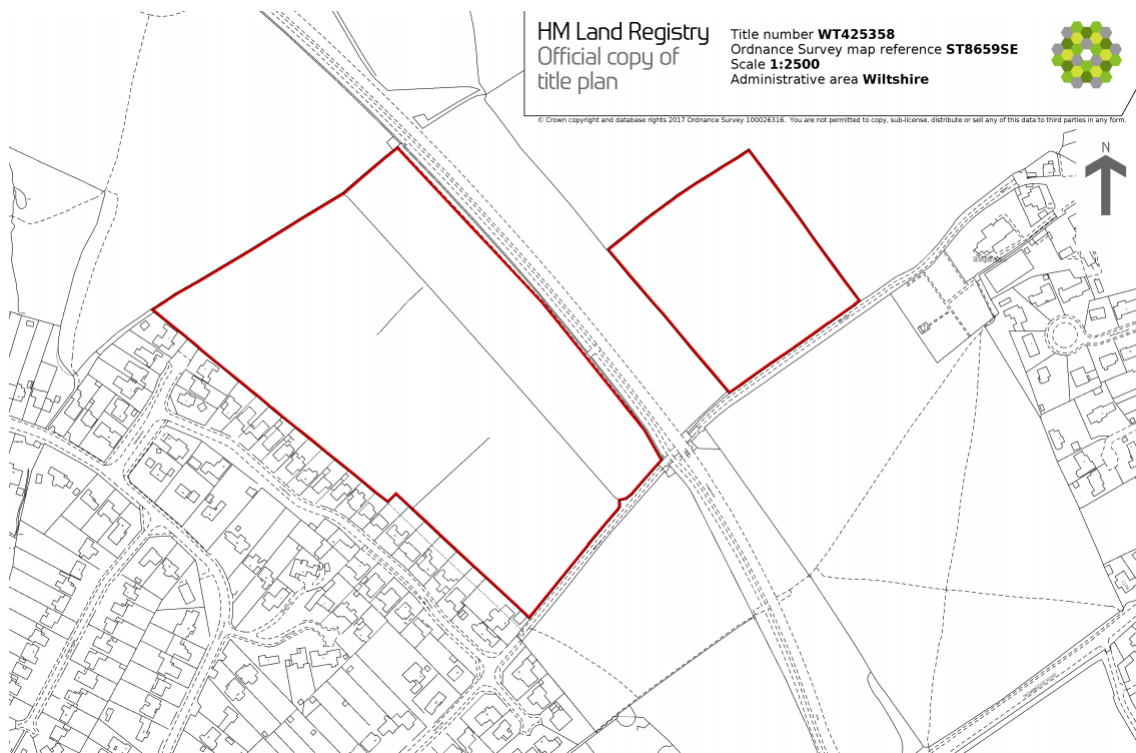
7.1 **Landowners**

Anthony Matthews
Stables Cottage

Thrupp
Kidlington
OX5 1JY

Michael Fare Matthews
14 Burton Street
Loughborough
LE11 2DT

Ian Robert Cradock
255d Hill Street
Hilperton
BA14 7RS



7.2 Letter of consent



Stable Cottage
Thrupp
Kidlington
OX5 1JY

Alex Winter
Barratt Homes,
Barratt House,
710 Waterside Drive, Aztec West,
Almondsbury,
Bristol BS32 4UD




06.05.2022

ELIZABETH WAY, TROWBRIDGE PROW Diversion Application

Dear Alex,

We hereby consent to the permanent diversion of the section HILP54, crossing over land indicated in Official Copy (Title Plan) - WT425358 and as detailed in drawing P19-2592-22A-HILP54 PROW DIVERSION submitted in support of the Section 257 application by BBW Trading Ltd.

Yours sincerely,

A Matthews 
M F Matthews 
I R Cradock 
Trustees The Fare Trust

8. Legal Empowerment

- a. The application to divert Footpath Hilperton 54, is made under Section 257 of the Town and Country Planning Act 1990, which states:

“257. Footpaths and bridleways affected by development: orders by other authorities

- (1) *Subject to section 259, a competent authority may by order authorise the stopping up or diversion of any footpath, bridleway or restricted byway if they are satisfied that it is necessary to do so in order to enable development to be carried out-*
- (a) *in accordance with planning permission granted under Part III, or*
- (b) *by a government department.*

- (2) *An order under this section may, if the competent authority are satisfied that it should do so, provide-*
- (a) *for the creation of an alternative highway for use as a replacement for the one authorised by the order to be stopped up or diverted, or for the improvement of an existing highway for such use;*
 - (b) *for authorising or requiring works to be carried out in relation to any footpath, bridleway or restricted byway for whose stopping up or diversion, creation or improvement provision is made by the order;*
 - (c) *for the preservation of any rights of statutory undertakers in respect of any apparatus of theirs which immediately before the date of the order is under, in, on, over, along or across any such footpath, bridleway or restricted byway;*
 - (d) *for requiring any person named in the order to pay, or make contributions in respect of, the cost of carrying out any such works.*
- (3) *An order may be made under this section authorising the stopping up or diversion of a footpath, bridleway or restricted byway which is temporarily stopped up or diverted under any other enactment.*
- (4) *In this section “competent authority” means-*
- (a) *in the case of development authorised by a planning permission, the local planning authority who granted the permission or, in the case of a permission granted by the Secretary of State, who would have had power to grant it; and*
 - (b) *in the case of development carried out by a government department, the local planning authority who would have had power to grant planning permission on an application in respect of the development in question if such an application had fallen to be made.”*

b. Section 259 of the Act states:

“259. Confirmation of orders made by other authorities

- (1) *An order made under section 257 or 258 shall not take effect unless confirmed by the Secretary of State, or unless confirmed, as an unopposed order, by the authority who made it.*

- (2) *The Secretary of State shall not confirm any such order unless satisfied as to every matter of which the authority making the order are required under section 257 or, as the case may be, section 258 to be satisfied.*
- (3) *The time specified-*
 - (a) *in an order under section 257 as the time from which a footpath, bridleway or restricted byway is to be stopped up or diverted; or*
 - (b) *in an order under section 258 as the time from which a right of way is to be extinguished,**shall not be earlier than confirmation of the order.*
- (4) *Schedule 14 shall have effect with respect to the confirmation of orders under section 257 or 258 and the publicity for such orders after they are confirmed.”*

c. Section 12 of the Growth and Infrastructure Act 2013 amends Part 10 of the Town and Country Planning Act 1990 (highways), as follows:

“12. Stopping up and diversion of public paths

- (1) *Part 10 of the Town and Country Planning Act 1990 (highways) is amended as follows.*
- (2) *In section 257 (footpaths, bridleways and restricted byways affected by other development: orders by other authorities), after subsection (1) insert-*

“(1A) Subject to section 259, a competent authority may by order authorise the stopping up or diversion in England of any footpath, bridleway or restricted byway if they are satisfied that-

 - (a) *an application for planning permission in respect of development has been made under Part 3, and*
 - (b) *if the application were granted it would be necessary to authorise the stopping up or diversion in order to enable the development to be carried out.”*
- (3) *In that section, in subsection (4)-*
 - (a) *omit the “and” following paragraph (a), and*
 - (b) *after paragraph (b) insert-*

“(c) in the case of development in respect of which an application for planning permission has been made under Part 3, the local planning authority to whom the application has been made or, in the case of an application made to the Secretary of State under section 62A, the local planning authority to whom the application would otherwise have been made.”

(4) In section 259 (confirmation of orders made by other authorities), after subsection (1) insert-

“(1A) An order under section 257(1A) may not be confirmed unless the Secretary of State or (as the case may be) the authority is satisfied-

(a) that planning permission in respect of the development has been granted, and

(b) it is necessary to authorise the stopping up or diversion in order to enable the development to be carried out in accordance with the permission.”

(5) In that section, in subsection (2), for “any such order” substitute “any order under section 257(1) or 258”.

8.4 Previously it had only been possible to make an order under Section 257 of the Town and Country Planning Act 1990 where planning permission was already granted under part III of the 1990 Act, however the amendment of the 1990 Act under the Growth and Infrastructure Act 2013, also allows an order to be made where an application for planning permission has been made under part III of the 1990 Act and where, if the application is granted, it would be necessary to divert or extinguish the footpath in order to enable the development to continue. Any such order cannot be confirmed until full planning permission has been granted.

8.5 In this instance full planning application no. 20/09701/FUL was approved with conditions 30 June 2022.

9. **Background**

- 9.1. The application to divert Footpath Hilperton 54 is made by BDW Trading Ltd, under Section 257 of the Planning Act 1990 on 26 April 2022 and states “*To allow for the construction of the development as approved under planning application reference 20/09701/FUL.*”
- 9.2. The granted planning application no.20/09701/FUL, Land at Elizabeth Way, Hilperton, Trowbridge is for the construction of up to 187 dwellings, means of access, landscaping, drainage, public open space and all other associated infrastructure.

10. **Initial Consultation**

- 10.1. An initial consultation exercise was carried out on 11 July 2022, regarding the diversion proposal outlined within the application, with a closing date for all representations and objections to be received not later than 5:00pm on 5 August 2022.

“Town and Country Planning Act 1990 s.257 The Proposed Diversion of Footpath Hilperton 54

Wiltshire Council are in receipt of an application to divert Footpath Hilperton 54 in relation to planning applications 20/09701/FUL approved with conditions on 30 June 2022, the application is for construction of up to 187 dwellings, means of access, landscaping, drainage, public open space and all other associated infrastructure,. The proposal is to divert approximately 314 metres of the footpath from its current course shown on the attached plan with a bold continuous line leading to a new route shown with a bold dashed line. The diverted path will be approximately 369 metres with a width of 2 metres and have a porous, self-binding aggregate surface.

If you would like to make any observations or representations regarding the proposals, I would be very grateful if you could reply to me via email, no later than Friday 5 August 2022.”

10.2. The consultation included the landowners, the applicant, statutory undertakers, statutory consultees, user groups and other interested parties, including the Wiltshire Council’s Member for Trowbridge Adcroft and Member for Hilperton, Trowbridge Town Council and Hilperton Parish Council. The following consultation replies were received:

10.3. Statutory undertakers contacted:

Wessex Water

Scottish & Southern Electricity Networks

Wales and West Utilities

Openreach

National Grid

Linesearch

There was no plant located

10.4. Hilperton Parish Council :

“This is to confirm receipt of your e-mail dated 8th July, in respect of the above proposal to divert Footpath Hilperton 54, and to say that Hilperton Parish Council does not object.”

10.5. Cllr Clark

“When will the required notices be displayed please”

10.6. Officer’s response

“This is the initial consultation on the application, an opportunity to look at the proposal and try to tackle any concerns that may arise before an Order is potentially made. The consultees include landowners, statutory undertakers, statutory consultees, user groups and other interested parties, including the Wiltshire Council Member for the area and the Parish or Town Council. In this case as the application is so close to the boarder of Trowbridge and Hilperton

I have included Cllr Kirk and yourself and Trowbridge Town Council and Hilperton Parish Council in this consultation.

If an Order is made the consultation on the Order will include the previous consultees, be advertised in the local paper and have notices posted on side. Any respondent to the initial consultation would be contacted to ask if they wish their representations to be carried forward as a duly made representation or objection.”

10.7. Cllr Clark

“I wish to FORMALLY OBJECT to the diversion of HILP54. I reserve the right to add to/amend my reasons at any later date.

The new route will be longer and less convenient to users. In addition, the diverted route will be close to the B3105 and thus be a less pleasant walk for users.

I presume that this is sufficient to ensure that the application must now be dealt with as an ‘opposed’ order. Please confirm receipt of this email”.

10.8. Officer’s response

This consultation is on the proposed application and is an opportunity to attempt to resolve any issues that may prevent objections to a made order.

This application is made under Section 257 of the Town and Country Planning Act 1990 and requires the order making authority to be satisfied that the diversion of the footpath is necessary to enable development to be carried out, in accordance with planning permission granted under part III of the 1990 Act. Do you have any suggestions for where the route could be diverted to that would alleviate your concerns as the development lies directly over Footpath Hilperton 54?

If an order is made to divert Footpath Hilperton 54 there is a 28 day consultation period where you will need to make an objection at that stage if you wish to. You will of course be included in the consultation list as a Wiltshire Councillor for the area and as an interested party who has already commented on the proposal”

10.9. Cllr Clark

“There is a planned road to the south-west of HILP54. If this road were moved north-east a short distance, it could follow the existing route of HILP54 and no diversion would be needed. The footpath diversion is therefore not necessary to enable development.

I understand that WC ‘may’, not ‘must’, make any such order. I cannot recall whether this site received ‘full’ or ‘outline’ planning permission”

10.10. Officer’s response

“Full planning permission has been granted, please see attached notice and site plan.

As stated in TCPA S.257 (1) “Subject to section 259, a competent authority may by order authorise the stopping up or diversion of any footpath, bridleway or restricted byway if they are satisfied that it is necessary to do so in order to enable development to be carried out- (a) in accordance with planning permission granted under Part III or section 293A”. Wiltshire Council as planning authority has determined the planning application and granted this application on 30 June 2022, it now falls on Wiltshire Council as surveying authority to determine the diversion application based on the legal test.”

10.11. Cllr Clark

“You have my formal objection to your intention.”

10.12. The suggestion to move the estate road north-east on to the definitive line of Footpath Hilperton 54 would mean that the right of way would not require diversion and the legal test of enabling development would not be met. However there are a number of reasons why this would not be the best course of action and detrimental to public access.

- Full planning permission has been approved with conditions 30 June 2022 with a number of homes to be built over the line of Footpath Hilperton 54.
- The Department for Environment Food and Rural affairs Rights of Way Circular 1/09 advises the following:

7.8 ... any alternative alignment should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made-up estate paths through landscaped or open space areas away from vehicular traffic. To move the estate northeast resulting in the estate road being located on the current definitive line of Footpath Hilperton 54 is in direct conflict to this advice. However the diversion proposal will create an all weather path through open space to the northeast of the estate, avoiding vehicular traffic and is in accord with this advice.

- The estate road that has been suggested should be diverted on to the line of Footpath Hilperton 54 to avoid the need for a diversion is to be adopted highway. The diversion will result in an all weather path through public open space and the granted development includes the adopted estate road therefore this proposal will increase the amount of public access to the site.



Adopted highway plan showing the road coloured blue

11. Main Considerations for the Council

11.1. Section 257 of the Town and Country Planning Act 1990 requires the order making authority to be satisfied that the diversion of the footpath is necessary

to enable development to be carried out, in accordance with planning permission granted under part III of the 1990 Act. The line of the existing footpath pass directly through the development site. It is therefore clearly necessary for the path to be diverted to allow the development to be carried out.

- 11.2. Additionally, paragraph 7.15 of Circular 1/09 (Rights of Way Circular – Guidance for Local Authorities – DEFRA), advises that the disadvantages or loss likely to arise as a result of the diversion, either to members of the public generally or to persons whose properties adjoin or are near the existing highway, should be weighed against the advantages of the order.
- 11.3. Hilperton Parish Council have stated that they have no objection to the proposed diversion.
- 11.4. There is currently no recorded width of Footpath Hilperton 54, the diversion of will benefit the public by adding a recorded definitive width of 2 metres. On the ground the route available is currently a narrow path of less than 1 metre. The application states the right of way will be 2 metres with a hoggin surface of porous self-binding aggregate therefore providing a greater extent of highway and an all weather route.
- 11.5. The diversion deletes approximately 315 metres of path and adds approximately 369 metres, a minimal increase of approximately 54 metres which is not considered to be substantially less convenient to the public.
- 11.6. There will be no additional furniture on the public right of way.
- 11.7. The character of the footpath will be altered by the development as the narrow unsurfaced path currently runs along a field edge between a dead crop and a tall hedgerow. It is proposed to divert the footpath to an all-weather surface path through the open space to the northeast of the estate.

- 11.8. It is considered reasonable that the diverted footpath should link with existing highway and the Rights of Way Law Review Practice Guidance Note 6, which deals with planning and public rights of way states:

“10. Consider the boundaries of the application site and how paths can help integrate the development into the existing surrounding development or countryside. It is important that any new routes which will go to the edge of the site do join the public rights of way network or the adopted highway to avoid access and maintenance problems arising later.” (Please note: The Rights of Way Law Review was a non-statutory committee which reviewed matters relating to public rights of way with the aim of agreeing consensus, bringing together a wide range of organisations. The Practice Guidance Notes provide practical advice and recommend working practices, they are advisory only but result from extensive discussions between principal interest groups.)

The planning application states *“There is existing pedestrian infrastructure around the site, including comprehensive provision throughout the existing neighbourhood to the north and south providing opportunities for future residents to access primary education, employment, retail and health facilities by foot”. “HILP54 is proposed to be improved and diverted as part of the development, which will retain its connection between TROW54 and Middle Lane (HILP33) allowing both routes to be accessed from the site.”*

- 11.9 Officers are satisfied that the diversion proposal meets the requirements of this guidance.

12. Safeguarding Considerations

- 12.1 If an order to divert Footpath Hilperton 54, Wiltshire Council will follow procedures set out in Schedule 14 of the 1990 Act and in doing so Wiltshire Council will fulfil its safeguarding considerations

13. Public Health Implications

- 13.1 None.

14. Environmental Impact of the Proposal

- 14.1 Environmental considerations were undertaken during the planning process. The character of the footpath will be altered by the development as it has previously been through an open field with the approval of the planning application the diversion of the right of way in isolation has no identified environmental impact.

15. Equalities Impact of the Proposal

- 15.1 DEFRA Circular 1/09, at 5.4. states that *“...all aspects of Public Path Orders (unlike Definitive Map Modification Orders which represent what is believed to have been the route, width and structures existing when a way was dedicated) will be affected by the DDA (Disability Discrimination Act 1995), particularly in relation to the limitations and conditions to be defined in the statement.”*

- 15.2 The Disability Discrimination Act (DDA) is now superseded by the Equalities Act 2010, which places a duty upon all authorities as follows:

“(1) An authority to which this section applies must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.”

- 15.3 The protected characteristics include disability and the Act places a duty on authorities to make reasonable adjustments to avoid disadvantage. Section 149 of the Act details the “public sector equality duty” placed upon a public authority, to:

“in exercise of its functions, have due regard to the need to-

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

15.4 Officers are satisfied that in the proposed diversion of Footpath Hilperton 54 meets Wiltshire Council’s duties under the equalities Act 2010. The diverted route will have a recorded width of 2 metres, open and available to the public, with an all-weather hoggin surface.

16. Risk Assessment

16.1 As stated the character of the footpath will be altered by the development. However, the applicant has stated that there will be provision of a 2 metres all-weather surface path through the open space to the northeast of the estate.

17. Financial Implications

17.1 The Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993 (SI 1993/407) amended by Regulation 3 of the Local Authorities (Charges for Overseas Assistance and Public Path Orders) Regulations 1996 (SI 1996/1978), permit authorities to make a charge in respect of the costs incurred in the making of a public path order and in respect of local advertisement on the making, confirmation and coming into operation of the order (the charges levied must not exceed the costs that are actually incurred by the authority).

17.2 The applicant has agreed, in writing, to meet the actual costs to the Council in processing the order, including advertising the making of the order in one local newspaper and should the order be confirmed, the cost of advertising the notice of confirmation of the order and certification of the new route in one local newspaper (i.e. three advertisements).

17.3 The applicant has also agreed, in writing, to meet any costs which may be incurred in bringing the new footpath into a fit condition for use by the public,

as required by the Council. If an order is made and confirmed by the Council, it will not take effect until it has been certified by Wiltshire Council that the diversion route has been made available to a suitable standard for use by the public.

- 17.4 If a diversion order is made under Section 257 of the Town and Country Planning Act 1990 and there are no objections to the making of the order, Wiltshire Council may itself confirm the order and there are no costs to the Council.
- 17.5 If there are outstanding objections to the order which are not withdrawn and the Council continues to support the making of the order, it must be forwarded to the Secretary of State for decision. The outcome of the order will then be determined by written representations, local hearing or local public inquiry. If the case is determined by written representations, the cost to the Council is negligible, however where a local hearing is held the costs to the Council are estimated at £200 - £500 and £1,000 - £3,000 where the case is determined by local public inquiry. There is no mechanism by which the Council may pass these costs to the applicant.
- 17.6 The making of an order is a discretionary power for the Council rather than a statutory duty, therefore a made order may be withdrawn at any time, up until the point of confirmation, if the Council no longer continues to support it, for example, where it is considered that the proposals no longer meet the legal tests as set out under Section 257 of the Town and Country Planning Act 1990.

18. Legal Considerations

- 18.1. There is no right of appeal for the applicant where the Highway Authority refuses to make a public path order; however the Council's decision is open to judicial review.

- 18.2. If the Council does make an order and objections are received, where the Council continues to support the order it must be forwarded to the Secretary of State for decision which may lead to the order being dealt with by written representations, local hearing or local public inquiry. The Inspectors decision may be subject to challenge in the High Court.
- 18.3. The making of an order is a discretionary power for the Council rather than a statutory duty; therefore an order may be withdrawn at any time up until the point of confirmation, where the Council no longer continues to support the making of the order.

19. Options Considered

- 19.1. (i) To refuse the application, if it is considered that the legal tests for diversion, as set out under Section 257 of the Town and Country Planning Act 1990, are not met, or
- (ii) To make a diversion order under Section 257 of the Town and Country Planning Act 1990, where planning permission is in place, and if no objections or representations are received, confirm the order as an unopposed order.

20. Reasons for Proposal

- 20.1. Where an application is refused Wiltshire Council must demonstrate that the development, for which a planning application has been granted, can be carried out without the need to divert the footpath. In this particular case the proposed development lies directly over the legal line of Footpath Hilperton 54, therefore the development cannot continue without the successful diversion of the footpath. The legal test for diversion, as set out under Section 257 of the Town and Country Planning Act 1990, has been met.

21. Proposal

21.1. That:

An order to divert Footpath Hilperton 54, is made under Section 257 of the Town and Country Planning Act 1990 and s.53 of the Wildlife and Countryside Act 1980, to divert the footpath affected by the development and Wiltshire Council to confirm the order if no representations or objections are received.

Ali Roberts Definitive Map Officer

Date of Report: 15 August 2022