

**PUBLIC PATH DIVERSION ORDER
TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 257
WILDLIFE AND COUNTRYSIDE ACT 1981 – SECTION 53(A)(2)**

**THE WILTSHIRE COUNCIL TISBURY 83 (PART) DIVERSION AND DEFINITIVE
MAP AND STATEMENT MODIFICATION ORDER 2021**

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 variation of condition 2 of planning permission no.18/06399/FUL, to amend the layout and height of approved perimeter fencing at Wardour School, Tisbury, (planning application no.20/10401/VAR).

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 Mere and Tisbury Rural District Council Area Definitive Map and Statement dated 1952 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 a highway 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 Mere and Tisbury Rural District Council Area Definitive Map and Statement dated 1952 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 Article 2 above have been complied with and upon the occurrence of that diversion the Mere and Tisbury Rural District Council Area Definitive Map dated 1952 shall be modified by deleting from it the path or way referred to in paragraph 1 of this order and the path or way 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 purposes 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 }
21st day of July 2021 }
in the presence of:

SCHEDULE

PART 1

Description of site of existing path or way

That length of footpath, as shown on the attached map by a bold black line leading from point A at OS Grid Reference ST 9251-2741, south of the C.61 road, in a south-easterly direction for approximately 77 metres to point B at OS Grid Reference ST 9257-2735, before leading north-east, adjacent to the school playground, for approximately 42 metres to point C at OS Grid Reference ST 9260-2738, having a width of 4m on that section between OS Grid Reference ST 9257-2735 and OS Grid Reference ST 9260-2738.

PART 2

Description of site of alternative highway

That length of footpath, as shown by bold black dashes on the attached map leading from point A at OS Grid Reference ST 9251-2741, south of the C.61 road, in a north-easterly direction parallel to the C.61 road for approximately 50m to point D at OS Grid Reference ST 9255-2744, before leading south-east for approximately 84m and then south-west for approximately 2m to point C at OS Grid Reference ST 9260-2738, having a width of 2m on that section between OS Grid Reference ST 9251-2741 and OS Grid Reference ST 9255-2744 and a width of 3m on that section between OS Grid Reference ST 9255-2744 and OS Grid Reference ST 9260-2738.

PART 3

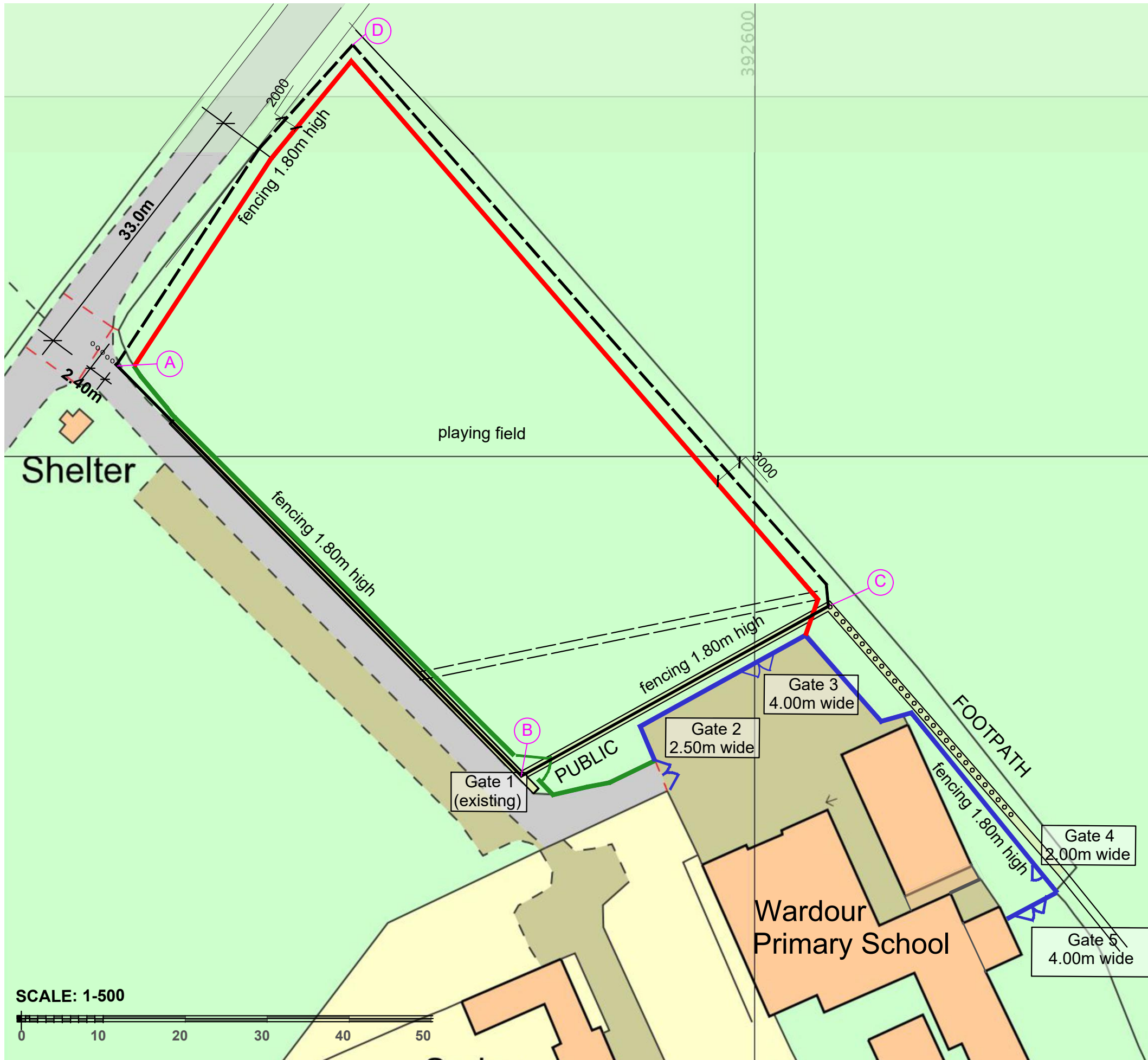
Modification of Definitive Statement

Variation of particulars of path or way

Parish	Path No:	Modified Statement to read:-	Modified under Section 53(3) as specified
Tisbury	83	<p><u>FOOTPATH.</u> Leading from u/c road 11084 at O.S. grid reference ST9275 2723 in a north-westerly direction for approximately 210 metres, to Wardour School, then continuing in a north-easterly direction for approximately 2m and then leading north-west for approximately 84 metres and then south-west for approximately 50 metres, before leading north-west for approximately 3 metres to its junction with road C61 at O.S. grid reference ST9252 2740.</p> <p>Approximate length: 346 metres. Width: 3 metres on that section between O.S. grid reference ST 9260-2738 and O.S. grid reference ST 9255-2744 and 2 metres on that section between O.S. grid reference ST 9255-2744 and O.S. grid reference ST 9251-2741.</p>	53(3)(a)(i)

392600

TOWN & COUNTRY PLANNING ACT 1990 - SECTION 257 AND WILDLIFE & COUNTRYSIDE ACT 1981 - SECTION 53(A)(2) THE WILTSHIRE COUNCIL TISBURY 83 (PART) DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2021



Footpath Diversion

..... Unaffected path

———— Section of path to be diverted (A - B - C)

- - - - - New path to be provided (A - D - C)

Perimeter Fencing

———— Existing fence

———— Amended fence

———— New fence

127400

OS Grid Reference: ST 925 - 274

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Rev:	Date:	Amendment:	Amended by:
A	14/10/20	Amendment to key	FJ
Client: Wardour Primary School			
Project title: Proposed Security Fencing & Footpath Diversion			
Drawing title: Site Plan			
Scale: 1:500 @ A3	Date: July 2020	Drawn by: FJ	
Drawing number: P001	Revision: A	Chkd by: TB	



CHARTERED SURVEYORS

The Dunstan Centre, Pennywell Road, Bristol, BS5 0TJ
Tel: Bristol (0117) 955-4545 Fax: Bristol (0117) 955-5355

SCALE: 1-500

