

## EXPLANATORY STATEMENT

### TOWN & COUNTRY PLANNING ACT 1990 SECTION 257

#### WEST OXFORDSHIRE DISTRICT COUNCIL EYNHAM FOOTPATH 206/30 (PART) PUBLIC PATH DIVERSION ORDER 2020

#### **THIS EXPLANATORY STATEMENT DOES NOT FORM PART OF THE ORDER**

West Oxfordshire District Council (the Council) has the power to make Orders to divert public rights of way under section 257 of the Town and Country Planning Act 1990 (the Act).

Following an application made by Horizon Properties Capital Developments Ltd, the Council is satisfied this Order is required to enable development to take place namely the Development:

- The extension to existing manufacturing building, erection of two storey manufacturing and office building, two storey research and development building and two storey office building. Creation of new vehicular access onto B4449 with associated gatehouse. Provision of 316 car parking spaces, creation of wild flower meadow and diversion of public footpath; and
- Construction of new two storey research and development building, in connection with previously approved manufacturing campus, creation of wild flower meadow and diversion of public footpath

**EYNHAM FOOTPATH 206/30 (PART)** runs across part of the development site. Planning permission has now been submitted for the Development. When built, part of the Development will overlay part of the existing footpath/bridleway. To ensure safe passage for users of the footpath, the diversion is proposed to circumvent the Development.

The new route is proposed to run [brief description] and is shown by a bold dashed line on the Order plan and as described in the Order. The existing footpath has no defined width.

Legislation affecting this proposal is contained within section 257 of the Act. The ground for a diversion in this case is that a competent authority (the Council) may by Order authorise the stopping up of the footpath if they are satisfied that an application for planning permission in respect of development has been made under Part III of the Act and that if the application were granted it would be necessary to authorise the diversion in order to enable development to be carried out.

The Order will come into force only if it is confirmed; making and advertising the Order simply provides an opportunity for objections or representations to be made. If any objections are made and not withdrawn, the Council may refer the Order and objections to the Secretary of State for determination by a Planning Inspector. An Inspector will then either take written representations or hear the objections at a Public Inquiry or Hearing. The Inspector can confirm the Order, confirm it with modifications, or refuse to confirm it.

The right of an objection to an Order is a statutory right, but it should be exercised in a reasonable manner. The costs involved in dealing with objections to Orders may be awarded against objectors in cases of unreasonable behaviour.

If no objections are received the Council may confirm the Order itself, but it has no power to modify the Order.

Further information about public path order procedures is available in Natural England's "A guide to definitive maps and changes to public rights of way" (reference NE112) at [www.naturalengland.org.uk/publications](http://www.naturalengland.org.uk/publications).

Data Protection Act: The Council will consider all correspondence, objections and representations received in response to this order. They may be disseminated widely for these purposes and made available to the public