

**NOTICE OF ORDER**  
**Town and Country Planning Act 1990**  
**Section 257**

West Oxfordshire District Council  
Milton-under-Wychwood 301/13 (Whole) and Milton-under-  
Wychwood 301/5 (Part) Public Path Diversion Order 2019

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **26 November 2020**.

Consideration of the Order will take the form of a hearing.

The Hearing will be held virtually on **9 February 2021** at 10.00am.

The effect of the Order, if confirmed without modifications, will be to **divert** the entire width of that part of the public footpath Milton-under-Wychwood 301/13 running from OS Grid Ref SP 42645 21782 (point A) in an easterly direction for approximately 160m to SP 42661 21781 (point B), and to **divert** the entire width of that length of Milton-under-Wychwood 301/5 running from OS Grid Ref SP 42645 21782 (point A) in a south-easterly direction for approximately 30m to SP 42647 21780 (point D) and **create** an alternative footpath with a width of 2m running from OS Grid Ref SP 42647 21780 (point C) in an easterly direction to SP 42661 21781 (point B) for approximately 137m, and **create** an alternative footpath with a width of 2m running from OS Grid Ref 42645 21782 (point A) in a south-easterly direction for approximately 32m to SP 42647 21780 (point D).

Any queries relating to this Order should be referred to Helen Sparks at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5646. Email: [helen.sparks@planninginspectorate.gov.uk](mailto:helen.sparks@planninginspectorate.gov.uk) Please quote reference number ROW/3243062 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at West Oxfordshire District Council, Elmfield, New Yatt Road, Witney, Oxfordshire OX28 1PB from 9am to 5pm and online at [www.westoxon.gov.uk](http://www.westoxon.gov.uk) reference 18/03615/POROW. Telephone enquiries to 01285 623534.

## **Timetable for sending in statements of case**

### **By 5 January 2021**

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

### **By 21 January 2021**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Hearing must ensure their statement of case<sup>1</sup> is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

All parties must keep to the timetable set out above and ensure that statements of case are received by the Secretary of State on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

Notice of order for hearing

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<sup>1</sup> If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the hearing.

Existing Footpath to be diverted.

A-B (30/13) Length= 160m  
A-D(30/15) Length= 30m

Proposed Footpath diversion

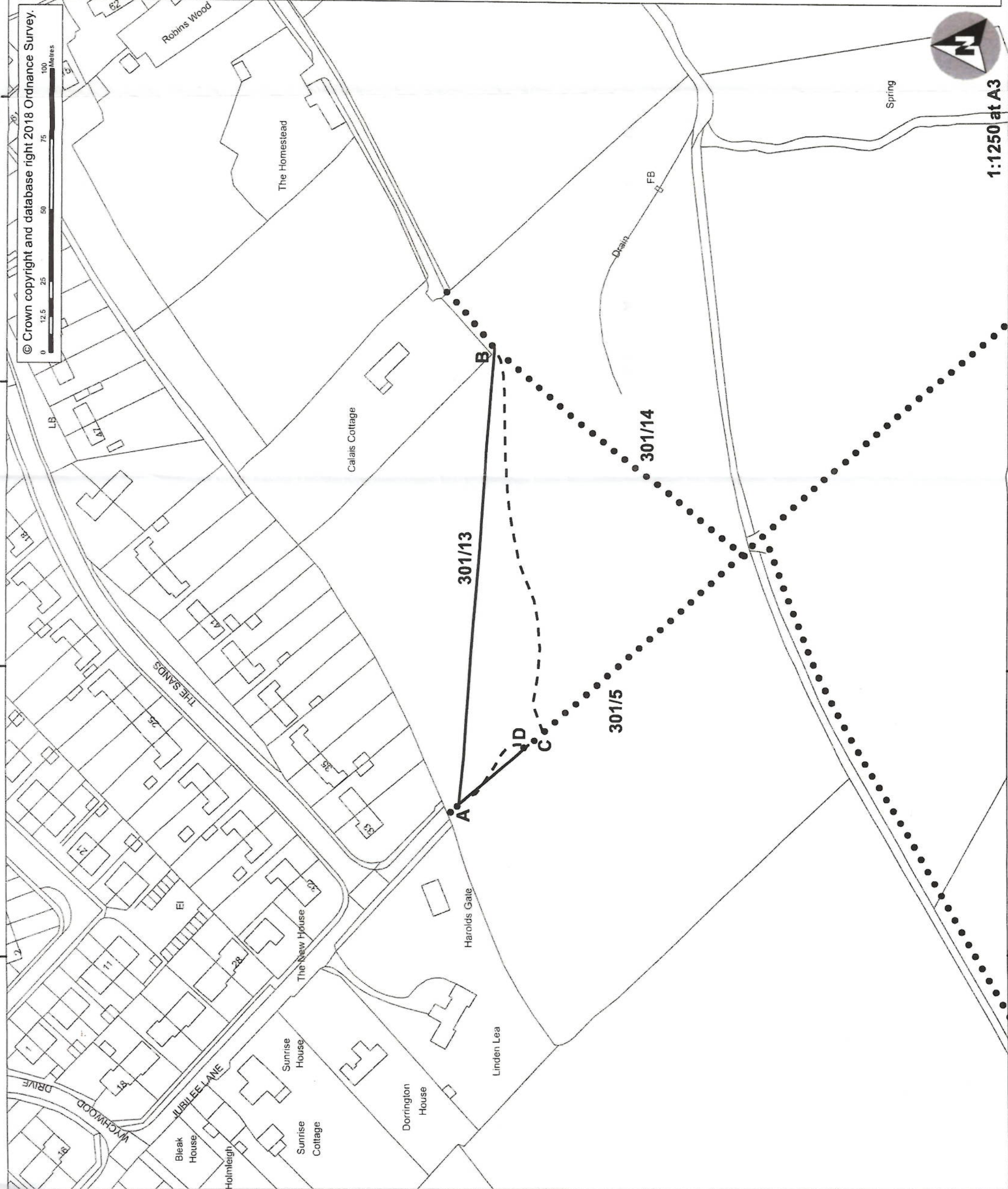
A-D(30/15) Length=32m  
C-B Length= 137m

Route of unaffected Footpaths  
301/14 and 301/5(Part)



**WEST OXFORDSHIRE  
DISTRICT COUNCIL**

1:1250 at A3



Made: 5<sup>th</sup> July 2019

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WEST OXFORDSHIRE DISTRICT COUNCIL

MILTON-UNDER-WYCHWOOD 301/13 (Whole) AND  
MILTON-UNDER-WYCHWOOD 301/5 (Part)

PUBLIC PATH DIVERSION ORDER 2019

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CERTIFIED TO BE A TRUE COPY  
OF THE ORIGINAL.

*S.A. Gargett*  
SUSAN ANNE GARGETT  
COTSWOLD DISTRICT COUNCIL SOLICITOR  
TRINITY ROAD, CIRENCESTER,  
GLOUCESTERSHIRE GL7 1PX

DATE: 10<sup>th</sup> December 2019



TOWN & COUNTRY PLANNING ACT 1990 SECTION 257

WEST OXFORDSHIRE DISTRICT COUNCIL

MILTON-UNDER-WYCHWOOD 301/13 (Whole) AND  
MILTON-UNDER-WYCHWOOD 301/5 (Part)  
PUBLIC PATH DIVERSION ORDER 2019

THIS ORDER is made by West Oxfordshire District 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 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 erection of nine dwellings with associated infrastructure and landscaping.

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 as provided below.
- 2 There shall be created to the reasonable satisfaction of Oxfordshire County 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 Oxfordshire County Council certify that the terms of Article 2 have been complied with.
- 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.

## SCHEDULE

### PART 1

The entire width of MILTON-UNDER-WYCHWOOD 301/13 running from OS Grid Ref SP 42645 21782 (point A) in an easterly direction for approximately 160m to SP 42661 21781 (point B) as shown by a continuous bold black line between Points A - B on the plan attached to this Order.

AND

The entire width of that length of MILTON-UNDER-WYCHWOOD 301/5 running from OS Grid Ref SP 42645 21782 (point A) in a south-easterly direction for approximately 30m to SP 42647 21780 (point D) as shown by a continuous bold black line between Points A - D on the plan attached to this Order.

### PART 2

C-B: A new footpath with a width of 2m running from OS Grid Ref SP 42647 21780 (point C) in an easterly direction to SP 42661 21781 (point B) for approximately 137m as shown by a dashed black line between points C-B on the plan attached to this Order.

AND

A-D: A new footpath with a width of 2m running from OS Grid Ref SP 42645 21782 (point A) in a south-easterly direction for approximately 32m to SP 42647 21780 (point D) as shown by a dashed black line between points A-D on the plan attached to this Order.

DATED .....<sup>5<sup>th</sup></sup>..... DAY OF .....<sup>July</sup>..... 20<sup>19</sup>

THE SEAL OF WEST OXFORDSHIRE )  
DISTRICT COUNCIL WAS HEREUNTO )  
AFFIXED IN THE PRESENCE OF )

Chairman



Authorised Officer

