

APPENDIX 3

**APPLICATION FORM FOR  
DIVERSION OR EXTINGUISHMENT OF  
PUBLIC FOOTPATH / BRIDLEWAY / RESTRICTED BYWAY**

**SECTION 257 OF THE TOWN AND COUNTRY PLANNING ACT 1990**

**IMPORTANT**

No authority for the extinguishment or diversion of a highway is conferred unless and until a Public Path Extinguishment or Diversion Order has been made, confirmed and come into effect. Any preliminary obstruction of, or interference with, the highway concerned may not only be an offence, but may make it impossible to proceed with the making of an Order.

**1. NAME AND ADDRESS OF APPLICANT**

Name: Shepperton Homes  
Postal Address: 11 Lansdown Court, Bumpus Farm,  
Chippenham, Wilts. SN14 6RZ  
Email address: [REDACTED] Telephone No: [REDACTED]

**2. NAME AND ADDRESS OF AGENT(S)**

Name: GCP Chartered Architects  
Postal Address: Suite 10, Crown Two, Crown Way  
Warmley Bristol BS30 8FJ  
Email Address: colin.powell@gcparch.co.uk Telephone No: 011797676286

**3. PARTICULARS OF RIGHT OF WAY TO BE EXTINGUISHED/DIVERTED\***

- a) Footpath / ~~Bridleway / Restricted Byway~~\* No. CL11 / 26
- b) Parish of HALLATROW
- c) Length in metres of section to be ~~extinguished~~/diverted 17.5m
- d) Width in metres of section to be ~~extinguished~~/diverted Approx 2m.
- e) Description of length to be ~~extinguished~~/diverted by reference to terminal points on plan to accompany this application  
Footpath between points A & B to be diverted  
via existing stiles at points C & D.

- (f) Is the existing route freely available to the public? If NOT, please give reasons:

Yes.

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**4. REASONS FOR THE DIVERSION/~~EXTINGUISHMENT~~\* OF THE PATH**

Current record plan shows the PRow cutting diagonally over the S.E corner of the land, whereas existing route in use follows perimeter. This application is to regularise the existing route, minimising impact on proposed development.

**Please Note:**

A path can be diverted or stopped up under **Section 257 of the Town and Country Planning Act 1990** in order to allow development to take place.

If an **extinguishment application**, please give details of an alternative route, or the reasons why an alternative route is not considered necessary.

N/A.

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**5. PLANNING APPLICATION DETAILS**

- a) Application number B 100035 / RES
- b) Date permission granted N/A
- c) If permission not yet granted, date application submitted 4<sup>th</sup> Jan 2019.
- d) Nature of development Proposed development of 15 new homes and associated external works.
- e) Date development expected to begin September 2019.

**6. PARTICULARS OF NEW PATH TO BE PROVIDED (if applicable)**

- a) Length in metres 16.4 m
- b) Width in metres 2.0 m
- c) Surface New macadam surfaced footway

- d) Description of length to be provided by reference to terminal points on plan to accompany this application

16.4 m between points A & B / where connecting to existing Prow.

- e) What works do you propose to undertake to bring the new path into a condition fit for use by the public?

New section of path within site will be surfaced and enclosed with access points - at point C a new gate/open stile, at point D a kissing gate.

## 7. RELEVANT CONSIDERATIONS

In what way would the proposals affect the following factors, as set out in the PPO Policy:

- a) **Connectivity** Do affect - the proposals formalise the existing use / form of the Prow.

- b) **Equalities Impact** No impact

- c) **Gaps & Gates** existing path crosses boundaries with stiles, new route will be more accessible with gates.

- d) **Gradients** gradients will remain as existing

- e) **Maintenance** new path will be surfaced and low maintenance - there will be no need for grass cutting etc.

- f) **Safety** No impact.

- g) **Status** No impact.

- h) **Width** 2 metres proposed will be similar to existing use.

- i) **Features of Interest** N/A.

## 8. PARTICULARS OF OWNERSHIP

- a) Applicant's interest (*owner/occupier/lessee*) in the land over which the existing path referred to in this application passes.

Owner

- b) Applicant's interest in the land over which the new path is to be provided

Owner

- c) Do any other persons have an interest in the land over which existing or proposed paths pass? If so, give names and addresses of persons and nature of interest

N/A.

- d) If other persons have an interest in the land affected, please tick to confirm that a copy of their written permission for the proposals to go ahead is enclosed.

## 9. ACCOMPANYING DOCUMENTS AND CONSENT

**Please tick boxes as appropriate**

- a) A plan based on a current Ordnance Survey base map showing section of path to be extinguished and new path to be provided is attached.
- b) A GIS shape file (.shp) georeferenced to British National Grid
- c) A4-sized Block Plan showing the proposed development and the existing and proposed paths
- d) A cheque for £730 is enclosed.
- e) It is understood that if the Authority decides to make an order then the next £2,809 will be payable at that time
- f) It is understood that if the Authority decides to make an order then the last £500 will be payable once the works are certifiable
- g) Separate application for a temporary TRO submitted  *N/A.*
- h) Consent is granted for the applicant's name and postal address to be made publically available.

*(sent under separate cover).*

## DECLARATION

I/We understand that no authority for the extinguishment of a public right of way is conferred unless and until any order made has been confirmed and come into effect and notice of this has been published.

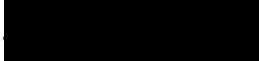
I/We declare that the public right of way to be stopped up is not obstructed and that it is fully available to the public. (Subject to Article 3(f) above).

I/We hereby agree that if a diversion/extinguishment order is made I/We will defray any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

I/We agree to pay a further £3,309 if the Authority decides to make an order.

I/We apply for the extinguishment/diversions of the highway described above.

I/We declare that to the best of my/our knowledge and belief all the particulars given are true and accurate.

Signed .....  ..... Date *24<sup>th</sup> May 2019*

Name ..... *Colin Powell (a.p. Chartered Architects)* .....

On completion, this form, should be returned, together with the plan, cheque and copies of any consents if appropriate, to:

*Public Rights of Way, Bath & North East Somerset Council, Lewis House, Manvers Street, Bath, BA1 1JG or [prow@bathnes.gov.uk](mailto:prow@bathnes.gov.uk)*



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**ACCOMMODATION SCHEDULE**




TYPE		No.
(A)M1.2P	@ 50 m <sup>2</sup>	2
(A)H2.4P	@ 79 m <sup>2</sup>	2
(A)H3.4P:	@ 84 m <sup>2</sup>	1
H3.5P	@ 110 m <sup>2</sup>	4
H4.7P	@ 140 m <sup>2</sup>	1
H4.8P-A	@ 138 m <sup>2</sup>	3
H4.8P-B	@ 170 m <sup>2</sup>	2

**Total 15**



30 Parking  
(+ 13 garages)

**KEY**



**MATERIAL TYPE**

-  Macadam Road and footway
-  Block paving Colour - Brindle
-  Concrete paving slabs to private paths Colour - Natural

**SITE**

-  Refuse and recycling storage
-  Garden shed includes secure cycle storage (cycle store in garages for plots 6-15)

**TREES**

-  Existing (inc. RPZ)
-  Proposed

Pr11	Updated in line with parking tracking	EB	31.05.2019
Pr10	Plots 1-5 rearranged. Plots 13-15 moved forward to allow for PROW	EB	13.05.2019
Pr9	Accommodation schedule updated	CP	18.04.2019
Pr8	Highway at entrance updated to agreed layout / parking allocation	CP	09.04.2019
Pr7	Onsite compensatory parking omit	CP	01.03.2019
Pr6	Existing trees & RPZ's added	CP	14.02.2019
Pr5	Updated in line with feedback	EB	08.02.2019
Pr4	Planning Issue	EB	02.01.2019
Pr3	Planning Issue	EB	18.12.2018
Pr2	Planning issue for comment	EB	03.12.2018
Pr1	First Issue	EB	02.11.2018
Revision	Description	Rev By	Date

**gcp Chartered Architects**  
architecture project management sustainable design  
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Brisol BS30 8FJ  
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mail@gpcarch.co.uk  
www.gpcarch.co.uk

Project Title: Wells Road, Hallatrow  
Drawing Title: Site Plan Proposed Layout  
Drawn By: EB Date: SEP 2018  
Checked By: CP Scale: 1:250 @ A1  
Drawing No: 18004 / 003 Rev: Pr11  
Status: PLANNING

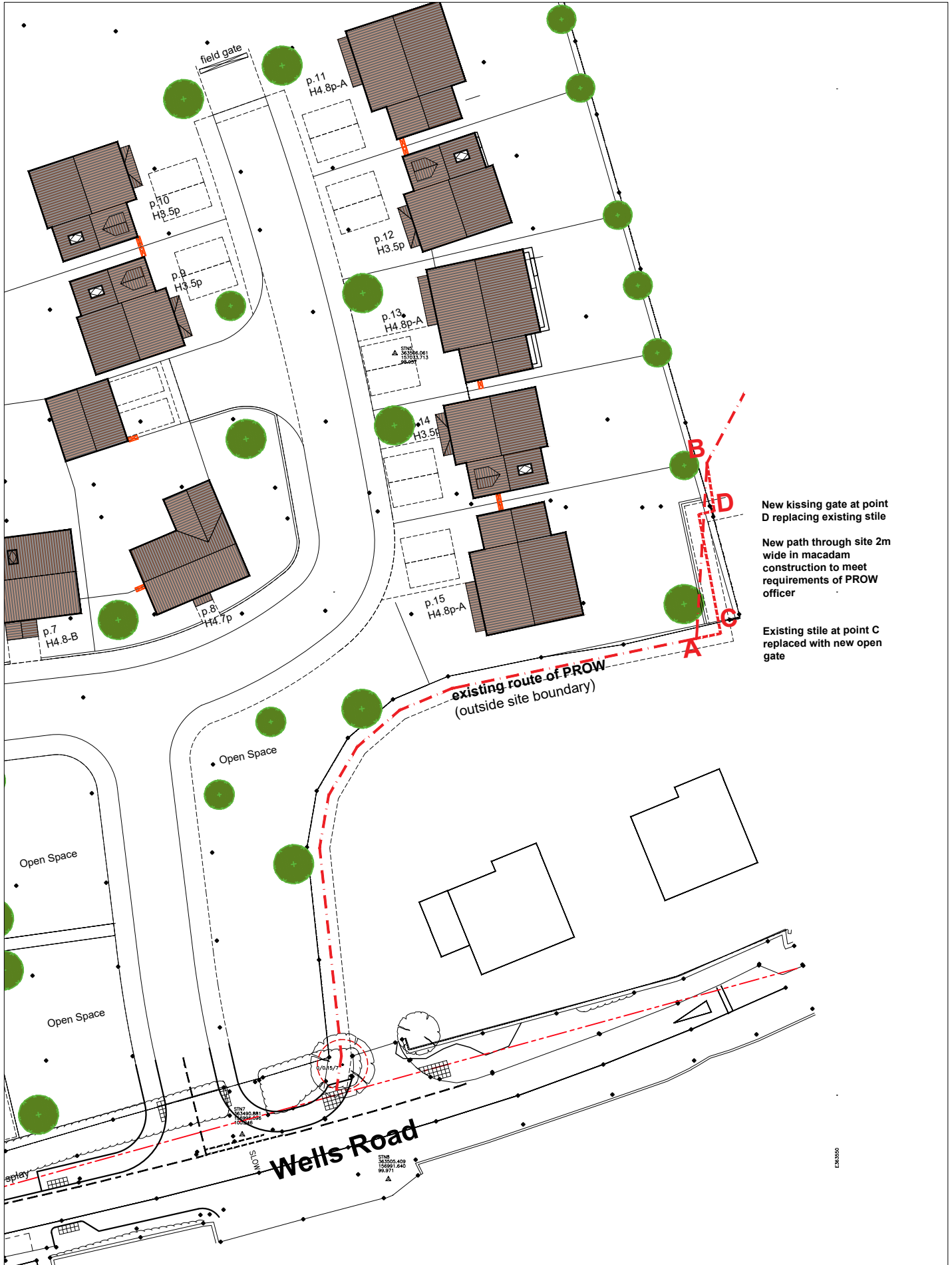


New kissing gate to PROW replacing existing stile  
New path through site 2m wide in macadam construction to meet requirements of PROW officer

existing route of PROW (outside site boundary)  
existing kissing gate retained

existing hedge retained / cut back to suit visibility splay





New kissing gate at point D replacing existing stile

New path through site 2m wide in macadam construction to meet requirements of PROW officer

Existing stile at point C replaced with new open gate

**Wells Road Hallatrow**  
**Block Plan showing revised line of public right of way**