

WEST OXFORDSHIRE DISTRICT COUNCIL
DEVELOPMENT MANAGEMENT SUB-COMMITTEE 10 August 2026
APPLICATION NUMBER 25/02688/POROW.
PROPOSED DIVERSION OF PART OF PUBLIC RIGHT OF WAY
SHIPTON UNDER WYCHWOOD Footpath No 343/7/10 (Part)
PUBLIC PATH STOPPING UP AND CREATION ORDER 2026

(Contact: Stephanie Eldridge, Tel: (01993) 861673)

(The decisions on this matter will be a resolution.)

I. PURPOSE

- I.1. To seek authority for Officers to make a Public Path Diversion Order under Section 257 the Town and Country Planning Act 1990 and carry out the required statutory consultation upon it.
- I.2. The diversion is necessary to enable development to be carried out in accordance with planning permission applied for under Part III of the Town and Country Planning Act 1990 namely: Construction of an agricultural storage barn
- I.3. The path will remain accessible and enjoyable to the public as a consequence of the diversion.

2. RECOMMENDATION

That the Development Manager be authorised

- (i) to make the Order and carry out public consultation, consistent with the drafted Order attached to this report; and
- (ii) to confirm the Order if it is unopposed

3. BACKGROUND

3.1. Planning History:

- i 13/1229/P/FP: Demolition of modern agricultural buildings, erection of dwelling and alterations to traditional agricultural buildings to provide stables, car parking and ancillary accommodation. (land adjoining site). Grant (and associated non-material amendments and condition compliance.
- ii 23/01600/FUL: Change of use of land to equine use with the erection of new stables and detached riding arena. - Withdrawn

- iii 24/02814/FUL: Erection of stables and riding arena with associated landscape works including the diversion of a public right of way - Withdrawn
- iv 25/00902/PDET28: Construction of an agricultural storage barn

3.2. Prior Notification was approved dated 14 August 2025, for construction of an agricultural storage barn– application reference 25/00902/PDET28. – Prior Approval Approved

3.3. As a result of the implementation of the planning permission, it will be necessary to divert a section of the Shipton Under Wychwood Footpath No 343/7/10, as described in the attached draft order.

3.4. An informal consultation exercise has been completed. A summary of responses is as follows:

- Oxfordshire County Council Countryside Access and Countryside Team: initial request for 3m width if the route is to be fenced. Further response accepts on this occasion 2.5m width between the inside of the fence posts either side for the new path (note: this is a site specific response, not a general acceptance).
- Parish Council: Query whether Local Government reorganisation affects the making of the order. Request for Parish Council to supervise the condition of the footpath. Request that making up should be to “complete” satisfaction of the County Council. Request for detailed materials. Query regarding width. Correction of Draft – noted. Request for clause regarding barn. Concern regarding hedgerow, Concern regarding access point, comment regarding plan.
- 14 public comments:
 - Footpath should be protected
 - Development could be relocated
 - Concern regarding access to the existing route
 - Concern for wildlife along new route
 - Request for clarity of new route
 - Concern relating to prior notification approval
 - Concern regarding new route termination point (highway)
 - Reduced amenity use - edged by thorny hedge
 - Concern of equine use
 - Reduced amenity views
 - Proposed route not acceptable
 - Detrimental to Cotswold National Landscape

4. FINANCIAL IMPLICATIONS

The applicant has agreed to pay the Council’s costs in respect of the application and also for the cost of advertising the order and subsequent notice of confirmation. The law does not permit the Council to charge the applicant for the cost of obtaining confirmation by the Secretary of State if an order is the subject of an objection.

5. ALTERNATIVES/OPTIONS

The Council may refuse to consider the application as there is no requirement to process these applications, however the diversion of the footpath will be required either under the District Councils powers or by application by the applicant to the County Council.

6. REASONS

The following issues are considered relevant to the determination of the application:

- It is necessary to enable development
- Suitability of Proposed Route (expedient)
- The Order shall not alter the point of termination if the point is not on a highway or it is on the same highway or a highway as convenient to the public (convenience / amenity)

a) It is Necessary to Enable Development (necessity)

As a result of the grant of planning permission construction of an agricultural storage barn at the site, Shipton Under Wychwood Footpath No 343/7/10 will pass through the proposed building. The landowner has made an application to divert the footpath further north in the land parcel, as described in the attached draft order, to enable the development.

b) Suitability of Proposed Route (expedient)

The proposed route is shorter by approx. 48m although this is not considered a detriment to the route. The proposed route is not be materially different to the existing definitive route as it remains in the same parcel of land and would not have an adverse impact on the enjoyment or amenity of the user. The path will be unobstructed and remain accessible and enjoyable to the public because of the diversion.

The diversion route will not have an adverse impact when considering the accessibility of the whole path and the equalities duty.

c) Point of Termination (convenience / amenity)

The proposed route terminates to the north of the existing termination point onto the same road. There is a footpath on the opposite side of the road to cross as per the existing situation.

The proposal is therefore in accordance with National Policy and guidance.

7. PROCEDURAL MATTERS

- 7.1. Officers are seeking authority to make and consult on the Order and to subsequently confirm the Order if unopposed. If objections are raised and not withdrawn, it will not be possible for the Local Planning Authority to confirm the Order. In these circumstances the Order and any objections to it will be considered by the Planning Inspectorate on behalf of the Secretary of State.

7.2. Neither the Council nor the Inspectorate consider the need for the development to which the Order relates. However, account must be taken of the need to enable development and the amenity of the resulting route.

Abby Fettes
Development Manager

Background Papers:

Draft Public Path Diversion Order and Plan
Prior Approval Decision 25/00902/PDET28

TOWN & COUNTRY PLANNING ACT 1990 SECTION 257

WEST OXFORDSHIRE DISTRICT COUNCIL

SHIPTON UNDER WYCHWOOD Footpath No 343/7/10 (Part)
PUBLIC PATH STOPPING UP AND CREATION ORDER 2026

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 the Construction of an agricultural storage barn.

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.

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SCHEDULE

PART 1

The entire width of that length of SHIPTON UNDER WYCHWOOD Footpath No.343/7/10 running from OS Grid Ref SP 2810 1743 (Point A) in a north easterly direction for approximately 233m to SP 2831 1755 (Point B) as shown between Points A and B on the plan attached to this Order.

PART 2

A new footpath with a width of 2.5m running from OS Grid Ref SP 2811 1752 (Point C) (opposite and to the north of the entrance to Sinnels Field road) in an east north easterly direction for approximately 195m to SP 2831 1755 (Point B) and rejoining the route of SHIPTON UNDER WYCHWOOD Footpath No.343/7/10 at the eastern field edge as shown between points C and B.

DATED DAY OF 2026

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

Chairman

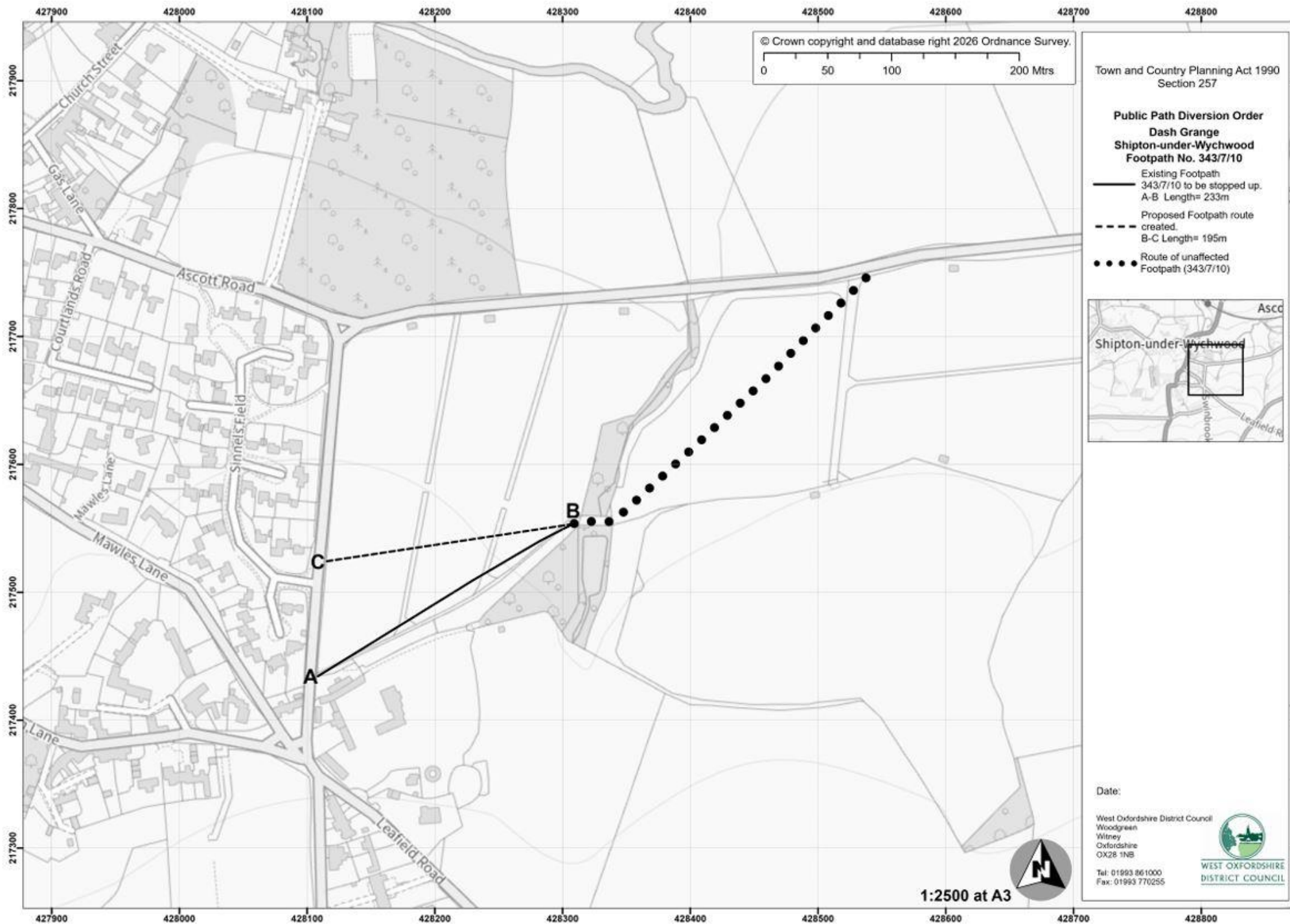
Authorised Officer

Dated: 2026

WEST OXFORDSHIRE DISTRICT COUNCIL

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