

Representations to the Order with covering list of names:

The Ramblers

Philip Bardswell

Gillian Matthews

Southern Gas Networks



Vanessa Penny
Definitive Map Team Manager
Spatial Planning
Dorset Council
County Hall, Colliton Park
Dorchester, Dorset
DT1 1XJ

Ramblers, South Dorset Group
Kate Gocher, Group Footpath Secretary

Phone: [REDACTED]
Email: [REDACTED]
www.southdorsetramblers.org.uk

Your Ref: RW/P178
Our Ref: KG/WMD2

7th December 2020

Dear Ms Penny,

**Public Path and Definitive Map and Statement Modification Order
Highways Act 1980
Wildlife and Countryside Act 1981**

**Dorset Council (Footpath 51, Dorchester and Footpath 6, Winterborne Monkton)
Public Path Diversion Order 2020**

I am writing in response to the above-named Order which I received by email on 19th November 2020. I am authorised to respond on behalf of the South Dorset Group of the Ramblers.

Whilst the Ramblers welcomes the proposal to formally divert this path so that users of these footpaths no longer have to cross the A35 (Dorchester bypass) on the level, we object to the Order as drafted because of the unacceptable route which has been chosen for the alternative path.

When first consulted about this proposed diversion in 2015, we raised the following points of concern about the proposed route (currently a Permissive Path):

- A. Large holes along the southern edge of the fenced path (the eastern half of the path O-P) most likely badger setts (not active).
- B. The section O-N runs parallel to the A35, which has a stretch level with, and close to the road, with only a post and wire fence between walkers and the road, without a safety barrier.
- C. The underpass itself has the potential for flooding

When consulted about the formal application in 2018, I made a site visit with two members of the Area Footpath Committee.

Following that visit, I made the following observations in respect of the proposed diversion R-Q-P-O-N-M-L-K-J-I-H-G-F-E-D:

- Point A (above) is still valid.
- Between O-N there is intrusive loud traffic noise.
- Point B above is still valid.
- Point C above is still valid

- The section H-G-F-E-D involves walking along a track, through ongoing development, and the access road of the business park along tarmacked surfaces before reaching Middle Farm Way (B3150).

Other than three minor provisos in the letter advising us of the Committee decision to make the Order, the Order is unchanged from the proposal on which we commented. We therefore uphold our original objection (18th December 2018) to the diverted route as proposed, firstly because of the unacceptability of the section O-N due to its proximity to the road, and the associated traffic noise, pollution, and safety issues, and secondly because of the section H-G-F-E-D which uses vehicular routes and runs through a business park.

In our view, the deficiencies in those two stretches of the proposed alternative route are such that it would fail at least one of the tests on confirmation. Section 119(6) of the Highways Act 1980 requires the decision-maker to be satisfied that it is expedient to confirm the order having regard to the effect which the diversion would have on public enjoyment of the path as a whole. Confirming this Order would have a serious deleterious effect on public enjoyment of the paths as a whole.

We also note that the proposed new footpath has been available as a permissive route for several years, and contend that this would be in effect, the loss of a footpath (A-B-C).

We have already made an alternative suggestion, which would address our concerns, and also take into account the needs of the applicant. I have attached an annotated drawing taken from Dorset Explorer to accompany the explanation below of the Ramblers' alternative P-S-T-L-V-W-X-Y.

From west to east: to avoid a cross-field path from P-L (which we anticipate would not be acceptable to the applicant) the proposed alternative route uses existing field boundaries from S-T-L, which the landowner could fence (the existing permissive path is fenced) This route would then avoid the section of that path which has the badger holes, but most importantly would remove the need to walk in close proximity to the A35.

Thereafter, the Ramblers' route uses the underpass and track up to point H, but then picks up an existing path on the ground, which is marked with 'pecked lines' on Dorset Explorer. The path runs alongside the walled allotment gardens, through an open green area, with views towards what appears to be an orchard. It then circuits Middle Farm House, before exiting at Middle Farm Way. At this point, it is only a short distance (60 metres) to a controlled pedestrian crossing at Z. This path has a stone surface, appears to be well used, with wooden pedestrian gates.

Although slightly longer than the proposed route, we submit that this alternative would be more enjoyable by removing the sections O-N and H-G-F-E-D with their associations with traffic, and replacing them with 'green' routes. In the event that this Order is submitted to the Planning Inspectorate for confirmation, we will ask the Inspector to confirm the order with modifications to divert the path on to this alternative alignment.

Yours sincerely,

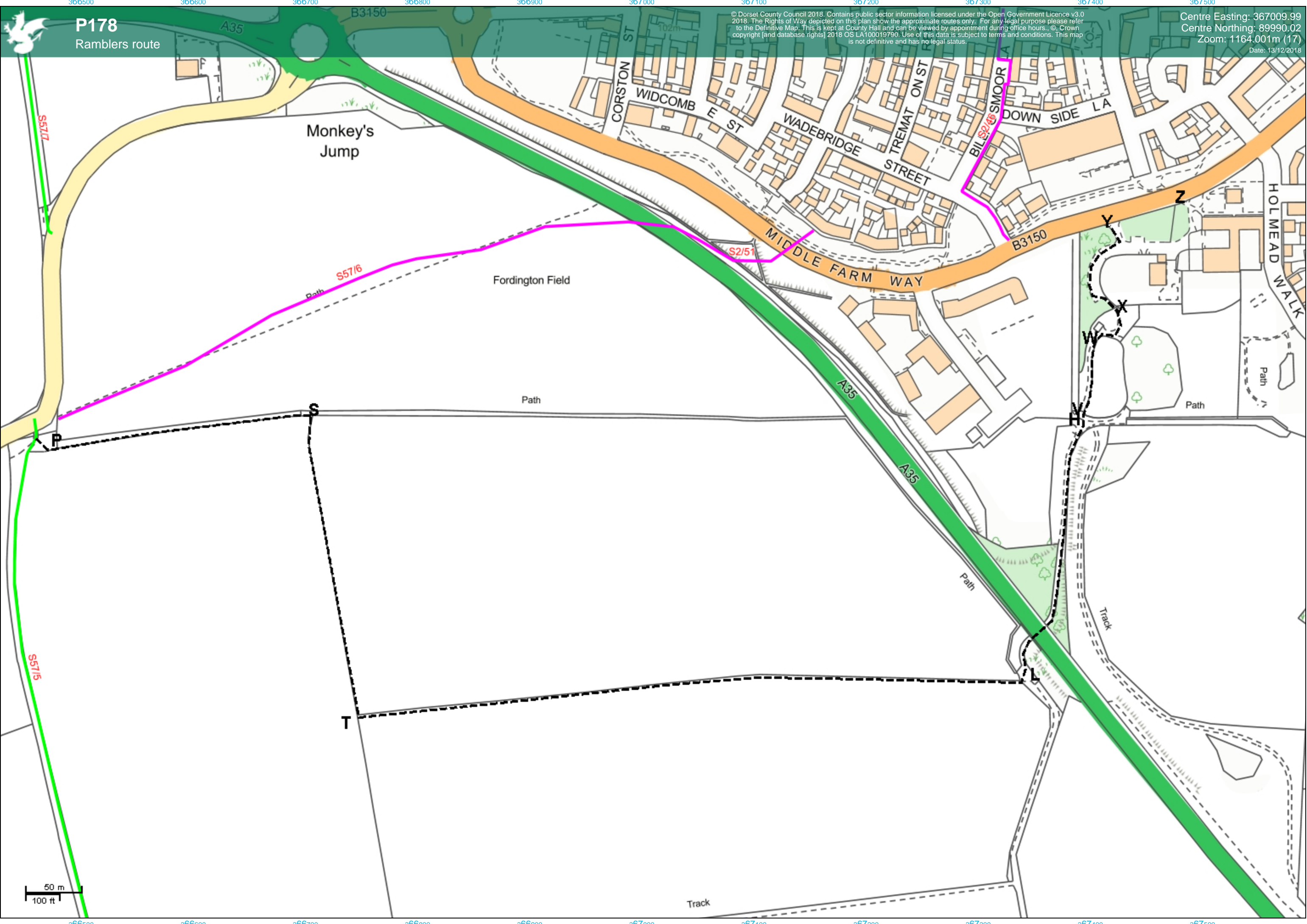
Kate Gocher, Footpath Secretary, South Dorset Group

Copies to:

Jan Wardell, Area Footpath Secretary;

Janet Davis, Advisor Rights of Way

BY E-MAIL



P178

Ramblers route

Monkey's
Jump

Fordington Field

Path

S

P

T

Track

Path

Track

Path

Path

HOLMEAD WALK

Z

Y

X

V

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I write to object to the proposed diversion of Footpath 51, Dorchester and Footpath 6, Winterborne Monkton by Order P178.

As a preamble, I would point out that by far the most likely use of this path is to access the path to Maiden Castle at point R on the plan as there is no other path from that point, so my subsequent discussion assumes that many users will take that route.

1. Your Order states that it appears to the authority that “in the interests of the owner of the land crossed by the footpaths described in paragraph 1 of this Order it is expedient that the lines of the paths should be diverted”. I fail to see how the diverted path is in the interests of the landowner as it involves construction of 0.6 miles of new path, the consequent loss of agricultural land, the installation of several gates, and new fencing. A more logical diversion would be to route the path round the edge of the field to the north of the existing path passing by Monkeys Jump roundabout.
2. The diversion materially degrades the landscape value of the path. Instead of passing across an open field with a view of Maiden Castle, the diversion passes through a business park, under the A35, and then along the edge of the main road before finally turning onto a path with a hedge between the path and the view to Maiden Castle.
3. The diverted path is substantially longer than the original route. From Ladock Terrace (point A on the plan) to the junction with the Martinstown road (points C and R on the plan) is approximately 0.5 miles by the current path and 1.0 miles by the diverted path. If the diversion is implemented, the shortest route to Maiden Castle, by about 0.2 miles, would be via the bridge carrying Maiden Castle Road over the A35.
4. While not strictly relevant to the Order, I would like to point out that the obvious route to Maiden Castle from the underpass at point L is to take the existing track south to join Maiden Castle Road at GR SY67368927 rather than the proposed diversion. Opening up this track would be much more beneficial to walkers from Poundbury than the proposed diversion.

In summary, this diversion is contrary to the interests of users of the existing paths and has no compensatory advantages.

Philip Bardswell
16th December 2020

Definitive Map Team

From: Gillian Matthews <[REDACTED]>
Sent: 19 November 2020 15:29
To: Definitive Map Team
Subject: Footpath 51 closure

Dear Sir / Madam,

I am a resident of Ladock Terrace Poundbury.

Could you please tell me the reason why the landowners wish to close the path and who will be responsible for the future cutting of the existing hedges and bank.

This enquiry is in response to the letter and details of the path closures received from Mr. Andy Hughes today.

I look forward to hearing from,

Kind regards,

Mrs Gillian Matthews.

[REDACTED]
[REDACTED]

From: Gardner, Terry <terry.gardner@sgn.co.uk>
Sent: 19 November 2020 15:22
To: Andy Hughes <A.Hughes@dorsetcc.gov.uk>
Cc: Meers, Edward <Edward.Meers@sgn.co.uk>
Subject: FW: Public Path Diversion Order 2020 P178

Hi Andy

SGN own and operate an 8" medium pressure gas main in the area shown in blue on the attached plan can you confirm our rights are not affected by this order and also no intrusive works will take place in or around our gas main as written permission is required to do anything inside the six metre easement.

Kind regards
Terry

Terry Gardner
Easement Officer
Legal Services

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