



**Dorset
Council**

**Public Path Diversion
and
Definitive Map and Statement Modification Order**

**Town and Country Planning Act 1990, Section 257
Wildlife and Countryside Act 1981, Section 53A(2)**

**Dorset Council (Part of Footpath 13, Stourpaine at Norton View)
Public Path Diversion Order 2021**

This Order is made by Dorset Council ("the authority") under section 257 of the Town and Country Planning Act 1990 ("the 1990 Act") because it is satisfied that it is necessary to divert the footpath to which this Order relates in order 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 erection of 5 dwellings at Norton View, Stourpaine (2/2020/0351OUT).

This Order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the County of Dorset definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway hitherto shown or required to be shown in the map and statement.

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 and the County of Dorset definitive map and statement shall be modified as provided below.
2. There shall be created to the reasonable satisfaction of Dorset 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 Dorset Council certify that the terms of Article 2 above have been complied with, and upon the occurrence of that diversion the County of Dorset definitive map shall be modified by deleting from it the path or way referred to in paragraph 1 of this Order and the path or way referred to in paragraph 2 of this Order shall be added to it, and the definitive statement shall be modified as described in Part 3 of the Schedule.
4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule:
 - The route between points D (ST 8617609383) and F (ST 86170936) to be fenced along its western side to a width of 2 metres.
 - Vegetation clearance as needed along the new route.
 - Gap of 2 metres to be created in the fence at point F (ST 86170936).
 - The barbed wire along points F (ST 86170936) to E (ST 86160935) to be replaced with plain wire (northern side of footpath).

5. Domonic Teversham Building and Groundworks is hereby required to pay for the cost of carrying out the said works.
6. 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 out their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

(The points specified relate to the map attached to the Order and their positions are identified by national grid references)

Part 1

Description of site of existing path

Part of Footpath 13, Stourpaine:

D – E The full width of the footpath from the unaffected part of Footpath 13, approximately 2 metres south south west from the footway adjacent the A350, to the north east of Norton View at point D (ST 8617609383), generally south west through a grass area and crossing into a field to rejoin the unaffected part of Footpath 13 at point E (ST 86160935). (No recorded width).

Part 2

Description of site of alternative highway

Part of Footpath 13, Stourpaine:

D – F – E From the unaffected part of Footpath 13, approximately 2 metres south south west from the footway adjacent the A350, to the north east of Norton View at point D (ST 8617609383), south south east passing between a fence on the western side and hedge on the eastern side, then crossing into a field to point F (ST 86170936). Continue west south west along the field boundary to rejoin the unaffected part of Footpath 13 at point E (ST 86160935). Width: The width of this part of Footpath 13 is 2 metres.

Part 3

Modification of Definitive Statement

Variation of particulars of path

Footpath 13, Stourpaine:

Delete:

From: 861093

To: 861092

A350 road to Rowlands Road.

Add:

From: ST 861093

To: ST 861092

A350 road, approximately 2 metres south south west, to the north east of Norton View to ST 8617609383, south south east passing between a fence on the western side and hedge on the eastern side, then crossing into a field to ST 86170936. Continue west south west along the field boundary to ST 86160935 then south west across the field to Rowlands Road. Width: 2 metres between ST 8617609383 and ST 86160935.

Dated this 9th day of July 2021

THE COMMON SEAL of
DORSET COUNCIL
was affixed in the presence of:-

[Handwritten signature]

385/21



Authorised signatory

The foregoing Order is hereby confirmed unopposed

[Handwritten signature]

Authorised Signatory

Dated this 12th day of August 2022



STOURPAINE PARISH

109400

GRID REFERENCES:

D - ST 8617609383

E - ST 86160935

F - ST 86170936

NORTON
VIEW

FP13

D

E

F

A350

IVY
COTTAGE

KEY:

UNAFFECTED PART OF FOOTPATH 13

PART OF FOOTPATH 13 TO BE DIVERTED

D

E

PROPOSED NEW ROUTE FOOTPATH 13

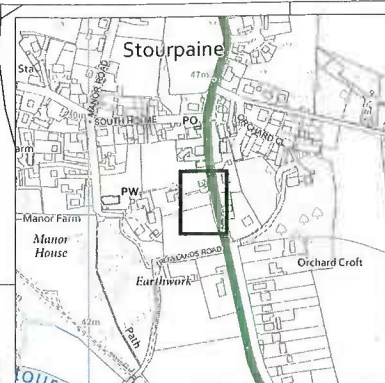
D

F

E

Carver Hall

386200



SECTION 257 TOWN AND COUNTRY PLANNING ACT 1990

DORSET COUNCIL (PART OF FOOTPATH 13, STOURPAINE
AT NORTON VIEW) PUBLIC PATH DIVERSION ORDER 2021

Ref: P225/21/2

Date: 26/05/2021

Scale 1:350

Drawn By: CAM

Cent X: 386171

Cent Y: 109369



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