



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 (Footpaths 34 (Part) and 35, Portland)
Public Path Diversion Order 2022**

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 footpaths 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: planning consent reference 200411 granted in 1951 to allow stone quarrying at Perryfield and Coombefield Quarries (as reviewed under a Review of Old Minerals Permission in 2009) and planning consent reference WP/15/00366/DC granted in 2016 to allow extraction of dimension stone by underground mining.

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 footpaths (Footpath 34 and Footpath 35) over the land shown by bold black lines 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 alternative highways for use as a replacement for the said footpaths as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpaths 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 paths referred to in Article 1 of this Order and the paths referred to in Article 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:

- Warning signs to be installed along the electric fence on the southern and western edge of the path between points M (SY 69157115), O (SY 69017117) and P (SY 69017130).
 - Barbed wire on northern and eastern side of the path points M (SY 69157115), O (SY 69017117) and P (SY 69017130) to be removed or replaced with plain wire.
 - Vegetation clearance between points M (SY 69157115), O (SY 69017117) and P (SY 69017130).
 - Field gate to be removed at point L (SY 69267090).
 - Vegetation clearance and surface to be graded between points H (SY 69097079), I (SY 69167080) and J (SY 69227081).
 - Access into field to be created at point J (SY 69227081).
 - Vegetation clearance between points E (SY 69367096) and Q (SY 69377101).
 - Bund to be graded (maximum gradient of 1:20) at point Q (SY 69377101).
 - Footpath to be constructed with crushed stone surface between points Q (SY 69377101), R (SY 69437115), S (SY 69467116) and T (SY 69477118).
5. Portland Stone Firms is hereby required to pay for the cost of carrying out the said works.
6. Where immediately before the date on which footpaths are 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 paths

Part of Footpath 34, Portland:

M – N The full width of the footpath from the unaffected part of Footpath 34 north of Weston Street at point M (SY 69157115), north north east to the unaffected part of Footpath 34 at the site of the disused windmill to the north west of Perryfield Quarries at point N (SY 69177130). (No recorded width).

Footpath 35, Portland:

C – D The full width of the footpath from its junction with Southwell Road north east of the picnic area at point C (SY 69337057), generally north west for approximately 107 metres, then generally north north east across Coombefield Quarries to its junction with Weston Street west of Pennsylvania Close at point D (SY 69307093). (No recorded width).

A – B The full width of the footpath from its junction with Weston Street 140 metres west of Pennsylvania Close at point A (SY 69287094), generally north north east and then generally north across Perryfield Quarries to its junction with Footpath 24 east of the disused windmill at point B (SY 69337128). (No recorded width).

Part 2

Description of site of alternative highways

Part of Footpath 34, Portland:

M – O – P
– N From the unaffected part of Footpath 34 north of Weston Street at point M (SY 69157115), generally west north west along a double fenced grass surface path to point O (SY 69017117) then generally north along a double fenced grass surface path to point P (SY 69017130) and generally east then east south east along a part unsurfaced and part grass track to the unaffected part of Footpath 34 at point N (SY 69177130). Width: 2 metres.

Footpath 35, Portland:

G – H – I From its junction with Footpath 74 to the east of Suckthumb Quarry at point G
– J – K – (SY 68827076), east south east and generally north east along an unsurfaced
L track for 280 metres to point H (SY 69097079), then east north east, crossing
into a field and then east south east, into another field at point I (SY
69167080). Continuing east south east and then generally north east,
following the south eastern field boundary, crossing into a field to the north at
point J (SY 69227081), then turning east, along the northern side of the south
western field boundary to point K (SY 69247081). Continuing north to its
junction with the grass verge of Weston Street at point L (SY 69267090).
Width: 3 metres between points G (SY 68827076) and J (SY 69227081), 2
metres between points J (SY 69227081) and L (SY 69267090).

New Footpath 106, Portland
(previously part of Footpath 35)

E – Q – R From its junction with Weston Street west of Pennsylvania Close at point E
– S – T (SY 69367096), generally north north west and north east, to the west of
Pennsylvania Close to point Q (SY 69377101) then continuing along a path
surfaced with crushed stone, generally north east to the east of Perryfield
Quarries and west of the Pennsylvania Heights development to point R (SY
69437115). Continuing generally east north east to point S (SY 69467116)
and north east to its junction with Footpath 25 at point T (SY 69477118).
Width: 2 metres.

Part 3

Modification of Definitive Statement

Variation of particulars of paths

Footpath 34, Portland

Delete:

From: 690709 To: 691713
Weston Street to join Path No 24.

Add:

From: SY 690709 To: SY 691713
Weston Street to SY 69157115, generally west north west along a double fenced
grass surface path to SY 69017117 then generally north along a double fenced grass
surface path to SY 69017130 and generally east then east south east along a part
unsurfaced and part grass track to SY 69177130 then north north east to join Path
No 24. Width: 2 metres between SY 69157115 and SY 69177130.

Footpath 35, Portland

Delete:

From: 693706 To: 693713
Southwell Road, northwards, crossing Weston Street to join Path No 24.

Add:

From: SY 68827076 To: SY 69267090
From its junction with Footpath 74 to the east of Suckthumb Quarry east south east and generally north east along an unsurfaced track for 280 metres to SY 69097079, then east north east, crossing into a field and then east south east, into another field at SY 69167080. Continuing east south east and then generally north east, following the south eastern field boundary, crossing into a field to the north at SY 69227081, then turning east, along the northern side of the south western field boundary to SY 69247081. Continuing north to its junction with the grass verge of Weston Street. Width: 3 metres between SY 68827076 and SY 69227081, 2 metres between SY 69227081 and SY 69267090.

Footpath 106, Portland

Add:

From: SY 69367096 To: SY 69477118
From its junction with Weston Street west of Pennsylvania Close, generally north north west and north east, to the west of Pennsylvania Close to SY 69377101 then continuing along a path surfaced with crushed stone, generally north east to the east of Perryfield Quarries and west of the Pennsylvania Heights development to SY 69437115. Continuing generally east north east to SY 69467116 and north east to its junction with Footpath 25. Width: 2 metres.

Dated this 25th day of NOVEMBER 2022

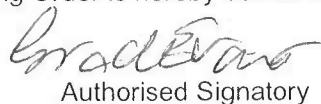
THE COMMON SEAL of
DORSET COUNCIL
was affixed in the presence of:-

652/22



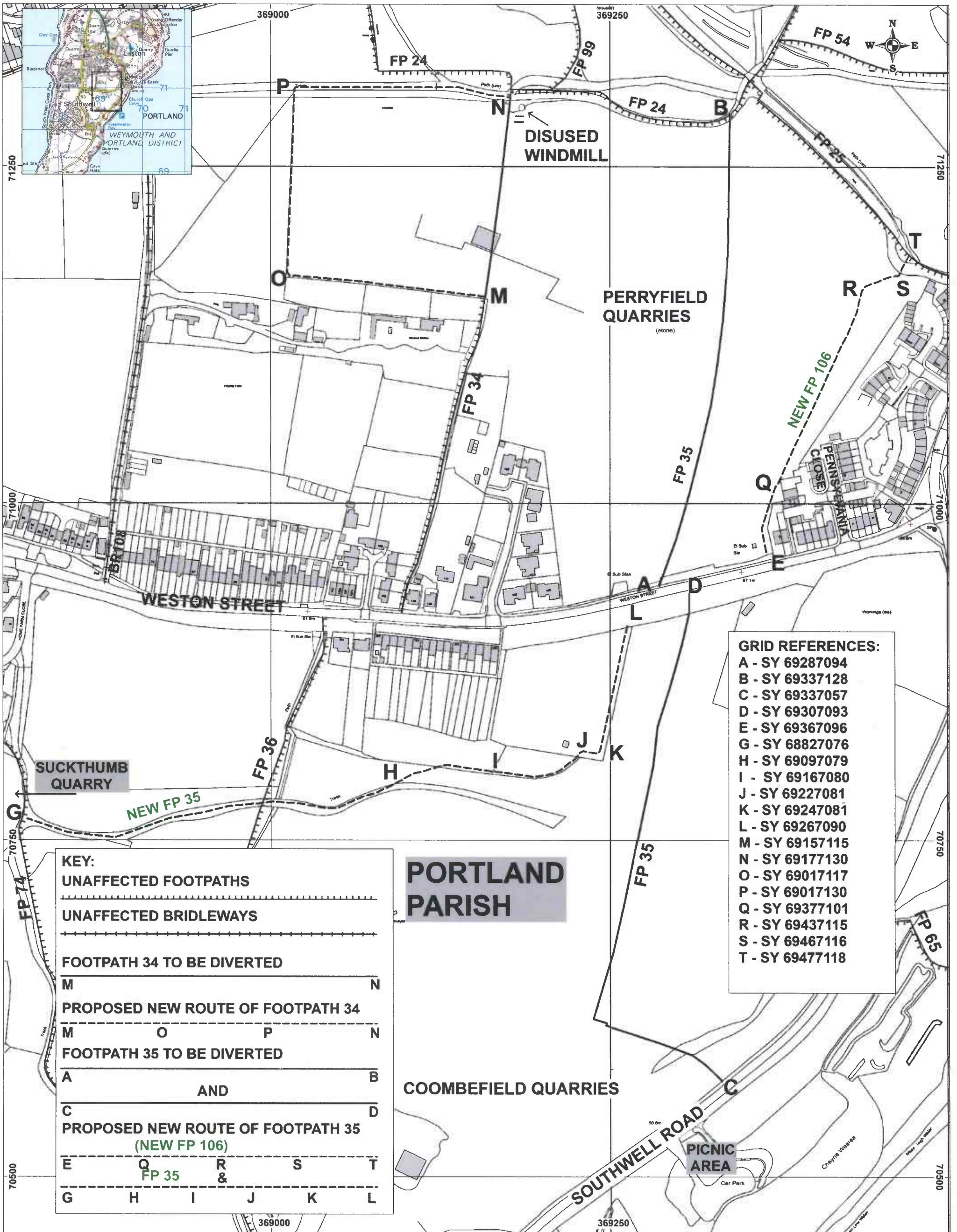
Authorised signatory

The foregoing Order is hereby confirmed unopposed



Authorised Signatory

Dated this 5th day of JANUARY 2024



GRID REFERENCES:

A	- SY 69287094
B	- SY 69337128
C	- SY 69337057
D	- SY 69307093
E	- SY 69367096
G	- SY 68827076
H	- SY 69097079
I	- SY 69167080
J	- SY 69227081
K	- SY 69247081
L	- SY 69267090
M	- SY 69157115
N	- SY 69177130
O	- SY 69017117
P	- SY 69017130
Q	- SY 69377101
R	- SY 69437115
S	- SY 69467116
T	- SY 69477118

KEY:

UNAFECTED FOOTPATHS
UNAFECTED BRIDLEWAYS
FOOTPATH 34 TO BE DIVERTED
M N
PROPOSED NEW ROUTE OF FOOTPATH 34
M O P N
FOOTPATH 35 TO BE DIVERTED
A B
AND
C D
PROPOSED NEW ROUTE OF FOOTPATH 35 (NEW FP 106)
E Q R S T
G H I J K L

PORTLAND PARISH

COOMBEFIELD QUARRIES

DORSET COUNCIL (FOOTPATHS 34 (PART) AND 35, PORTLAND) PUBLIC PATH DIVERSION ORDER 2022

Edman Iain

Ref:P141/22/1
 Date: 05/08/2022
 Scale 1:2500 at A3
 Drawn By: CAM
 Cent X: 369152
 Cent Y: 70914



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