



**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 (Parts of Footpaths 71 & 72, Beaminster)
Public Path Diversion Order 2024**

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: the residential development of up to 100 dwellings and associated infrastructure (reference WD/D/18/000115).

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 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 path or way referred to in Article 1 of this Order and the path or way 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 highways described in Part 2 of the Schedule:
Construction of footpaths to a width of 2 metres with a maximum gradient of 1:20.

5. Cavanna Homes (West Country) Ltd is hereby required to pay for the cost of carrying out the said works.
6. Where immediately before the date on which the footpaths are diverted there is apparatus under, in, on, over, along or across them 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 71, Beaminster:

A – B The whole width of the footpath from point A (ST 46810169), north north east and north across a field to the unaffected part of Footpath 71 at the field boundary at point B (ST 46830183). (No recorded width).

Part of Footpath 72, Beaminster:

I – J The whole width of the footpath from the south eastern corner of a field at point I (ST 47020158), north west across the field to the unaffected part of Footpath 72 at the field boundary at point J (ST 46970168). (No recorded width).

Part 2

Description of site of alternative highway

Part of Footpath 71, Beaminster:

C – D – E From its junction with Broadwindsor Road (B3163) at point C (ST 46810167),
– F – G – north north west along a tarmac surfaced estate path to point D (ST
H – B 46810168) then turning east north east to point E (ST 46820168) and
continuing north along the path to point F (ST 46826 01735). It then turns
west to point G (ST 46821 01738) and continues north and north west to point
H (ST 46800182), then east north east to rejoin the unaffected part of
Footpath 71 at point B (ST 46830183). Width: 2 metres.

Part of Footpath 72, Beaminster:

K – L – M From its junction with Broadwindsor Road (B3163) at point K (ST 47020157),
– N – O – north and north west along a gravel surfaced path to point L (ST 47025
P – J 01589) then continuing north east and north to point M (ST 47030162) and
west north west, passing to the south of the children's play area, to point N
(ST 47010163). It continues north and north east, passing to the west of the
play area to point O (ST 47010165) and then west north west along a tarmac
surfaced path to point P (ST 46970167) and turning north north east to rejoin
the unaffected part of Footpath 72 at point J (ST 46970168). Width: 2 metres.

Part 3

Modification of Definitive Statement

Variation of particulars of paths

Footpath 71, Beaminster:

Delete:

From: 468016 To: 470018

Broadwindsor Road to Cockroad Lane.

Add:

From: ST 46810167 To: ST 470018

From its junction with Broadwindsor Road (B3163) north north west along a tarmac surfaced estate path to ST 46810168 then turning east north east to ST 46820168 and continuing north along the path to ST 46826 01735. It then turns west to ST 46821 01738 and continues north and north west to ST 46800182, then east north east to ST 46830183 and north north east to Cockroad Lane. Width: 2 metres between ST 46810167 and ST 46830183.

Footpath 72, Beaminster:

Delete:

From: 470015 To: 468018

Broadwindsor Road east of Barrow Field to join Path No 71.

Add:

From: ST 47020157 To: ST 468018

From its junction with Broadwindsor Road (B3163) at point, north and north west along a gravel surfaced path to ST 47025 01589 then continuing north east and north to ST 47030162 and west north west, passing to the south of the children's play area, to ST 47010163. It continues north and north east, passing to the west of the play area to ST 47010165 and then west north west along a tarmac surfaced path to ST 46970167 and turning north north east to ST 46970168 then north west to its junction with Footpath 71.

Dated this 5th day of JANUARY 2024

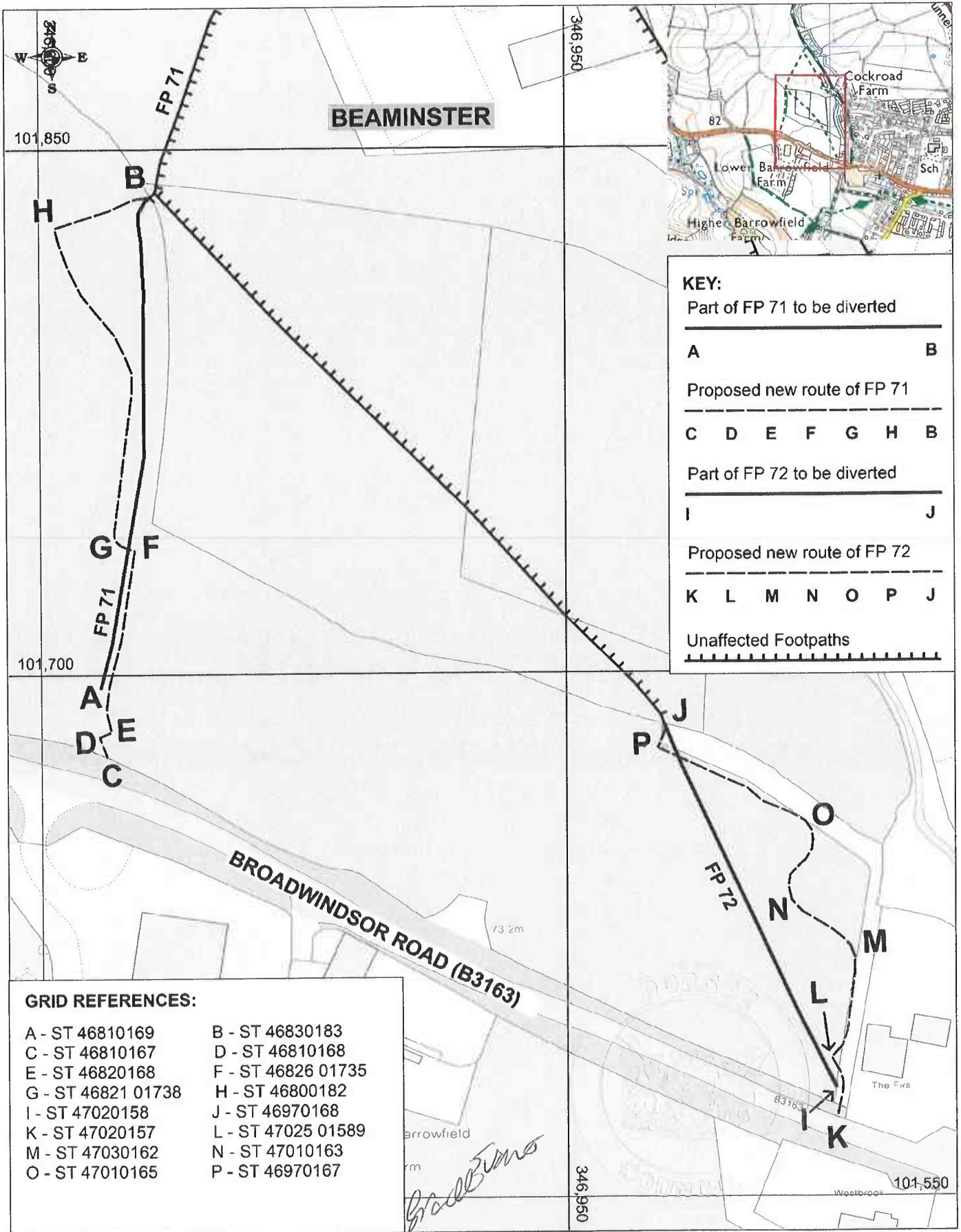
THE COMMON SEAL of
DORSET COUNCIL
was affixed in the presence of:-

Gracie Burns



Authorised signatory

7/24



KEY:

Part of FP 71 to be diverted

A B

Proposed new route of FP 71

C D E F G H B

Part of FP 72 to be diverted

I J

Proposed new route of FP 72

K L M N O P J


Unaffected Footpaths

GRID REFERENCES:

A - ST 46810169	B - ST 46830183
C - ST 46810167	D - ST 46810168
E - ST 46820168	F - ST 46826 01735
G - ST 46821 01738	H - ST 46800182
I - ST 47020158	J - ST 46970168
K - ST 47020157	L - ST 47025 01589
M - ST 47030162	N - ST 47010163
O - ST 47010165	P - ST 46970167

TOWN & COUNTRY PLANNING ACT 1990
DORSET COUNCIL (PARTS OF FOOTPATHS 71 & 72, BEAMINSTER) PUBLIC PATH DIVERSION ORDER 2024

Ref: P243/22/1
Date: 23/11/2023
Drawn by: KJD
Scale: 1:1400
Cent X: 346,926
Cent Y: 101,715



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