



**Dorset
Council**

**Public Path Diversion Order
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
(Footpath 32 Shaftesbury)
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 a development comprising of 170 dwellings, vehicle access to the A350, public open space, landscaping, car parking, ancillary works and associated infrastructure at Littledown, Shaftesbury. (Application No. 2/2018/1418/REM).

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; namely the provision of a tarmac footpath 2 metres wide.

5. Redrow Homes Ltd. 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

Footpath 32, Shaftesbury:

- A – B That length and the whole width of public footpath no. 32, Shaftesbury, running from its junction with footpath 13, Motcombe, at the Motcombe parish boundary at point A, at Ordnance Survey Grid Reference ST 86720 24475, in a generally south-easterly direction for approximately 212 metres to point B, ST 86848 24306.
The total length of footpath to be extinguished is approximately 212 metres.

Part 2

Description of site of alternative highway

Footpath 32, Shaftesbury:

- A – C – D A length of public footpath at a width of 2 metres, with a tarmac surface,
– E – F – running from point A, ST 86720 24475 in a generally south-easterly turning
G – H – I southerly direction for approximately 54 metres to point C, at ST 86728
– J – K – 24424. The path proceeds in a generally easterly direction for approximately 8
B metres to point D, ST 86736 24424. The path then crosses a vehicular access
and proceeds in a generally easterly direction for approximately 2 metres to
point E, ST 86739 24423; before proceeding in a generally southerly direction
for approximately 8 metres to point F, ST 86738 24416, leaving the vehicular
access, and then in a generally south-easterly direction for approximately 6
metres to point G, ST 86740 24411. The path then continues behind vehicular
parking spaces, in a generally south-easterly direction, first for approximately
16 metres to point H, ST 86751 24403; then in the same direction along a
footway for approximately 20 metres to point I, ST 86773 24389; then
crossing a vehicular access for approximately 16 metres to point J, ST 86782
24383; then continues along a footway for approximately 85 metres to point K,
ST 86844 24330, where it turns to proceed in a generally south-south-
westerly turning south-south-easterly direction for approximately 29 metres to
terminate at point B, ST 86848 24306 at Littledown Road A350.
The total length of footpath to be created is approximately 244 metres with a
width of 2 metres.

Part 3

Modification of Definitive Statement

Variation of particulars of path

Footpath 32, Shaftesbury:

Delete:

From: 86842430

To: 868243

From stile at main road in a generally north north westerly direction for approx 210 metres to stile at approx GR 86722447 continuing on to the cliff wood to Cliff Cottage

Add:

From: ST 86720 24475

To: ST 86848 24306

A length of public footpath at a width of 2 metres, with a tarmac surface, running from ST 86720 24475 in a generally south-easterly turning southerly direction for approximately 54 metres to ST 86728 24424. The path proceeds in a generally easterly direction for approximately 8 metres to ST 86736 24424. The path then crosses a vehicular access and proceeds in a generally easterly direction for approximately 2 metres to ST 86739 24423; before proceeding in a generally southerly direction for approximately 8 metres to ST 86738 24416, leaving the vehicular access, and then in a generally south-easterly direction for approximately 6 metres to ST 86740 24411. The path then continues behind vehicular parking spaces, in a generally south-easterly direction, first for approximately 16 metres to ST 86751 24403; then in the same direction along a footway for approximately 20 metres to ST 86773 24389; then crossing a vehicular access for approximately 16 metres to ST 86782 24383; then continues along a footway for approximately 85 metres to 86844 24330, where it turns to proceed in a generally south-south-westerly turning south-south-easterly direction for approximately 29 metres to terminate at ST 86848 24306 at Littledown Road A350.

Dated this 23rd day of APRIL 2021

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



[Handwritten signature]

218/21

Authorised signatory

The foregoing Order is hereby confirmed unopposed

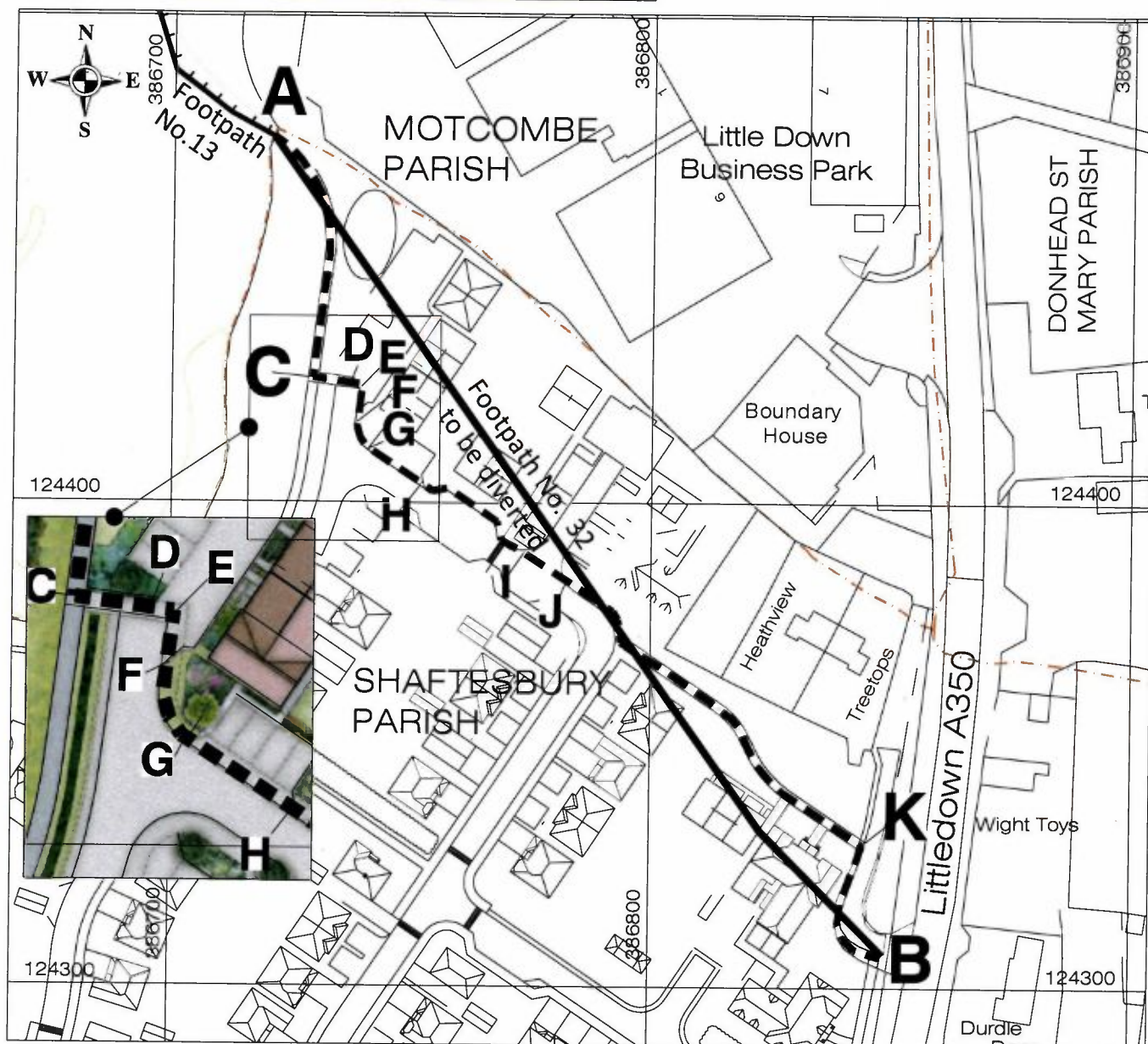
[Handwritten signature]
Authorised Signatory

Public Path Diversion Order 2021

Dated this 17th day of MARCH 2023

0 10 20 30 40 50 60 70 80 metres

SCALE 1:1250 @ A4



KEY:

FOOTPATH No. 32 TO BE DIVERTED

A ————— B

PROPOSED NEW ROUTE OF FOOTPATH No. 32

A — C — D — E — F — G — H — I — J — K — B

UNAFFECTED FOOTPATH No. 13

—————

PARISH BOUNDARY

—————

GRID REFERENCES:

A = ST 86720 24475

B = ST 86848 24306

C = ST 86728 24424

D = ST 86736 24424

E = ST 86739 24423

F = ST 86738 24416

G = ST 86740 24411

H = ST 86751 24403

I = ST 86773 24389

J = ST 86782 24383

K = ST 86844 24330

A - B = 212m

A-C-D-E-F-G-H-I-J-K-B = 244m



**PUBLIC PATH DIVERSION ORDER, 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
(FOOTPATH NO. 32, SHAFTESBURY)
PUBLIC PATH DIVERSION ORDER, 2021

Ref: N32/TCPA/2/1

Date: 12/4/21

Scale: 1:1250

Drawn: JV

Cent X: 38673

Cent Y: 12429



**Dorset
Council**

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