

NOTICE OF ORDER
Town and Country Planning Act 1990-Section 257
&
Wildlife and Countryside Act 1981-Section 53

DORSET COUNCIL

Dorset Council (Parts of Footpaths 8 And 9, Wimborne Minster) - Public Path
Diversion and Stopping-Up Order 2 2019

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **12 February 2021**.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to:

Divert that length and the whole width of public footpath No. 8, Wimborne Minster, running from point A (SZ 00534 99960) at Old Road, in a north-north-westerly turning west-north-westerly direction for 121 metres to point B (SU 00443 00029), then continuing in a west-north-westerly direction for 194 metres to point C (SU 00259 00079).

Stop-up that length and the whole width of public footpath No. 9, Wimborne Minster, running from point D (SU 00467 00046), in a south westerly direction for 29 metres to point B (SU 00443 00029).

Footpath 8, Wimborne Minster, will be diverted to a new line as follows:

A length of public footpath at a width of 2 metres running from point A, (SZ 00534 99960), at Old Road, in a west-south-westerly direction for 37 metres to point E, (SZ 00500 99947), then continuing in a west-south-westerly direction for 13 metres to point F, (SZ 00488 99943), then continuing in a west-south-westerly turning west north westerly direction for 67 metres to point G, (SZ 00422 99950), then continuing in a north-westerly direction for 23 metres to point H, (SZ 00403 99959), then continuing in a north-westerly direction for 7 metres to point J, (SZ 00396 99962), then continuing in a northerly then north westerly direction for 93 metres to point K, (SU 00358 00043), then continuing in a west-north-westerly direction for 61 metres to point L, (SU 00301 00065), then continuing in a west-north-westerly direction for 45 metres to point C, (SU 00259 00079), as shown on the order map.

Any queries relating to this Order should be referred to Helen Sparks at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5646. Email: helen.sparks@planninginspectorate.gov.uk.

Please quote reference number ROW/3255100 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by going online at:

<https://www.dorsetforyou.gov.uk/countryside-coast-parks/rights-of-way/definitive-map-and-statement/current-definitive-map-modification-orders-and-public-path-orders.aspx> The Council's offices are currently closed; the documents are available on the website only. If you would like a paper copy please contact Mr Paul Hopkins on tel. 01974 282484 or 0748 465 7776 or Email: paul.hopkins@countrysideaccess.co.uk

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 26 February 2021]

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents - these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

Within 8 weeks of the start date [by 9 April 2021]

Everyone who has made an objection or representation or any other written representation must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order.

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

Within 14 weeks of the start date [by 21 May 2021]

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned. We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.



**Dorset
Council**

**Public Path Diversion and Stopping-up 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
(Parts of Footpaths 8 and 9, Wimborne Minster)
Public Path Diversion and Stopping-up Order 2 2019**

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 construction of 203 dwellings; office; cafe and basement parking; new access to Julians Road, vehicular connections to Cuthbury Gardens, Old Road and Victoria Place; demolition of 20 dwellings at Cuthbury Close; associated open space, landscape, roads and footways, footpath diversion, ground and remediation works, infrastructure and highways works; and change of use of agricultural land to Suitable Alternative Natural Green space. (Application no. 3/16/0002/FUL).

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 stopped-up and 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 footpaths as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion and stopping-up 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 and stopping-up the County of Dorset definitive map shall be modified by deleting from it the paths or ways referred to in paragraph 1 of this Order and the paths or ways 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.

Dorset Council (Parts of Footpaths 8 and 9, Wimborne Minster) Public Path Diversion and Stopping-up Order 2 2019

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 path 2 metres wide with a: tarmac surface between points A (SZ 00534 99960) and E (SZ 00500 99947), and between F (SZ 00488 99943) and G (SZ 00422 99950), a block paving surface between points E (SZ 00500 99947) and F (SZ 00488 99943), paving slabs between points G (SZ 00422 99950) and H (SZ 00403 99959), an all - weather hoggin surface between points H (SZ 00403 99959), J (SZ 00396 99962), and K (SU 00358 00043), and between L (SU 00301 00065) and C (SU 00259 00079) and a suspended boardwalk surface with a handrail between points K (SU 00358 00043) and L (SU 00301 00065) on the Order plan.
5. Wyatt Homes Southern 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 and stopped-up 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 or way

Part of Footpath 8, Wimborne Minster:

- A – B – C That length and the whole width of public footpath No. 8, Wimborne Minster, running from point A (SZ 00534 99960) at Old Road, in a north-north-westerly turning west-north-westerly direction for 121 metres to point B (SU 00443 00029), then continuing in a west-north-westerly direction for 194 metres to point C (SU 00259 00079).

Part of Footpath 9, Wimborne Minster:

- D – B That length and the whole width of public footpath No. 9, Wimborne Minster, running from point D (SU 00467 00046), in a south westerly direction for 29 metres to point B (SU 00443 00029).

Part 2

Description of site of alternative highway

Part of Footpath 8, Wimborne Minster:

- A – E – F A length of public footpath at a width of 2 metres running from point A, (SZ
– G – H – 00534 99960), at Old Road, in a west-south-westerly direction for 37 metres
J – K – L to point E, (SZ 00500 99947), then continuing in a west-south-westerly
– C direction for 13 metres to point F, (SZ 00488 99943), then continuing in a
west-south-westerly turning west north westerly direction for 67 metres to
point G, (SZ 00422 99950), then continuing in a north-westerly direction for 23
metres to point H, (SZ 00403 99959), then continuing in a north-westerly
direction for 7 metres to point J, (SZ 00396 99962), then continuing in a
northerly then north westerly direction for 93 metres to point K, (SU 00358
00043), then continuing in a west-north-westerly direction for 61 metres to
point L, (SU 00301 00065), then continuing in a west-north-westerly direction
for 45 metres to point C, (SU 00259 00079).

Part 3

Modification of Definitive Statement Variation of particulars of path or way

Footpath 8, Wimborne Minster:

Delete:

From: 005999 To: 001002

Old Road to Wimborne/Cowgrove Road at urban district boundary.

Add:

From: SZ 005999 To: SU 001002

Old Road, north north west to SZ 00534 99960, continuing in a west-south-westerly direction for 37 metres to SZ 00500 99947, then continuing in a west-south-westerly direction for 13 metres to SZ 00488 99943, then continuing in a west-south-westerly turning west north westerly direction for 67 metres to SZ 00422 99950, then continuing in a north-westerly direction for 23 metres to SZ 00403 99959, then continuing in a north-westerly direction for 7 metres to SZ 00396 99962, then continuing in a northerly then north westerly direction for 93 metres to SU 00358 00043, then continuing in a west-north-westerly direction for 61 metres to SU 00301 00065, then continuing in a west-north-westerly direction for 45 metres to SU 00259 00079. Continuing generally north west to Wimborne/Cowgrove Road at urban district boundary. Width: 2 metres between SZ 00534 99960 and SU 00259 00079.

Footpath 9, Wimborne Minster:

Delete:

From: 00610016 To: 00440003

Victoria Road south westerly along the adopted path between Nos. 13 and 15 Victoria Road to its junction with the adopted path running behind Nos 15-31 Victoria Road at approx GR 00560012, then generally south westerly along the adopted path between properties in Victoria Place and Cuthbury Gardens to its junction with the road at approx GR 00510008 and continuing south westerly across the turning head of Victoria Place to its junction with Path No 8. The width of the path between GR 00560012 and GR 00510008 is 1.5 metres.

Add:

From: SU 00610016 To: SU 00467 00045

Victoria Road south westerly along the adopted path between Nos. 13 and 15 Victoria Road to its junction with the adopted path running behind Nos 15-31 Victoria Road at approx GR 00560012, then generally south westerly along the adopted path between properties in Victoria Place and Cuthbury Gardens to its junction with the road at approx GR 00510008 and continuing south westerly across the turning head of Victoria Place to SU 0046700046. The width of the path between GR 00560012 and GR 00510008 is 1.5 metres.

Dorset Council (Parts of Footpaths 8 and 9, Wimborne Minster) Public Path Diversion and Stopping-up Order 2 2019



KEY:

PART OF FOOTPATH NO. 8
TO BE DIVERGED
Part Footpath E2/8

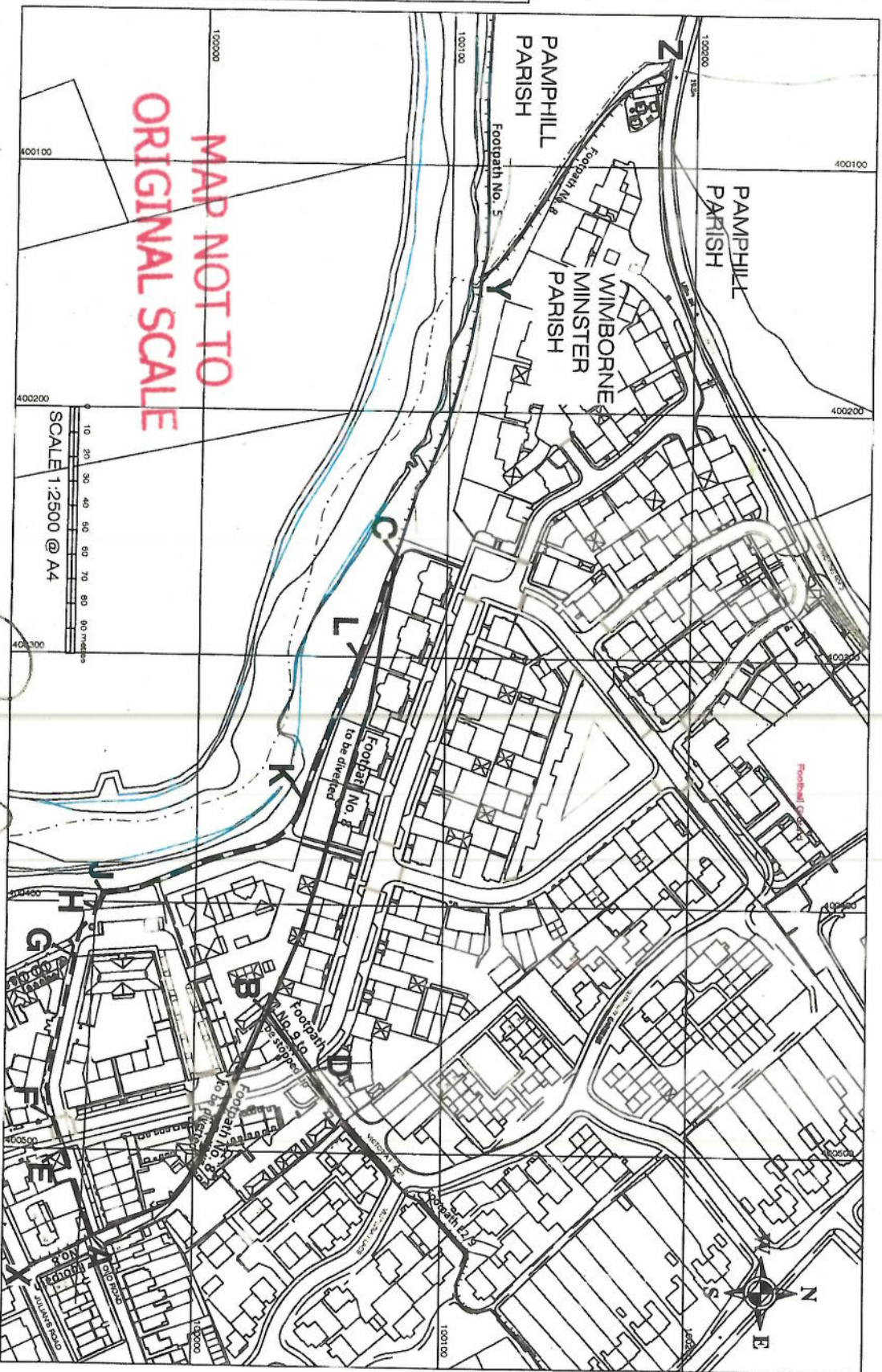
A B C

PROPOSED NEW ROUTE OF
FOOTPATH NO. 8
A E F G H J K L C

PART OF FOOTPATH NO. 9
TO BE STOPPED UP
D Footpath E2/9 B

UNAFFECTED FOOTPATHS
X A C Y Z

PARISH BOUNDARY



MAP NOT TO
ORIGINAL SCALE

**PUBLIC PATH DIVERSION AND STOPPING-UP ORDER, AND
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER**

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
WILDLIFE AND COUNTRY PLANNING ACT 1981, SECTION 53A(2)
DORSET COUNCIL (PARTS OF FOOTPATHS NOS. 8 AND 9,
WIMBORNE MINSTER)
PUBLIC PATH DIVERSION AND STOPPING UP ORDER 2, 2019

GRID REFERENCES:

- | | |
|--------------------|--------------------|
| A = SZ 00634 99960 | J = SZ 00336 99962 |
| B = SU 00443 00029 | K = SU 00358 00043 |
| C = SU 00269 00079 | L = SU 00301 00065 |
| D = SU 00467 00046 | |
| E = SZ 00500 99947 | |
| F = SZ 00488 99943 | |
| G = SZ 00422 99950 | |
| H = SZ 00403 99955 | |

Ref:
Date: 8/10/2019
Scale: 1:2500@A4
Drawn: JV
Cent X: 40029
Cent Y: 10007



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Dated this 4 day of November 2019

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



[Handwritten signature]

Authorised signatory