



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 3, Bryanston) 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 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 up to 80 new dwellings, form new vehicular access from New Road, open space, landscaping, ecological mitigation, drainage works and other ancillary works at Land North East of Lower Bryanston Farm, Fair Mile Road, Bryanston Dorset (2/2017/1919/OUT).

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 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 highway described in Part 2 of the Schedule:
 - *Construction of surfaced path between point C (ST8830 0574) and point K (ST 8805 0574)*

5. Taylor Wimpey 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 3, Bryanston:

A – B The full width of the footpath from point A (ST8828 0579) on New Road generally west south west to point B (ST 8800 0576).
(No recorded width)

Part 2

Description of site of alternative highway

Footpath 3, Bryanston:

C – D - E- From its junction with Fair Mile Road at point C (ST8830 0574) along a
F- G - H – tarmac / paved path generally west and west north west to point D (ST8828
I – J – K – 0575) then generally south west to point E (ST 8825 0573) generally north
B west, west, south west and west to point F (ST 8813 0574) then south west
and west north west to point G (ST 8812 0574), north west to point H (ST
8809 0576) south south west and south south east to point I (ST 8808 0573),
south west to point J (ST 8809 0573), north west to point K (ST 8805 0574)
and then entering a grass field and continuing north west to its junction with
the unaffected part of Footpath 3 at point B (ST 8800 0576). Width – 2 metres

Part 3

Modification of Definitive Statement

Variation of particulars of path

Footpath 3, Bryanston:

Delete:

From: 882058 To: 878057
New Road to join Path No 4 west of Bryanston Lower Farm

Add:

From: ST8830 0574 To: 878057
From its junction with Fair Mile Road at ST8830 0574 along a tarmac / paved path generally west and west north west to ST8828 0575 then generally south west to ST 8825 0573 generally north west, west, south west and west to ST 8813 0574 then south west and west north west to ST 8812 0574, north west to ST 8809 0576 south south west and south south east to ST 8808 0573, south west to ST 8809 0573, north west to ST 8805 0574 and then entering a grass field and continuing north west ST 8800 0576 then south west to join Path No 4 west of Bryanston Lower Farm.
Width – 2 metres

Dated this 7th day of June 2024

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

452/24

A handwritten signature in blue ink, appearing to read 'Jonathan [unclear]', written in a cursive style.

Authorised signatory



KEY:

UNAFFECTED PART OF FP3

PROPOSED NEW ROUTE OF FP3

PART OF FP3 TO BE DIVERTED

PARISH BOUNDARY

GRID REFERENCES:

A - ST8828 0579
 B - ST 8800 0576
 C - ST8830 0574
 D - ST8828 0575
 E - ST 8825 0573
 F - ST 8813 0574
 G - ST 8812 0574
 H - ST 8809 0576
 I - ST 8808 0573
 J - ST 8809 0573
 K - ST 8805 0574

Dorset Council

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Ref: P245/24/2
Date: 21/05/2024
Scale: 1:1300
Drawn by: CAM
Cent X: 388,139
Cent Y: 105,747

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Jonathan Hill