



# 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 35, Marnhull)  
Public Path Diversion Order 2026**

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: Planning Permission P/RES/2024/03588 to Erect 69 No. dwellings with associated infrastructure, and Outline Planning Permission APP/D1265/W/21/3289314 (LPA Ref. 2/2018/1124/OUT) to determine appearance, landscaping and scale.

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 2-metre-wide footpath A – F surfaced with pedestrian grade asphalt concrete paving
5. Hampshire Homes Group 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 35, Marnhull:**

- A – B From the unaffected part of Footpath 35 at point A (ST 7862 1886) generally north north west, then south west then north west to its junction with Footpath 34, Marnhull at point B (ST 7846 1898).  
(No recorded width)

### **Part 2**

#### **Description of site of new highway**

##### **Footpath 35, Marnhull:**

- A – C – D From the unaffected part of Footpath 35 at point A (ST 7862 1886) generally north east to point C (ST 7864 1890), then following the estate paths through the housing development generally north north west to point D (ST 7863 1898), generally west to point E (ST 7848 1901), then generally south west to its junction with Footpath 34, Marnhull at point F (ST 7845 1900).  
– E – F  
Width: 2 metres

**Part 3**

**Modification of Definitive Statement**

**Variation of particulars of path**

Footpath 35, Marnhull:

**Delete:**

From: 78621881                      To: 784189

Crown Road in a generally north north westerly direction for approx 5m to approx GR 78621881, then in a generally east north easterly direction for approx 10m to approx GR 78631882, then in a generally north north westerly direction for approx 150m to approx GR 78581895, then in a generally south westerly direction for approx 90m to approx GR 78501892, continuing along field headland in a generally north north westerly direction to junction with Path no. 34

**Add:**

From: 78621881                      To: ST 7845 1900

Crown Road in a generally north north westerly direction for approx 5m to approx GR 78621881, then in a generally east north easterly direction for approx 10m to approx GR 78631882, then in a generally north north westerly direction to ST 7862 1886 then generally north east to ST 7864 1890, then following the estate paths through the housing development generally north north west to ST 7863 1898, generally west to ST 7848 1901, then generally south west to its junction with Footpath 34, Marnhull at ST 7845 1900.

Width: 2 metres between ST 7862 1886 and ST 7845 1900.

Dated this 27<sup>th</sup> day of March 2026

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



Authorised signatory  
218/26

