



Application to divert Footpaths 24, 160,
161 and 162 and Bridleway 21,
Weymouth.

Date of Meeting: 5 November 2020

Lead Member: Cllr Tony Ferrari and Cllr. Louie O' Leary, Dorset Council
members for Littlemoor and Preston.

Lead Officer: Matthew Piles, Corporate Director for Economic Growth and
Infrastructure

Executive Summary: This report considers representations received to the Dorset Council (Public Footpath 24 (Part), 160, 161 (Part), 162 and Public Bridleway 21 (Part), Weymouth) Public Path Diversion Order 2020, and addresses whether or not to submit it to the Secretary of State for confirmation and the stance that the Council should take if submitted.

Equalities Impact Assessment: see earlier Report to the Executive Director for Place (Appendix 1)

Budget: The applicant has agreed to pay in accordance with Dorset Council's usual scale of charges and also for the cost of advertising the order and subsequent notice of confirmation. The law does not permit Dorset Council to charge the applicant for the cost of obtaining confirmation by the Secretary of State if an order is the subject of an objection.

Risk Assessment:

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: LOW

Residual Risk LOW

Other Implications:

Sustainability –

The proposal will not have any effect on carbon emissions and supports alternative methods of travel to the car.

Use of public rights of way promotes a healthy balanced lifestyle.

Recommendations:

That:

- (a) The Order be submitted to the Secretary of State for determination; and
- (b) The Council takes a supporting stance in the proceedings.

Reasons for Recommendation:

- (a) As there have been objections to the Order Dorset Council cannot confirm it itself but may submit it to the Secretary of State for an Inspector to be appointed to consider confirmation; and
- (b) The representations received to the Order oppose the diversion of the paths. The Council has accepted the application and agrees with the proposed effect of the Diversion Order.

Appendices:

1. Report to the Executive Director for Place - 10th June 2020
2. The Dorset Council (Public Footpath 24 (Part), 160, 161 (Part), 162 and Public Bridleway 21 (Part), Weymouth) Public Path Diversion Order 2020
3. Objections to the Order
4. Boundaries and surfaces plan

Background Papers:

The file of the Executive Director, Place Ref: (ref. RW/P221)

Officer Contact

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1 Background

- 1.1. The Executive Director of Place resolved on 10th June 2020 that an Order be made following consideration of an application to divert Bridleway 21 and Footpaths 24, 160, 161 and 162, Weymouth. (See Appendix 1 - Report to the Executive Director of Place - 10th June 2020).
- 1.2. The Dorset Council (Public Footpath 24 (Part), 160, 161 (Part), 162 and Public Bridleway 21 (Part), Weymouth) Public Path Diversion Order 2020 was sealed on 26 June 2020 and notice of the making of the Order was published on 6 July 2020 (Appendix 2).
- 1.3. Five objections have been received and are attached as Appendix 3.
- 1.4. As there have been objections to the Order, the Council is unable to confirm it itself; instead it may be sent to the Secretary of State for confirmation. In these circumstances the Secretary of State, through the Planning Inspectorate, may hold a local Public Inquiry or hearing at which issues can be explored fully before an Inspector decides whether the Order should be confirmed. Alternatively, at the discretion of the Inspector, the matter may be considered by way of written representations.
- 1.5. The Council must decide whether or not to submit the Order to the Secretary of State, and if submitted whether to take a supporting or neutral stance.

2 Law

- 2.1 The relevant law is set out in paragraphs 2.1 to 2.9 of the report to the Executive Director of Place. (Appendix 1).
- 2.2 The Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993 will apply. The Council may charge an applicant for the costs incurred in making an order, including advertisements. The Council shall, if asked, refund a charge where, having received objections, the Council fails to submit the Order to the Secretary of State for confirmation without the agreement of the applicant.

3 Representations to the Order

- 3.1 The Councillors for Littlemoor and Preston, Cllr Louie O'Leary and Cllr. Tony Ferrari, were consulted on the Order and made no comment.
- 3.2 There were six objections to the Order, one of which has subsequently been withdrawn. The outstanding five objections are included in full in Appendix 3 and summarised as follows.

- 3.3 Objector 1. In subsequent correspondence Objector 1 has confirmed their intention to maintain their objection. Objector 1 has opposed the diversion order on the following grounds:
- (i) The development should have provided for the retention of the existing paths without the need for their being diverted.
 - (ii) The proposed paths will run on footways within the estate.
 - (iii) Concerns for dog fouling on the proposed paths.
 - (iv) The detrimental effect of the diverted paths on wildlife habitats.
 - (v) The detrimental effect of the diverted paths on homes and the privacy of occupants of houses adjacent to the proposed paths.
 - (vi) The increase in distance of the proposed paths in comparison with the existing.
 - (vii) Other issues raised by this objector appear to relate to the process of the work being carried out to construct the development.
- 3.4 Objector 2. In subsequent correspondence Objector 2 has confirmed their intention to maintain their objection. This objector has opposed the diversion order on the following grounds:
- (i) The development should have provided for the retention of the existing paths without the need for their being diverted.
 - (ii) The proposed paths will run on footways within the estate, rather than on grass as at present.
 - (iii) Concerns for dog fouling on the proposed paths.
 - (iv) Concerns for high fencing alongside proposed paths.
 - (vi) The increase in distance of the proposed paths in comparison with the existing.
 - (vii) Other issues raised by this objector appear to relate to the process of the work being carried out to construct the development.
- 3.5 Objector 3. In subsequent correspondence Objector 3 has confirmed their intention to maintain their objection. Objector 3 has opposed the diversion order on the following grounds:
- (i) The path has been used by the objector's family for many years. (No information has been provided as to which path).

(ii) Objects to the positioning of the notices of the making of the Order.

3.6 Objector 4. This objection was received by letter, but no contact details were given therefore it has not been possible to contact the objector to discuss their reasons for opposing the order. This objector, who has identified themselves as a local resident, has opposed the diversion order on the following grounds:

(i) The development should have provided for the retention of the existing paths without the need for their being diverted.

(ii) The proposed paths will run on footways within the estate rather than on grass.

(iii) Concerns for dog fouling on the proposed paths.

(iv) Concerns for the detrimental effect of the diverted paths on wildlife habitats.

(vii) Other issues raised by this objector appear to relate to the process of the work being carried out to construct the development.

3.7 Objector 5. This objection was received by letter, but no contact details were given therefore it has not been possible to contact the objector to discuss their reasons for opposing the order. The name of the objector is also difficult to make out from the signature on the objection letter. This objector has opposed the diversion order on the following grounds:

(i) The proposed paths will run on footways within the estate rather than through fields.

(ii) Concerns for the privacy of occupants of houses.

(iii) Concerns for dog fouling on the proposed paths, and conflict between residents and path users as a consequence.

(iv) Concerns for the detrimental effect of the diverted paths on wildlife habitats.

(v) Other issues raised by this objector appear to relate to the process of the work being carried out to construct the development.

4 Comments on objections to the order

4.1 The Council must consider whether it is necessary to divert the paths to enable development to be carried out. It is clear that this legal test is met in this case.

- 4.2 Objectors 4 and 5 have not provided any contact details. It has not been possible to correspond with these objectors in order to discuss their concerns.

Built-up nature of the new paths

- 4.3 Objectors express concerns for the built-up nature of the environment through which the new paths will run, in that the paths will be on footways next to roads within the site rather than on grass paths within a rural setting.
- 4.4 The development is taking place on a greenfield site, which is allocated for development in the local plan. It is thus inevitable that there will be a change in character to at least parts of the paths to be provided within the development as a result of any proposal to divert them.
- 4.5 The land crossed by the paths will alter from an open, undeveloped field to a housing development. The allocation policy in the West Dorset, Weymouth & Portland Local Plan 2015, Policy WEY11 Land off Louviers Road, states “pedestrian links and wildlife corridors should be provided through the developments connecting to Lorton Valley Nature Park and adjoining areas of open countryside”, and this is what the proposals do.
- 4.6 Within the constraints of the development for which planning permission has been granted, the order seeks to provide suitable replacements for the existing paths. The proposed alternative routes for Footpaths 160 and 161 run through open space to the south of the built-up area and provide for a circular route within the site.

Proximity of paths to dwellings

- 4.7 Concerns have been made with regard to the proximity of the paths to dwellings. Parts of the proposed routes run along paths and pavements which mainly, where they are in proximity to dwellings, are to the front of properties, where it is normally expected that there will be some public activity and potential overlooking from those using roads and pavements.
- 4.8 However the potential for some overlooking to the front of properties will be from people passing on foot, (or by car), and will be of a transient nature and not of such a degree as to be considered unacceptable.
- 4.9 The merits of the development, including the impact on the public rights of way, and public access more generally, was considered and approved by the Council in the granting of planning permission. The Council considered that the overall benefits of the proposal, including the provision of Affordable Housing, outweighed any negative impacts of the development, including that upon the amenity, convenience and safety of the public. The proposed paths

would not disadvantage the public and would provide safe and convenient routes through the development.

Ongoing construction

- 4.10 Objectors have referred to work taking place on the site of the development. Whilst development on the site has begun, the construction program has taken into account the existing rights of way, and no dwellings have been constructed on the lines of the paths subject to the order.

Fencing

- 4.11 Objectors have raised concerns with regard to fences adjacent the proposed paths. The fencing in the areas adjacent the footpaths are low fences, whereas the fences around the gardens of dwellings are taller but set back from the routes. The plan at Appendix 4 shows details of the boundaries within the development.

Dog fouling and surfacing

- 4.12 The points regarding dog fouling and mud are noted. Persimmon Homes have agreed to provide dog bins and associated signage on the site, with the maintenance and emptying of bins being carried out by the residents' management company which will take over the responsibility for the maintenance of the development once it has been completed.

Notices of Order making

- 4.13 Objector 3 refers to the positioning of the notices of the making of the Order. These were placed on lamp-posts and other structures at the ends of the paths subject to the Order, and were displayed in accordance with legislative requirements.

Increased distance of the new routes

- 4.14 Several objectors have referred to an increase in distance of the proposed paths in comparison with the existing paths. The paths to be provided by the Order retain a network of paths through the site that reflects, as far as possible, the existing paths and the proposed changes are not considered to be inconvenient to path users.

Effect on wildlife

- 4.15 Several objectors have expressed concerns that there will be a detrimental effect on wildlife as a consequence of the diverted paths. The environmental implications of the development and public access within the site has been fully addressed as part of the granting of planning permission.

5 Discussion

- 5.1 As objections have been received, the Council is unable to confirm the Order itself and must either submit the Order to the Secretary of State for confirmation or abandon the Order.
- 5.2 The options now available to the Council are:
- To support the Order (maintaining the position of the Council to date);
 - To take a neutral stance; or
 - To abandon the Order.
- 5.3 Supporting the Order would entail the preparation of an extensive and detailed Statement of Case to be submitted to the Secretary of State for consideration. There would also be preparation for and active participation in any subsequent public inquiry which may be held.
- 5.4 If the Council takes a neutral stance in the matter, submitting copies of all correspondence relating to the case for consideration and taking no active part in any public inquiry which may be held, the burden on the resources of the Council is reduced.
- 5.5 If the Council decides to abandon the Order no further action is taken but the applicant may be entitled to a refund of their expenditure to date. The applicant has paid a total administration fee of £11,000 (this is based on the Council's standard fee structure for Public Path Orders of £3000 for the first path and £2000 per additional path on the same order). This fee covers the cost of the external consultant who is dealing with the application. Dorset Council would therefore be responsible for the cost of the refund. The administration fee excludes the cost of advertising which is non-refundable.
- 5.6 If the Council decides to abandon the Order and the developer subsequently proceeds with the development thereby obstructing the existing public rights of way, the Council would become responsible for enforcing the legal line of the paths.
- 5.7 In the event that the Order is submitted to the Secretary of State and they decide not to confirm the Order, Dorset Council may give the developer the opportunity to divert the obstructed rights of way under the Highways Act before any enforcement action is taken.

- 5.8 It is recommended that the Council supports the Order. The Council has granted planning permission for the development to take place, and is satisfied that the Order meets the legal test under the Town and Country Planning Act 1990.
- 5.9 Section 257 of the Town and Country Planning Act 1990 enables a local authority to make an order to divert or stop-up of any footpath, bridleway or restricted byway if it is satisfied that it is necessary to do so in order to allow development to be carried out in accordance with planning permission granted under Part III of the Act. The test for the confirmation of the order, contained in section 257 (1) of the Act, is that the diversion or stopping-up is necessary to enable development authorised by planning permission to take place.
- 5.10 The Council has made the Diversion Order because it is satisfied that it is necessary to divert the footpaths and bridleway to enable the development to be carried out in accordance with the grant of planning permission.
- 5.11 Section 257 does not provide a mechanism whereby objections to the Order may re-open considerations inherent in the grant of planning permission. None of the objections put forward contains information which challenges the test of the necessity to divert the paths to enable the development to take place.
- 5.12 The Order provides for a network of alternative footpaths and bridleway which would be safe and convenient for use by the public.
- 5.13 The alternative footpaths would have widths of two metres, and the alternative route for Bridleway 21 a width of four metres.
- 5.14 The paths would be surfaced to a standard that would make them easily accessible to most users.
- 5.15 The greater part of the alternative routes for Footpaths 160 and 161 would run within open space to the south of the built-up area of the development, and, in the context of the development for which planning permission has been granted and for which the Order has been made, the merits associated with the amenity opportunities for the public that may be provided by the alternative paths are considered to be of sufficient substance to warrant their acceptability as replacements for the lengths of footpath and bridleway to be diverted.

- 5.16 Officers are consequently satisfied that there will be no disadvantage or loss to members of the public as a result of the Order, and that it retains a means of access which will meet the needs of local residents and other members of the public.
- 5.17 In considering the impact of the Order on the convenience and enjoyment of the public, it is submitted that the diverted routes would provide a pleasant circular walk, as well as relatively direct routes through and across the site.
- 5.18 For these reasons, it is considered that the effect of the Order would not be to the detriment of the convenience, safety and welfare of path users.
- 5.19 It is submitted that proper consideration has been given to the provision of the alternative routes to be brought into being by the Order, and there is nothing in this regard to indicate that the Order should not be confirmed.
- 5.20 In summary, the alternative routes are suitable replacements for the existing footpaths and bridleway that would be diverted by the Order, and the diversion of the paths is necessary to enable the development to take place.
- 5.21 In view of this and the nature of the objections it is proposed that Dorset Council takes a supporting stance in the determination proceedings.

6 Conclusions

- 6.1 The objections raised remain outstanding; it is therefore necessary for an Inspector appointed by the Secretary of State to consider the confirmation of the Order or for Dorset Council to abandon the Order.
- 6.2 If the Council does not send the Order to the Secretary of State for confirmation the applicant may be entitled to a refund of their expenditure to date.
- 6.3 The recommendation is that
- (a) The Order be submitted to the Secretary of State for determination; and
 - (b) The Council takes a supporting stance in the proceedings.
- 6.4 This would enable an independently appointed Inspector to decide if the Order meets the legal tests for its making and confirmation.

Matthew Piles
Corporate Director for Economic Growth and Infrastructure

October 2020



Report to the Executive Director for Place

Application for an order under Section 257 of the Town and Country Planning Act 1990 to stop-up Footpath 160 and to divert Footpaths 24 (part) 161, 162, and Bridleway 21 (part), Weymouth.

Lead Members: Cllr Tony Ferrari and Cllr. Louie O' Leary ward, Dorset Council members for Littlemoor and Preston

Lead Officer: Matthew Piles, Corporate Director for Economic Growth and Infrastructure

Executive Summary: This report considers an application for an order under Section 257 of the Town and Country Planning Act 1990 to stop-up Footpath 160 and to divert Footpaths 24 (part) 161, 162, and Bridleway 24 (part), Weymouth, as shown on the plan at Appendix 1.

Equalities Impact Assessment:

The surface and gradient of the new routes are considered to be no less accessible than the current routes.

Budget:

The applicant has agreed to pay in accordance with Dorset Council's usual scale of charges and also for the cost of advertising the order and subsequent notice of confirmation. The law does not permit Dorset Council to charge the applicant for the cost of obtaining confirmation by the Secretary of State if an order is the subject of an objection.

Risk Assessment:

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: LOW

Residual Risk LOW

Other Implications:

Sustainability –

The proposal will not have any effect on carbon emissions and supports alternative methods of travel to the car.

Use of public rights of way promotes a healthy balanced lifestyle.

Recommendations:

That:

- (a) The application to stop-up Footpath 160 and to divert Footpaths 24 (part) 161, 162, and Bridleway 24 (part), Weymouth, be accepted and an order made;
- (b) The order includes provisions to modify the definitive map and statement to record the changes made as a consequence of the diversion / stoppings up; and
- (c) If the Order is unopposed, or if any objections are withdrawn, it be confirmed by Dorset Council without further reference to the Executive Director for Place.

Reasons for Recommendations:

- (a) The proposed diversions and stopping up meets the legal criteria set out in the Town and Country Planning Act 1990.
- (b) The inclusion of these provisions in a public path order means that there is no need for a separate legal event order to modify the definitive map and statement as a result of the diversion / stopping up.
- (c) Accordingly, the absence of objections may be taken as acceptance that the proposed new routes are expedient and therefore Dorset Council can itself confirm the order.

Appendices:

- 1. Plan showing proposed stopping up and diversion order.
- 2. Summary of consultation responses.

Background Papers:

n/a

Officer Contact:

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1 Background

- 1.1 Dorset Council has received an application from Persimmon Homes Ltd, to stop-up and divert a number of public rights of way on land to the south of Louviers Road, Weymouth, as shown on the plan attached as Appendix 1..
- 1.2 The application has been made 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.
- 1.3 Planning consent was granted by the former Weymouth and Portland Borough Council on 20th December 2018 for the construction of 114 dwellings, including creation of new access, landscaping, associated public open space and associated works on land to the south of Louviers Road, Weymouth. (Application no. WP/17/00832).
- 1.4 Footpaths 24, 160, 161 and 162, and Bridleway 21, Weymouth, run through the site of the development, and the developers have applied to Dorset Council for an order under section 257 of the Town and Country Planning Act 1990 to stop-up and divert the affected paths to enable the development to take place.
- 1.5 On 3rd September 2014 an application was made by Dr. M. Beeson under Section 53 of the Wildlife and Countryside Act 1980 for a modification order to add a number of footpaths to the definitive map, which run through the site of the development. These footpaths correspond to the lines of Footpaths 160, 161 and 162.
- 1.6 In order to provide for the inclusion of these lengths of path within a stopping-up and diversion order under Section 257 of the Town and Country Planning Act 1990, on 11th July 2018 the owners of the land dedicated the claimed paths as public footpaths.
- 1.7 However, this dedication of the paths as public footpaths does not remove the Council's duty under the Wildlife and Countryside Act 1981 to investigate the application that has been submitted by Dr. Beeson, and, if necessary, to make a modification order to add the paths to the definitive map. The application for the modification order is awaiting processing.
- 1.8 Should investigations indicate that the lines of the claimed paths correspond with the lines and status of the paths that are to be subject to a diversion order under Section 257 of the Town and Country Planning Act 1990, then it will be the case that the claimed paths will have been diverted by that order.
- 1.9 The length of footpath 160 that would be stopped-up by the order is shown on the plan as a bold line between points X and F.

- 1.10 The length of Footpath 24 that would be diverted by the order is shown on the plan as a bold line between points E and F. The proposed alternative length of footpath is shown as a broken black line between E, E1, E2, E3, M and F. The alternative length of footpath would have a width of 2 metres and in part a tarmac surface and part hoggin surface.
- 1.11 The length of Footpath 161 that would be diverted by the order is shown on the plan as a bold line between points T, G, H, I, J, K, L and F. The proposed alternative length of footpath is shown as a broken black line between M, M1, N, O, P, P1, Q, Q1, R, S and T, and between P, U and V. The alternative length of footpath would have a width of 2 metres and in part a tarmac surface, part herringbone block paving, and part natural/grass surface. Between U and V there would be a culvert with a grass surface.
- 1.12 The length of Footpath 162 that would be diverted by the order is shown on the plan as a bold line between points A and E. The proposed alternative length of footpath is shown as a broken black line between A1, B, C, D and E1. The alternative length of footpath would have a width of 2 metres and a tarmac surface.
- 1.13 The length of Bridleway 21 that would be diverted by the order is shown on the plan as a bold line between points A and A2. The proposed alternative length of bridleway is shown as a broken black line between A, A1, A6, A5, A4, A3 and A2. The alternative length of bridleway would have a width of 4 metres and in part a tarmac surface and part hoggin surface.
- 1.14 The land crossed by the paths to be subject to the order is owned by the applicants for the order, Persimmon Homes Ltd, with exception of a short length of the proposed footpath between point V and the boundary of the site, which is owned by F. H. Cummings Ltd. F. H. Cummings has been consulted and has supplied an e mail confirming that they have no objections to this length of path running over their land.
- 1.15 The diversion and stopping up of the paths as proposed is necessary to enable development of 114 dwellings, including creation of new access, landscaping, associated public open space and associated works on land to the south of Louviers Road, Weymouth. (Application no. WP/17/00832), to take place.

2 Law

Town and Country Planning Act 1990

- 2.1 Dorset Council has powers to make public path diversion / stopping up orders under Section 257 of the Town and Country Planning Act 1990.

- 2.2 Section 257 of the Town and Country Planning Act 1990 makes provision for a competent authority to authorise the diversion or stopping up of any footpath, bridleway or restricted byway through the making of an order if they are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with a planning permission. The term “competent authority” is defined within Section 257 as being the local planning authority who granted the planning permission, in this instance Dorset Council.
- 2.3 The power contained in section 257 is available only if the development, insofar as it affects the path or way, is not yet substantially complete.
- 2.4 The power of confirmation is discretionary and non-confirmation may be justified in certain circumstances. After the expiry of a period of not less than 28 days to be provided by the notice of the making of the order, the Council may itself confirm the order if no objections had been made. Should objections be received, these may be withdrawn after discussion with the objector, leaving the Council free to confirm the order. If any objections are not withdrawn, the Council may pass the order to the Secretary of State for determination by an appointed Inspector, who would consider the matter by means of written representations, a hearing or a public inquiry, or, alternatively, the Council could resolve to withdraw the order.
- 2.5 An order would not come into force until such time as the works necessary to establish the alternative footpath had been carried out to a standard suitable for use by the public as footpaths.

Wildlife and Countryside Act 1981

- 2.6 Section 53A of the Wildlife and Countryside Act 1981 enables provisions to amend the definitive map and statement required by virtue of a diversion order to be included in the diversion order instead of being the subject of a separate legal event order.

Human Rights Act 1998 – Human rights implications

- 2.7 The provisions of the Human Rights Act and principles contained in the Convention of Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols of particular relevance are:

Article 8 - Right to respect for private and family life

The First Protocol, Article 1 - Protection of Property.

- 2.8 When considering whether it is expedient to make the order a council must have due regard of any argument put forward by an adjoining landowner that their rights under Article 8 and Article 1 of the First Protocol would be infringed.
- 2.9 Section 28 of the Highways Act 1980 provides that a person with an interest in land affected by the consequence of the coming into operation of a public path order can make a claim for compensation for the depreciation of land value or damage suffered by being disturbed in his enjoyment of land.

3 Compliance with the law

- 3.1 The proposed public path diversion / stopping up is necessary in order for development to take place.
- 3.2 If the order is unopposed it can be confirmed by the Council and need not be submitted to the Planning Inspectorate.

4 Consultation

- 4.1 The Council carried out a wide consultation in June 2019. Interested parties were sent details of the proposed stopping up and diversion order, and notices and plans were placed on the site.
- 4.2 A further consultation took place in September 2019. In response, the Open Spaces Society, Ramblers Association and Dr. Beeson expressed concern that the proposals put forward did not provide for a link between the alternative paths to be provided within the site and Bridleway 21, to the north.
- 4.3 The Ramblers Association also requested that the proposals provide for a length of footpath running within the informal recreation area in the south-western part of the site.
- 4.4 Following further consultations and negotiations between Persimmon Homes and the owners of the land to the north of the site, F. H. Cummings Ltd., a revised proposal was put forward by Persimmon Homes which provides for such a link.
- 4.5 The length of footpath shown between points P-U-V on the plan at Appendix 1 thus joins Bridleway 21 at point V. Persimmon Homes have also agreed to the provision of an additional length of path through the recreation area, which is shown on the plan between A and F.
- 4.6 Further consultations were carried out in November 2019 with the Ramblers Association, Open Spaces Society and Dr. Beeson.

- 4.7 Responses to this consultation were received from the Ramblers Association and Dr. Beeson.
- 4.8 The Ramblers responded to indicate that they would not oppose an order to make the revised proposals.
- 4.9 Dr. Beeson responded to say that the latest proposal address his 'primary concerns' but he still has reservations regarding the extinguishment of Footpath 160 and because of the possibility that cars might be parked on the footways on which the proposed new footpaths would run.
- 4.10 Further correspondence took place in February 2020 with Dr. Beeson and the local representative of the Open Spaces Society, both of whom have indicated that they would not oppose an order to effect the proposed changes.
- 4.11 The Councillors for Littlemoor and Preston ward, Cllr Tony Ferrari and Cllr. Louie o'Leary, were consulted on the application and have not objected to the proposed order.
- 4.12 All consultation responses are summarised in Appendix 2.

5 Discussion

- 5.1 The proposed stopping up and diversion meets the legal tests under the Town and Country Planning Act 1990.
- 5.2 The applicant will be responsible for carrying out the works that will be necessary to provide the new lengths of bridleway and footpath described in paragraphs 1.10 to 1.13 above to a standard suitable for use by the public.
- 5.3 The stopping-up and diversion order would not take effect until such time as the Council issues a certificate to confirm that these works have been carried out to a standard to its satisfaction. If confirmed by the Secretary of State, the order will provide that the diversions are not effective until the works have been completed and certified.
- 5.4 The works will be carried out and funded by the applicant, Persimmon Homes.

6 Conclusions

- 6.1 The application to stop up Footpath 160, Weymouth and divert part of Footpath 24, Footpath 161 and Footpath 162, and part of Bridleway 21 meets the tests set out under the Town and Country Planning Act 1990 and therefore should be accepted and an order made.

- 6.2 The Order should include provisions to modify the definitive map and statement to record the changes made as a consequence of the stopping up / diversion.
- 6.3 If there are no objections to a public path order, the criteria for confirmation may be presumed to have been met as the Executive Director for Place would already have considered the relevant tests and therefore the order should be confirmed.

Matthew Piles

Corporate Director for Economic Growth and Infrastructure

June 2020



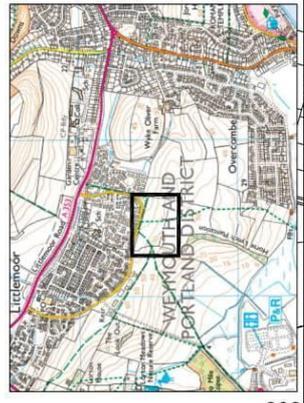
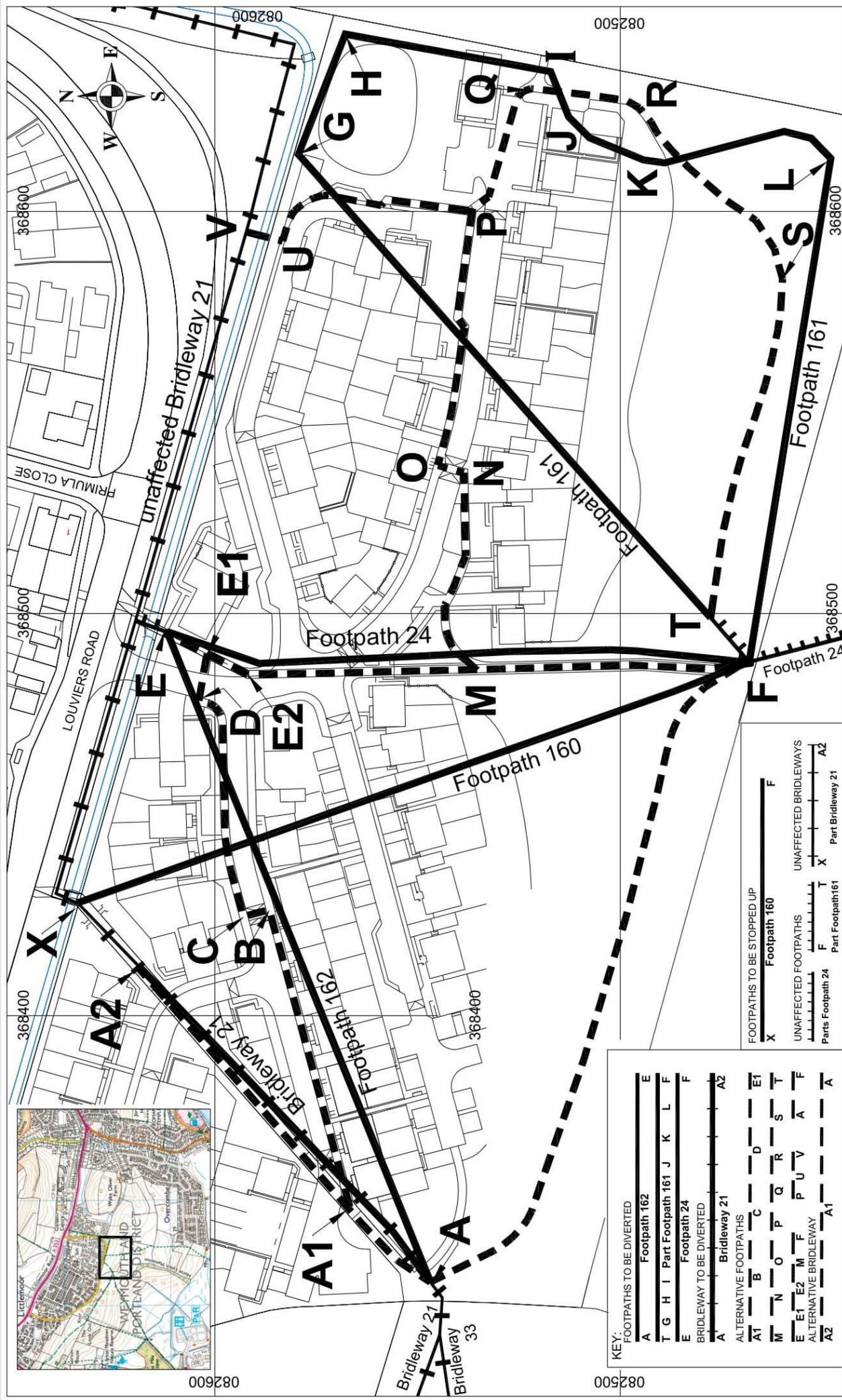
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Drawn: JV
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GRID REFERENCES:

A = SY 68335 82547	F = SY 68488 82468	O = SY 68536 82545
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B = SY 68426 82586	I = SY 68634 82517	R = SY 68627 82496
C = SY 68424 82592	J = SY 68620 82510	S = SY 68583 82460
D = SY 68478 82603	K = SY 68612 82491	T = SY 68498 82477
E = SY 68496 82612	L = SY 68613 82448	U = SY 68592 82583
E1 = SY 68489 82601	M = SY 68485 82535	V = SY 68594 82592
E2 = SY 68484 82591	N = SY 68535 82538	X = SY 68428 82634

TOWN AND COUNTRY PLANNING
ACT 1990 SECTION 257
PUBLIC PATH DIVERSION & STOPPING UP ORDER
Public Footpath Nos.24 (Part), 160, 161 (Part), 162 and
Public Bridleway No. 21 (Part) to
South of Louviers Road, WEYMOUTH



KEY:

- FOOTPATHS TO BE DIVERTED
- A Footpath 162
- T G H I Part Footpath 161 J K L F
- E Footpath 24
- BRIDLEWAY TO BE DIVERTED
- A Bridleway 21
- ALTERNATIVE FOOTPATHS
- A1 B C D E1
- M N O P Q R S T
- E1 E2 M F P U V A F
- ALTERNATIVE BRIDLEWAY
- A2 A1

FOOTPATHS TO BE STOPPED UP
X Footpath 160

UNAFFECTED FOOTPATHS
F Part Footpath 24

UNAFFECTED BRIDLEWAYS
X Part Bridleway 21

Summary of consultation responses**Objecting to the proposed diversions:**

Name	Comments
Mr. R. Homes Open Spaces Society	Response received 10/6/20: Concerns for the stopping-up of footpath 160 and the absence of a link to bridleway 21 or footpath 24. E mail received 25/2/20: It is not expected that the Society would object to the revised proposals for the order.
Ms. J. Wardell Group Secretary, The Ramblers	Response received 30/10/19: supporting comments in K. Gocher's letter of 29/7/19.
Ms. K. Gocher Group Secretary The Ramblers	<p>Response received 29/7/19: Requests a link to bridleway 21 to the north of the suite, and a length of footpath running through the informal recreation are in the south-west part of the site.</p> <p>Response from Ms. K. Gocher and Ms. J. Wardell 26/11/19: Will not object to revised proposals.</p>
Dr. M. Beeson	<p>Response received 17/6/19: consultation passed on to neighbours.</p> <p>Response received 9/9/19: objection to stopping-up of part of footpath 161 and request for link between footpath 161 and Louviers Road.</p> <p>Response received 26/11/19: consultation passed on to neighbours. Revised proposals address primary concerns and reservations. Concerns for the extinguishment of footpath 160 and the possibility of the obstruction of the proposed footpaths by parked cars.</p> <p>E mail received 13/2/20: Dr. Beeson will not object to revised proposed order.</p>

Other responses received:

Name	Comments
Ms. C. Pinder Senior Archaeologist Dorset County Council	10/6/19: historic environment considerations do not constitute a constraint in the context of this proposal.
Mr D J Ackerley Senior Ranger Dorset Council.	10/6/19: No objection.
Ms. C. Shoopman British Horse Society	Response received 28/11/19: No objection
Ms. D. Heath Community Highways Team Leader Dorset Council	Response received 10/6/19: No objection.
Southern Gas Networks	Response received 17/6/19: Not affected
Atkins Global	Response received 13/6/19: No objection.
National Grid/Cadent	Response received 13/6/19: No objection.
Environment Agency	Acknowledgement Received 10/6/19
Cllr. T. Ferrari	Response received 18/6/19, 19/6/19 and 28/6/19: No objections raised
Cllr. L. O'Leary	Response received 23/6/19: No objections raised
F. H. Cummings Ltd.	Letter received: 29/7/19: No objection. E mail received 6/12/19: No objection to proposed changes.

Recommendations accepted:

Signed:

.....V Penny.....

Date:.....10 June 2020.....

Vanessa Penny

Definitive Map Manager

Spatial Planning



**Dorset
Council**

APPENDIX 2

**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
(Public Footpath 24 (Part), 160, 161 (Part),
162 and Public Bridleway 21 (Part), Weymouth)
Public Path Diversion Order 2020**

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 and bridleway 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 114 dwellings, including creation of new access, landscaping, associated public open space and associated works on land to the south of Louviers Road, Weymouth. (Application no. WP/17/00832).

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 and bridleway 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 as provided below and the County of Dorset definitive map and statement shall be modified accordingly.
2. There shall be created to the reasonable satisfaction of Dorset Council alternative highways for use as replacements for the said footpaths and bridleway as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpaths and bridleway 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 and statement shall be modified accordingly.
4. The following works shall be carried out in relation to the highways described in Part 2 of the Schedule; namely the provision of:
 - (i) a footpath 2 metres wide with a tarmac surface between points A1, B, C, D and E1;
 - (ii) a footpath 2 metres wide with a tarmac surface between points E, E1, E2 and E3;
 - (iii) a footpath 2 metres wide with a compacted hoggin surface with treated timber edges between points E3, M and F;

- (iv) a footpath 2 metres wide with a compacted hoggin surface with treated timber edges between points M and M1;
- (v) a footpath 2 metres wide with a tarmac surface between points M1 and N;
- (vi) a footpath 2 metres wide with a herringbone block paving surface between points N and O;
- (vii) a footpath 2 metres wide with a tarmac surface between points O, P and P1;
- (viii) a footpath 2 metres wide with a herringbone block paving surface between points P1 and Q;
- (ix) a footpath 2 metres wide with a tarmac surface between points Q and Q1;
- (x) a footpath 2 metres wide with a well-drained grass surface between points Q1, R, S and T;
- (xi) a footpath 2 metres wide with a well-drained grass surface between points A and F;
- (xii) a bridleway 4 metres wide with a 3 metre wide compacted hoggin surface with treated timber edges and a grass surface either side of the hoggin between points A2 and A3;
- (xiii) a bridleway 4 metres wide with a tarmac surface with a stone chipping surface dressing between points A3 and A4;
- (xiv) a bridleway 4 metres wide with a 3 metre wide compacted hoggin surface with treated timber edges and a grass surface either side of the hoggin between points A4 and A5;
- (xv) a bridleway 4 metres wide with a tarmac surface with a stone chipping surface dressing between points A5 and A6;
- (xvi) a bridleway 4 metres wide with a 3 metre wide compacted hoggin surface with treated timber edges and a grass surface either side of the tarmac between points A6 and A1 and A;
- (xvii) a footpath 2 metres wide with a tarmac surface between points P and U;
- (xviii) a footpath 2 metres wide with a culvert with a grass surface between points U and V.

5. Persimmon Homes Limited is hereby required to pay for the cost of carrying out the said works.
6. Where immediately before the date on which the footpaths and bridleway are 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 or way

- A – E Footpath 162, Weymouth:
The whole length and width of public Footpath 162, Weymouth, running from point A (SY 68335 82547) in an east north easterly direction for 175 metres to point E (SY 68496 82612). Width to be diverted: 2 metres.
- T – G – H Part of Footpath 161, Weymouth:
– I – J – K That length and the whole width of public Footpath 161, Weymouth, running
– L – F from point T (SY 68498 82477) in a north easterly direction for 153 metres to point G (SY 68614 82579), then in an east south easterly direction for 32 metres to point H (SY 68644 82567), then in a southerly direction for 51 metres to point I (SY 68634 82517), then in a south westerly direction for 15 metres to point J (SY 68620 82510), then in a south south westerly direction for 24 metres to point K (SY 68612 82491), then in a south easterly turning south westerly direction for 44 metres to point L (SY 68613 82448), then continuing in a west north westerly direction for 127 metres re-joining Footpath 161 at point F (SY 68488 82468). Width to be diverted: 2 metres.
- E – F Part of Footpath 24, Weymouth:
That length and the whole width of public Footpath 24, Weymouth, running from point E (SY 68496 82612) south of Louviers Road, in a southerly direction for 148 metres to the junction of Footpath 161 at point F (SY 68488 82468).
- A2 – A Part of Bridleway 21, Weymouth:
That length and the whole width of public Bridleway 21, Weymouth, running from point A2 (SY 68411 82618) south of Louviers Road for 104 metres in a south westerly direction to point A (SY 68335 82547).
- X – F Footpath 160, Weymouth
That length and the whole width of public Footpath 160, Weymouth, running from its junction with Bridleway 21, south of Louviers Road at point X (SY 68428 82634) in a south easterly direction for 178 metres to its junction with Footpath 24 at point F (SY 68488 82468). Width to be diverted: 2 metres.

Part 2

Description of site of alternative highway

- A1 – B – C Footpath 162, Weymouth: A length of public footpath at a width of 2 metres
– D – E1 running from point A1 (SY 68352 82566) for 77 metres in an east north easterly direction to point B (SY 68426 82586), then in a generally northerly direction for 7 metres to point C (SY 68424 82592) then in a generally easterly turning northerly direction for 57 metres to point D (SY 68478 82603) and then in an east south easterly direction for 12 metres to Footpath 24 at point E1 (SY 68489 82601).

- M – M1 – Footpath 161, Weymouth: A length of public footpath at a width of 2 metres
 N – O – P running from point M (SY 68485 82535) on Footpath 24 in a generally east
 – P1 – Q – north easterly direction for 18 metres to point M1 (SY 68500 82543), then
 Q1 – R – S continuing in a generally easterly direction for 35 metres to point N (SY 68535
 – T 82538), then in a generally northerly direction for 7 metres to point O (SY
 68536 82545) then in a generally easterly direction for 65 metres to point P
 (SY 68600 82536), then in a south easterly direction for 5 metres to point P1
 (SY 68603 82532), then turning in an east south easterly direction for 26
 metres to point Q (SY 68628 82525), then in a south easterly turning
 southerly direction for 10 metres to point Q1 (SY 68630 82516) then in a
 southerly direction for 21 metres to point R (SY 68627 82496), then in a south
 westerly direction for 57 metres to point S (SY 68583 82460) then in a
 westerly direction for 86 metres to Footpath 161 at point T (SY 68498 82477).
- E – E1 – Footpath 24, Weymouth: A length of public footpath at a width of 2 metres
 E2 – E3 – running from point E (SY 68496 82612) south of Louviers Road, in a south
 M – F south westerly direction for 12 metres to point E1 (SY 68489 82601) then
 continuing in a south south westerly direction for 12 metres to point E2 (SY
 68484 82591) then in a southerly direction for 36 metres to point E3 (SY
 68485 82555) then in a southerly direction for 20 metres to point M (SY
 68485 82535) and then continuing in a southerly direction for 67 metres to
 Footpath 161 at point F (SY 68488 82468).
- V – U – P Footpath 163, Weymouth: A length of public footpath at a width of 2 metres
 running from point V (SY 68594 82592) on Bridleway 21, in a southerly
 direction for 9 metres to point U (SY 68592 82583) then in a south easterly
 turning southerly direction for 54 metres to point P (SY 68600 82536).
- A – F Footpath 160, Weymouth: A length of public footpath at a width of 2 metres
 running from Bridleway 21 at point A (SY 68335 82547) in an east south
 easterly direction for 179 metres to Footpath 24 at point F (SY 68488 82468).
- A2 – A3 – Bridleway 21, Weymouth: A length of public bridleway at a width of 4 metres
 A4 – A5 – running from point A2 (SY 68411 82618) in a south westerly direction for 12
 A6 – A1 – metres to point A3 (SY 68402 82611), then in a south westerly direction for 5
 A metres to point A4 (SY 68399 82608), then in a south westerly direction for 51
 metres to point A5 (SY 68360 82574), then in a south westerly direction for 8
 metres to point A6 (SY 68354 82568), then in a south westerly direction for 3
 metres to point A1 (SY 68352 82566) then continuing in south westerly
 direction for 28 metres to point A (SY 68335 82547).

Part 3

Modification of Definitive Statement Variation of particulars of path or way

Footpath 162, Weymouth:

Delete:

From: SY 6849 8261 To: SY 6833 8254

From its junction with Footpath 24 south of Louviers Road at SY68498261, south west
 across Lines Field to its junction with Bridleway 21 at SY68338254.

Add:

From: SY 68352 82566 To: SY 68489 82601

A length of public footpath at a width of 2 metres running from SY 68352 82566 for 77 metres in an east north easterly direction to SY 68426 82586, then in a generally northerly direction for 7 metres to SY 68424 82592 then in a generally easterly turning northerly direction for 57 metres to SY 68478 82603 and then in an east south easterly direction for 12 metres to Footpath 24 at SY 68489 82601.

Footpath 161, Weymouth:**Delete:**

From: SY 68488246 To: SY 68488246

From its junction with Footpath 24 and Footpath 160 at SY 68488246 north east across Lines Field to SY 68618257 then south south west to SY 68648256, then south south west to SY 68638251, then generally south west then south east to SY 68618244, continuing west north west to SY 68488246.

Add:

From: SY 68485 82535 To: SY 68488 82468

A length of public footpath running from SY 68485 82535 on Footpath 24 in a generally easterly direction for 18 metres to SY 68500 82543, then continuing in a generally easterly direction for 35 metres to SY 68535 82538, then in a generally northerly direction for 7 metres to SY 68536 82545 then in a generally easterly direction for 65 metres to SY 68600 82536, then in a south easterly direction for 5 metres to SY 68603 82532, then turning in an east south easterly direction for 26 metres to SY 68628 82525, then in a south easterly turning southerly direction for 10 metres to SY 68630 82516 then in a southerly direction for 21 metres to SY 68627 82496, then in a south westerly direction for 57 metres to SY 68583 82460 then in a westerly direction for 86 metres to SY 68498 82477 then south west to junction with Footpath 24 and Footpath 160 at SY 68488 82468. Width SY 68485 82535 - SY 68498 82477 is 2 metres.

Footpath 163, Weymouth:**Add:**

From: SY 68594 82592 To: SY 68600 82536

A length of public footpath at a width of 2 metres running from SY 68594 82592 on Bridleway 21, in a southerly direction for 9 metres to SY 68592 82583 then in a south easterly turning southerly direction for 54 metres to SY 68600 82536.

Footpath 24, Weymouth:**Delete:**

From: 685825 To: 685819

Junction of Path 21 (Nr Littlemoor Road) southwards to Southdown Dairy.

Add:

From: SY 68496 82612 To: SY 68570 81923

A length of public footpath running from SY 68496 82612 south of Louviers Road, in a south south westerly direction for 12 metres to SY 68489 82601 then continuing in a south south westerly direction for 12 metres to SY 68484 82591 then in a southerly direction for 36 metres to SY 68485 82555 then in a southerly direction for 20 metres to SY 68485 82535 and then continuing in a southerly direction for 67 metres to SY 68488 82468 and then southwards to Southdown Dairy at its junction with Footpath 34 at SY 68570 81923. Width SY 68496 82612 - SY 68488 82468 is 2 metres.

Bridleway 21, Weymouth:

Delete:

From: SY 68728297 To: SY 67378325

Littlemoor Road, in a southerly direction to SY 6864 8258, then in a north westerly direction to SY 68438263, then south west to its junction with Bridleway 33, then north westwards to its junction with Bridleway 145 on the eastern side of the Weymouth Relief Road. Width SY 68728297 - SY 68648258 - SY 68438263 is 2.5 metres.

Add:

From: SY 68728297 To: SY 67378325

Littlemoor Road, in a southerly direction to SY 6864 8258, then in a north westerly direction to SY 6843 8263, then south west to SY 68411 82618 continuing in a south westerly direction for 12 metres to SY 68402 82611, then in a south westerly direction for 5 metres to SY 68399 82608, then in a south westerly direction for 51 metres to SY 68360 82574, then in a south westerly direction for 8 metres to SY 68354 82568, then in a south westerly direction for 3 metres to SY 68352 82566 then continuing in south westerly direction for 28 metres to SY 68335 82547 and continuing to its junction with Bridleway 33, then north westwards to its junction with Bridleway 145 on the eastern side of the Weymouth Relief Road. Width SY 68728297 - SY 68648258 - SY 68438263 is 2.5 metres. Width SY 68411 82618 - SY 68335 82547 is 4 metres.

Footpath 160, Weymouth:

Delete:

From: SY 68428263 To: SY 68488246

From its junction with Bridleway 21 south of Louviers Road at SY 68428263, south east across Lines Field to its junction with Footpath 24 at SY 68488246.

Add:

From: SY 68335 82547 To: SY 68488 82468

A length of public footpath at a width of 2 metres running from Bridleway 21 at SY 68335 82547 in an east south easterly direction for 179 metres to Footpath 24 at SY 68488 82468.

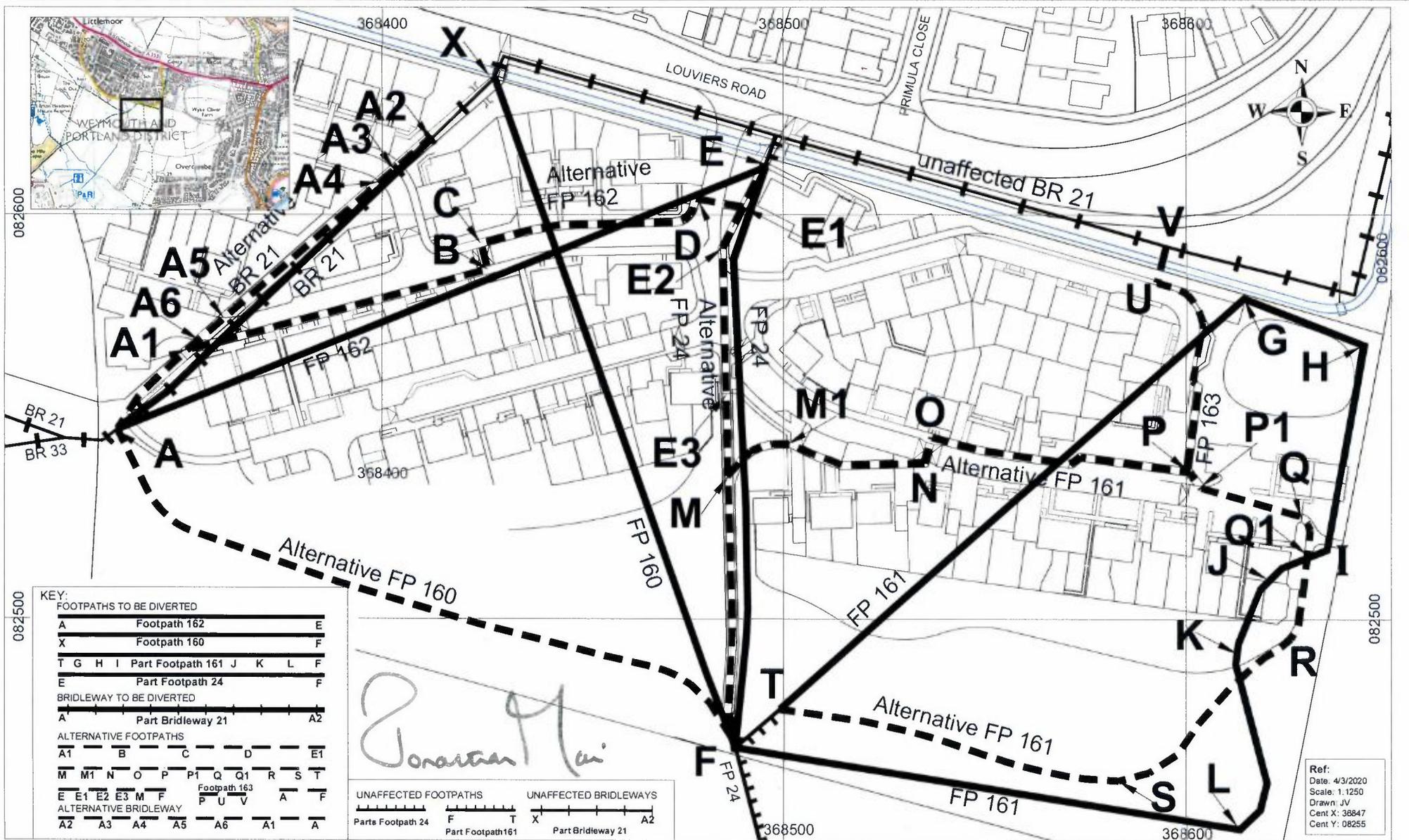
Dated this 26th day of JUNE 2020

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


Jonathan Main

278/20

Authorised signatory



KEY:

FOOTPATHS TO BE DIVERTED	
A	Footpath 162
X	Footpath 160
T G H I	Part Footpath 161 J K L F
E	Part Footpath 24
BRIDLEWAY TO BE DIVERTED	
A	Part Bridleway 21
A2	
ALTERNATIVE FOOTPATHS	
A1	B C D E1
M M1 N O P P1 Q Q1 R S T	
E E1 E2 E3 M F	Footpath 163 P U V A F
ALTERNATIVE BRIDLEWAY	
A2	A3 A4 A5 A6 A1 A

UNAFFECTED FOOTPATHS		UNAFFECTED BRIDLEWAYS	
Parts Footpath 24	Part Footpath 161	X	A2
F	T		

Sonatan Mei

Ref:
Date: 4/3/2020
Scale: 1:1250
Drawn: JV
Cent X: 36847
Cent Y: 08255

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 (PUBLIC FOOTPATH 24 (PART), 160, 161 (PART) 162 AND PUBLIC BRIDLEWAY 21 (PART) WEYMOUTH)
PUBLIC PATH DIVERSION ORDER 2020 AND
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2020

GRID REFERENCES:

A = SY 68335 82547	D = SY 68478 82603	J = SY 68620 82510	Q = SY 68628 82525
A1 = SY 68352 82566	E = SY 68496 82612	K = SY 68612 82491	Q1 = SY 68630 82516
A2 = SY 68411 82618	E1 = SY 68489 82601	L = SY 68613 82448	R = SY 68627 82496
A3 = SY 68402 82611	E2 = SY 68484 82591	M = SY 68485 82535	S = SY 68583 82460
A4 = SY 68399 82608	E3 = SY 68485 82555	M1 = SY 68500 82543	T = SY 68498 82477
A5 = SY 68360 82574	F = SY 68488 82468	N = SY 68535 82538	U = SY 68592 82583
A6 = SY 68354 82568	G = SY 68614 82579	O = SY 68536 82545	V = SY 68594 82592
B = SY 68426 82586	H = SY 68644 82567	P = SY 68600 82536	X = SY 68428 82634
C = SY 68424 82592	I = SY 68634 82517	P1 = SY 68603 82532	



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To. Vanessa Penny
PMH/DC/W21

Footpaths 161
162
163

I have left this objection until late to follow and watch the putting in of dropped curbs on the main road , the tarmac and curb stones on the estate for areas of footpath , I was under the illusion that work on these needed to be granted and this is what the notices and objections are for to see if permission was to be granted , is this blatant disregard by the developer or do the council already know of this and are happy for it to be done before the outcome of the enquiry?

L will be sending a copy of this letter to Richard Drax our local MP to express this concern that the system has not been followed and even blatantly overlooked by the developer and even possibly the council purely for the need to build houses for making money !

This reason being that the footpath could have been easily incorporated into the plans for the estate , like many others around Dorset with fencing, this would not create mugging areas like some councillors seemed to think when asked at a previous meeting !

The footpaths are basically being put onto the road and pavements of the estate increasing the footpath diversions by over 50% and taking the safety of the old walks away .

I can see if this was given the go ahead people walking there dogs in the darker mornings and evenings allowing them to wee and poo along the frontage of peoples homes and on the pavements and not clearing it up , are there any dog bins to be placed and maintained by the council ?

The work on houses being squeezed into gaps left while this enquiry runs its course, would be pure hell for the new owner's of homes next to these being built , with months of noise , dust and mostly the health and safety aspect. Some being built within 2 meters of existing homes , having scaffolding so close with the risk of falling objects, the movement of construction vehicles right next to family homes and risk to young and old !

All of these could have been so easily avoided if thought about early in the planning stage, why should others suffer for months because of developers oversights and a case of we will just get permission later .

The site having to accommodate into the new homes bat boxes and nests for birds etc , but no concern for the areas that would be affected by relocating the footpaths , which some run along side hedgerows and still could if this relocation is turned down .

The footpaths if allowed would run in front of peoples homes on the pavements reducing any privacy , as the public would be walking 2 meters from the windows , even causing possible anti social behaviour , youngsters being asked to move on and dog owners whose dogs are relieving themselves onto peoples property. Surly a fence on existing footpaths would have been so much better for all. The possible costs of the local police call outs , calls to councillors and the local council with complaints over time to deal with any of these matters in the future .

Yours sincerely

APPENDIX 3
OBJECTOR 2

To whom it may concern

Pmh/dc/w21

In regards to POSSIBLE relocation of footpaths !
Lodmoor sands development
Footpaths 161 , 162, and 163

I find it totally unacceptable that footpaths and tarmac are already being put in place destroying the habitat before any decisions are made , the water holding area fenced off thereby blocking another footpath, our natural grass footpaths being replaced and moved for the sake of squeezing in more houses , surely these should have been taken into consideration by the planners as to where houses could be built without having to move footpaths . We would now not have the freedom to walk our young children and dogs along wildlife hedgerows, we would have to go through the middle of an housing estate on roads and tarmac , dogs and children not safe to wonder as we have always had the right to do. Maybe post and rail fences along the existing footpaths would have been nice , no feeling of being hemmed in or worry about high fences and not being seen or seeing what goes on behind them and hope nobody says you need a high fence as the proposed footpaths run along in front of houses with no fence at all More likely abuse would be shown from residents when dogs wee or mess on there borders or so called footpaths .

The footpaths have increased by more than 50 % distance. Which is not acceptable and I still wonder how and why you would start relocating and laying footpaths before an official decision has been looked into and made

Yours sincerely.

APPENDIX 3
OBJECTOR 3

Dear Vanessa,

I am writing to you regarding the relocation of the footpath at Lodmoor sands!

I and my family have used this footpath for many years and object to the relocation. We feel its just to line the pockets of these big building firms.

I have got my friends and family asking local people who use these footpaths to log there concerns also, but many are older and find it harder to communicate with emails and letters.

Would it have been more sensible and fair to have sent letters to local residents rather than these rather primitive signs on lamp posts!

Regards

PMH/DC/W21)

To the people dealing with footpaths and bridleway
Lodmoor sands housing estate
161. 162. And 163 etc

APPENDIX 3
OBJECTOR 4

Objection to the countryside footpaths. Being relocated basically onto pavements running along side the roads they have built for access to the houses !

Footpaths have always been along the hedgerows and open fields. To want to move them onto roads built for the estate and not being able to take my children and others and dogs for walks with the freedom we have had , do we want to walk along looking into peoples houses , shouted at when are dogs relieve themselves on new tarmac footpaths , coming into possible conflict. Surly you could leave some as they are without disturbing us and the local wildlife .

A compromise, rather than building as many as possible, there are houses and gardens already built over some footpaths , how is this possible ? I will certainly be taken this further as Think this is a blatant disregard of planning and law ! Do we have right of way to walk all over the estate on these new private roads ? Well that's not relocating, that's using the roads they built , very convenient for them .

DORSET
COUNCIL
30 JUL 2020
REF TO Vanessa Penny
FURTHER

APPENDIX 3
OBJECTOR 5

To whom it may concern fn regards to POSSIBLE relocation of footpaths ! PMH/DC/W21

I find it totally unacceptable that footpaths and tarmac are already being put in place destroying the habitat before any decisions are made , the water holding area fenced off thereby blocking another footpath, our natural grass footpaths being replaced and moved for the sake of squeezing in more houses , surely these should have been taken into consideration by the planners as to where houses could be built without having to move footpaths . We would now not have the freedom to walk our young children and dogs along wildlife hedgerows, we would have to go through the middle of an housing estate on roads and tarmac , dogs and children not safe to wonder as we have always had the right to do.

Yours sincerely.





Rev	Date	Revision Details	Dr	Ch
d	21.05.18	Updates respond to Highways comments 18.05.18	ia	db
c	30.04.18	Updates respond to Highways comments 15.04.18	ia	db
b	04.04.18	Tactile & Corduroy paving added to key / Block paving colour matched (plan & key)	ia	db
a	14.03.18	Refer to cover note dated 15.03.18	ia	db



Job Title
Louviers Road, Weymouth

Drawing Title
Boundary & Surface Treatments Plan

Job No	Drawing No	Rev
110	LP08	d
Drawn	Checked	Date
ia	ke	Sept '17

Scale
1:500 @ A1 / 1:1000 @ A3

metres 10 20 30 40 50

Status
PLANNING