

Strategic and Technical Planning Committee

26 July 2023

Application to extinguish part of Footpath 79 and divert part of Bridleway 80, Beaminster

For Decision

Portfolio Holder: Cllr D Walsh, Planning

Local Councillor(s): Cllr Rebecca Knox, Beaminster Ward

Executive Director: J Sellgren, Executive Director of Place

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Report Status: Public

Brief Summary:

This report considers an application to extinguish part of Footpath 79 and divert part of Bridleway 80, Beaminster in the light of objections received and recommends that extinguishment and diversion orders are made on the basis that the relevant legal tests have been met.

Recommendation:

That:

- (a) The application to extinguish part of Footpath 79 and divert part of Bridleway 80, Beaminster as shown on Drawing P226/23/2 attached as Appendix 1, be accepted and extinguishment and diversion orders made;
- (b) The Orders include provisions to modify the definitive map and statement to record the changes made as a consequence of the extinguishment and diversion; and
- (c) If the Orders are unopposed, and are considered to meet the legal tests they be confirmed by the Council.
- (d) If the Orders are opposed, and the objections to the Orders are of a similar nature to those already considered by the Committee, they be submitted to the Secretary of State without further reference to the Committee.

- (e) The Orders are to be made concurrently. The Extinguishment Order shall be confirmed only upon confirmation of the Diversion Order. If objections are received to one order but not the other, both orders will be submitted to the Secretary of State for confirmation.

Reason for Recommendation:

- (a) The proposed extinguishment and diversion meet the legal criteria set out in the Highways Act 1980.
- (b) The inclusion of these provisions in public path orders means that there is no need for a separate legal event order to modify the definitive map and statement as a result of the extinguishment and diversion.
- (c) Accordingly, for the reasons set out below in the report the proposed extinguishment and diversion are considered expedient and therefore Dorset Council can itself confirm the orders.
- (d) Dorset Council is unable to confirm opposed orders itself but can submit them to the Secretary of State for confirmation, subject to the legal tests being fulfilled. In the event that objections of a similar nature to those already considered are received to the orders, the committee will have already considered the objections in light of the legal criteria and therefore Dorset Council will submit the orders to the Secretary of State for confirmation.
- (e) Section 118(5) of HA 80 provides for public path extinguishment orders to be dealt with concurrently with diversion orders.

Report

1 Background

- 1.1 Dorset Council has received an application to extinguish part of Footpath 79 and divert part of Bridleway 80, Beaminster at Chantry Farm as shown on Drawing P226/23/2 attached as Appendix 1.
- 1.2 The current definitive route of Footpath 79, Beaminster runs from its junction with the public road at point A generally north west and north north west through woodland to point Q as shown on Drawing P226/23/2.
- 1.3 The current definitive route of Bridleway 80, Beaminster runs from its junction with the public road at point C, generally north and north west through woodland to point D then north west, east north east and north north west to point E and generally north to its junction with Footpath 79, Beaminster at point F.
- 1.4 The proposed new route of Bridleway 80, Beaminster runs from point G at its junction with the public road, north west to point H, west north west to point I, north west through a wooded area to point J where it enters a field, north west and north east through the field to point P where it enters woodland, then generally east north east to point O where it runs north west alongside a small stream to point Q and north north west via point B to point M, generally north east across a field to point N then crossing into another field and continuing to the unaffected part of Footpath 79 at point F.
- 1.5 Part of the proposed new bridleway is existing footpath (between points G – H – I and Q – B – M – N – F) and the diversion would have the effect of upgrading the status of these parts from footpath to bridleway.
- 1.6 The proposed new route of Bridleway 80 would provide a suitable alternative route for the extinguished length of Footpath 79.
- 1.7 In addition to the applicants there is one other affected landowner who has agreed in writing to the proposed changes.
- 1.8 The proposed diversion would be in the interests of the landowners as it would improve privacy and security for the landowners by moving the bridleway away from the working farmyard, outbuildings and house and enable better land management.

2 Law

Highways Act 1980

- 2.1 Section 118 of the Highways Act 1980 says that the Council may, by order, extinguish a path when it appears to them to be expedient to do so, on the ground that it is not needed for public use.
- 2.2 A public path extinguishment order cannot be confirmed as an unopposed order unless the Council are satisfied that it is expedient to do so:
- (a) having regard to the extent (if any) that the path is likely to be used by the public; and
 - (b) having regard to the effect the extinguishment would have on other land served by the footpath;
- 2.3 Any temporary circumstances preventing or diminishing the use of a path or way by the public shall be disregarded.
- 2.4 Section 119 of the Highways Act 1980 allows a footpath or bridleway (or part of one) to be diverted in the interests of the landowner, lessee or occupier or of the public, subject to certain criteria.
- 2.5 A diversion cannot alter the termination point of the path if the new termination point: -
- (i) is not on a highway; or
 - (ii) (where it is on a highway) is otherwise than on the same highway or a connected highway, which is substantially as convenient to the public.
- 2.6 A public path diversion order cannot be confirmed as an unopposed order unless the Council are satisfied that:
- (c) in the interests of the owner, lessee or occupier or of the public, the diversion to be effected by it is expedient;
 - (d) the diversion would not result in a path that is substantially less convenient to the public;
- and that it is expedient to confirm the order having regard to:
- (e) the effect the diversion would have on public enjoyment of the bridleway as a whole;
 - (f) the effect the diversion would have on other land served by the bridleway; and

(g) the effect on the land over which the diversion will run and any land held with it.

- 2.7 Section 29 of the Highways Act 1980, as amended by Section 57 of the Countryside and Rights of Way Act 2000, says that when making diversion or extinguishment orders Dorset Council must have regard to the needs of agriculture, forestry and nature conservation and the desirability of conserving flora, fauna and geological and physiographical features. "Agriculture" includes the breeding and keeping of horses.
- 2.8 Section 119(3) of the Highways Act 1980 as amended by the Countryside and Rights of Way Act 2000 provides that the extinguishment of the existing public right of way "is not to come into force until the local highway authority for the new path or way certify that the work has been carried out".
- 2.9 Dorset Council may itself confirm the order if it is unopposed. If it is opposed it may be sent to the Secretary of State for confirmation.

Wildlife and Countryside Act 1981

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

Human Rights Act 1998 – Human rights implications

- 2.11 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.

- 2.12 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.
- 2.13 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.

Rights of Way Improvement Plan

- 2.14 Dorset Council's Rights of Way Improvement Plan (ROWIP) is a statutory document setting out a strategy for improving its network of Public Rights of Way, wider access and outdoor public space.
- 2.15 Before confirming a public path creation, diversion or extinguishment order a council or the Secretary of State must have regard to any material provision of a rights of way improvement plan prepared by the local highway authority.
- 2.16 Five themes have been identified for improving access in Dorset of which the following are particularly relevant to the present case and should be considered in relation to this application:

Theme 1: The ROWIP's links with other strategies

- Theme 1.6 Improve accessibility of the network

Theme 3: Providing a safer and more accessible network

- Theme 3.13 Seek opportunities to increase bridleway networks

Guidance on concurrent orders

- 2.17 The proposed diversion and extinguishment orders are to be made concurrently. Provision is made in section 118(5) of the Highways Act 1980 for public path extinguishment orders to be dealt with concurrently with creation and diversion orders. When considering the confirmation of a public path extinguishment order, in particular the extent to which the highway would be likely to be used by the public apart from the order, regard should be had to the extent that the diversion would provide an alternative to the way being extinguished. When dealing with such orders concurrently, each order should be considered separately on its own merits and decisions should specifically cover matters relevant to the consideration of whether it should be confirmed.
- 2.18 In addition, Rights of way circular (1/09)¹ advises that a diversion order made in association with an extinguishment order can provide an alternative route to be taken into consideration in determining whether to confirm the extinguishment order.

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69304/pb13553-rowcircular1-09-091103.pdf

- 2.19 Rights of way circular (1/09) recommends authorities should submit both orders to the Secretary of State if objections are received to one order but not the other, when concurrent orders have been made.

3 Consultation

- 3.1 The original proposal to extinguish part of Footpath 79 and divert part of Bridleway 80 as shown on Drawing P226/22/2 (attached as Appendix 2) was consulted on in December 2022 and 27 objections were received.
- 3.2 Cllr Rebecca Knox, Dorset Council member for Beaminster ward was consulted on the application and made no comments.
- 3.3 Several responses to the first consultation indicated a preference for walking alongside a stream within the woodland rather than along the proposed new bridleway through an open field as shown J – K – L on Drawing P226/22/2 (attached as Appendix 2).
- 3.4 In response to the objections received, the applicants agreed to amend the proposal, following site meetings and discussions with officers.
- 3.5 The proposals were revised so that the proposed route of Bridleway 80 runs alongside the stream between points O – Q as shown on Drawing P226/23/2 (attached as Appendix 1).
- 3.6 The proposed extinguishment of Footpath 79 was revised from A – B to A – Q to correspond with the new diverted route.
- 3.7 A second consultation on the amended proposals was carried out in March 2023 and was sent to all original consultees as well as all respondents to the December 2022 consultation.
- 3.8 Five objections were received to the revised proposals.
- 3.9 Seven letters of support have also been submitted (received outside of the consultation period).
- 3.10 All consultation responses are summarised in Appendices 3 and 4.
- 3.11 The applicants have also submitted a supporting statement setting out the reasons for their application, the background to the proposals and the intended benefits of the new route.

Objections to the proposed extinguishment of Footpath 79

- 3.12 The Open Spaces Society object to the Extinguishment Order on the basis there is no evidence to show that the current route of FP79 is not needed for public use, that the provision of a diverted bridleway is not a substitute for the section of footpath to be extinguished, that Sections 118 and 119 should be considered separately, and that the extinguishment would lead to inconvenience for walkers who would be sharing the new bridleway with horseriders.
- 3.13 All five objectors are concerned that the proposed new route of Bridleway 80, which would serve as replacement for the extinguished section of Footpath 79, would be inconvenient or unsafe for walkers.

OFFICER COMMENTS:

- 3.14 The proposed extinguishment and diversion are being considered separately with regards to legal tests, with the orders to be made concurrently (see guidance on concurrent orders above 2.17 – 2.19).
- 3.15 The length of Footpath 79 to be extinguished is approximately 194 metres long. The diversion of Bridleway 80, which provides an alternative route to the extinguished path, would increase the length of the bridleway by 349 metres.
- 3.16 Objectors' concerns over sharing the proposed new route of Bridleway 80 are contradictory to their stated preference to walk the current route of Bridleway 80 which would also be shared with horseriders along its length.
- 3.17 There is no evidence that the proposed new route of Bridleway 80, which will serve as the alternative route for the extinguished part of Footpath 79, would become unsafe and unusable for walkers by horses using the new route. Officers believe the new bridleway would be safer and more accessible than the current route of Bridleway 80.
- 3.18 The part of Footpath 79 to be extinguished between points A and Q is often wet underfoot due to a seasonal stream and both walkers and horseriders are already using the proposed bridleway including the section P – O – Q on a permissive basis.

Objections to the proposed diversion of Bridleway 80

- 3.19 The five objections received to the current proposals all state that they would prefer to walk the current route of Bridleway 80, as it would be more enjoyable than the proposed new route.

- 3.20 The objectors feel that the current bridleway has great historical and educational value as a “Holloway” and therefore should be opened up for public use.
- 3.21 The proposed route is believed to be lacking in historic and ecological features.
- 3.22 There is a preference to separating walkers from livestock, in particular in the field north of N.
- 3.23 There is a concern that sharing the new route with horseriders would be less enjoyable for walkers as the path would be unsafe and unusable.
- 3.24 The diversion is perceived as setting a precedent for allowing diversion of public rights of way that have been obstructed for a long time.
- 3.25 One objector has requested estimates of levels of equestrian and cycling use, and evidence that Bridleway 80 cannot be reinstated, with a cost analysis of the revised proposal versus reopening Bridleway 80.
- 3.26 It is also noted by objectors that public access would remain along the public road to point C.
- 3.27 The Ramblers are in support of the diversion but raised concerns regarding potential flooding of the diverted route B – Q – O alongside the stream and query if a culvert is needed between points O and P where the new route crosses a seasonal stream.

OFFICER COMMENTS:

- 3.28 The reduction in number of objections from 27 (received to the first consultation) to 5 received to the second consultation is a strong indicator that the revised proposals are acceptable to the majority of footpath and bridleway users.
- 3.29 Significantly, the Ramblers, British Horse Society and Beaminster Town Council and several local walkers and horseriders all support the current proposals.
- 3.30 The proposed diversion of Bridleway 80 would give bridleway users access to open fields with extensive views to the south as well as a pleasant path through woodland, along a safer and more accessible route.

- 3.31 There is no evidence that the proposed new route would become unsafe and unusable for walkers by horses using the new route. The current route is considered to be unsuitable for bridleway users due to the heavy flow of water, narrow gullies, and an unstable surface.
- 3.32 The ecological and historical value of the current bridleway is acknowledged however views of the current bridleway are available along the proposed new bridleway where it adjoins the current bridleway at point F and also at a point to the north of point B.
- 3.33 There are no records of any issues with livestock reported by footpath users along Footpath 79.
- 3.34 Every diversion application is considered on its own merits against the legal tests, so this application does not set a precedent as careful consideration is given to all proposals.
- 3.35 With regards to estimated levels of equestrian and cycle use, Dorset Council does not have data on this but there is some equestrian use of the proposed new route which is evidenced by the letters of support which have been received from local horseriders.
- 3.36 With regards to costs, it should be noted that the costs of reopening Bridleway 80 or the costs of the diversion are not relevant to the legal tests. However, in response to the objector's request, the required works and estimated cost of reopening Bridleway 80 are discussed below (4.34 – 4.35). The applicant has agreed to pay Dorset Council's usual scale of charges for a diversion and extinguishment order and also for the cost of advertising the order and subsequent notice of confirmation. If the orders are the subject of an objection the cost of obtaining confirmation by the Secretary of State would be met by Dorset Council.
- 3.37 Public access would remain along the public road to point C but use of this section of the road by walkers and horseriders is likely to be much reduced by the diversion since the route would become a dead end.
- 3.38 As the Orders are to be made concurrently, any necessary works will be carried out to ensure the surface of the new route of Bridleway 80 is usable, before either order is confirmed. The applicants have confirmed that, in their experience, the stream alongside O – Q does not break its banks. With regards to the seasonal stream across the new route O – P, this will be stopped up near to point B, so no culvert will be required.

4 Discussion

Extinguishment

Not needed for public use

- 4.1 The proposed extinguishment is considered expedient as the part of Footpath 79 between points A and Q is not needed for public use due to the close proximity of the proposed diverted route of Bridleway 80.
- 4.2 As discussed above, the proposed diversion and extinguishment were revised following the initial consultation to provide an alternative route to the extinguished footpath that would be more acceptable to the public.
- 4.3 The alternative route provided by the proposed new bridleway is already available on a permissive basis and is close in proximity to the footpath to be extinguished. It is in the same area of woodland, with a similar character, but along drier ground, and runs alongside a small stream between points O – Q.

Extent path is likely to be used by the public

- 4.4 The current footpath to be extinguished between points A and Q runs along wet and muddy ground.
- 4.5 Since the proposed new bridleway has been made available on a permissive basis there is evidence that the new path is already being used in preference to the length of footpath to be extinguished.

Effect extinguishment would have on other land served by footpath

- 4.6 The extinguishment would have no material effect on other land served by the footpath;

Other considerations

- 4.7 Dorset Council must have regard to the needs of agriculture, forestry and nature conservation and the desirability of conserving flora, fauna and geological and physiographical features.
- 4.8 In the area of the part of Footpath 79 to be extinguished, there is a stopcock and water supply works for three houses, as well as a manhole which is in regular use for filling farm machinery and troughs.
- 4.9 The extinguishment will therefore have a positive impact on agriculture as it will allow better management of the water supply.

- 4.10 If the order is unopposed the order should be confirmed as the extinguishment is expedient.

Diversion

Interest of the landowners

- 4.11 The proposed diversion is in the interest of the landowners as the new route will significantly improve privacy and security by moving the bridleway away from the applicants' house and outbuildings.
- 4.12 Chantry Farm is a working farm with domestic and farm animals, heavy farm machinery and other vehicles in constant use. There are health and safety concerns and a security risk for the landowners.
- 4.13 The watercourse which runs down the current route of Bridleway 80 runs under the applicants' house. Works to reopen Bridleway 80 could increase the risk of flooding, so the diversion is in the interest of the landowners in terms of managing the watercourse.
- 4.14 The additional landowner, who owns the land over which the proposed new route runs N – F, has no objection to the proposed diversion which will have the effect of upgrading the footpath over their land to bridleway.
- 4.15 Objectors have pointed out that the public would still have access to point C via the public road, but as discussed above, use of this section of the road by walkers and horseriders is likely to be much reduced by the diversion since the route would become a dead end.

Termination points

- 4.16 The northern termination point of Bridleway 80 will be unaffected. The southern termination point of Bridleway 80 will be moved from point C approximately 78 metres to point G. The new termination point meets the same highway as the current one (Chantry Lane) and is therefore substantially as convenient to the public.

Convenience

- 4.17 ²Rights of way circular (1/09) states that Section 119 of the 1980 Act does not specifically entitle an authority to disregard temporary circumstances, preventing or diminishing the use of the existing way in considering whether or not to make or confirm a diversion order. However the Planning Inspectorate Advice Note 9 22 (s28) advises that the convenience of the

² <https://www.gov.uk/government/publications/rights-of-way-circular-1-09>

existing route is to be assessed as if the way were unobstructed and maintained to a standard suitable for those users who have the right to use it.

4.18 The current route of Bridleway 80 between points C – D – E – F is approximately 607 metres long and the proposed new route between points G – H – I – J – P – O – Q – B – M – N – F is approximately 956 metres long.

4.19 This will result in an increased route length of approximately 349 metres, which increases provision for horseriders by increasing the overall length of recorded bridleway.

4.20 The new route is longer, but not substantially so, and as it is in a rural location, the route is most likely to be used as a recreational route and therefore increase in length may be deemed a positive change.

4.21 The width of the proposed route of Bridleway 80 will be as follows:

G – H	4 metres
H	1.7 metres
H – I	4 metres
I – J	2 metres
J – P	4 metres
P – O – Q – B – M – N	3 metres
N	1.55 metres
N – F	4 metres

4.22 The surface and gradient of the new bridleway are more accessible than the current route.

4.23 The termination points are substantially as convenient to the public as stated above (para 4.16).

4.24 It is the view of officers that the diversion would not result in a path that is substantially less convenient to the public.

History of Bridleway 80

4.25 The existing route of Bridleway 80 has been impassable on the ground for many years.

- 4.26 The National Parks and Access to the Countryside Act 1949 required that for each parish, a survey be carried out of public rights of way in preparation for the publication of the Draft Map.
- 4.27 Surveys were carried out by the parish or town council for the area, who produced an annotated map and survey notes indicating the status of each route and comments on the condition.
- 4.28 The process varied from parish to parish as different source materials were used to identify ways to be included in the survey. Routes were included for a variety of reasons including those in regular use, indicated by path furniture, known to local users, shown in earlier path surveys, described in historical documents or shown on Ordnance Survey maps.
- 4.29 Beaminster Town Council carried out a survey for Beaminster in 1951 and produced a survey map (see extract included as Appendix 5) with accompanying notes. The parish survey notes for Bridleway 80 state:-

“13³B.R. Chantry Farm to Beaminster Down Rd.

Continue past Chantry Farm up lane (10') which is blocked by R.⁴ From this point the original B.R.⁵ is completely overgrown and fallen in and there is also a B.W.⁶ obstruction at the top end. Note: A F.G.⁷ on left just before reaching the lower obstruction (R) leads to F.P 12 and this path can be used instead of the correct B.R. as far as the GAP. This Gap is also obstructed by B.W. Although marked F.P. on map (6" Ordnance Sheet) the track directly up the field with hedge on left is recognised as the original B.R. leading through F.G. into Beaminster Down Rd. immediately opposite B.R. 23⁸ to S. Perrott etc”

- 4.30 The Ordnance Survey base map used for the 1951 survey shows a double pecked line annotated F.P. and a single / double solid line marked B.R.
- 4.31 Therefore it seems that Bridleway 80 was claimed on the basis of historical evidence rather than public use at the time of the 1951 survey.
- 4.32 In 1999 the Ramblers carried out a condition survey (known as ‘Milestones’) of all public rights of way for Dorset Council (then Dorset County Council). The Ramblers walked every recorded path in Dorset and prepared a report which included details of the condition of path furniture and surface, plus obstructions, offline paths and missing items such as bridges, or signposts.

³ Now Bridleway 80

⁴ R – rails or bar

⁵ B.R. – bridleway

⁶ B.W. – barbed wire

⁷ F.G. field gate

⁸ Bridleway 23 is now part of Bridleway 80

4.33 The following issues were noted in respect of the part of Bridleway 80 to be diverted:

“This bridleway is overgrown, flooded and is to all intents impassable. FP79 is the preferred route!”

Reinstatement of Bridleway 80

4.34 The reinstatement of Bridleway 80 would require substantial works including:

- Removal of trees
- Removal of sediments
- Drainage of path
- New channel for stream
- Raising current path height to prevent flooding
- Digging out large amounts of soil to find suitable sub base and widen narrowed paths.
- Haulage of soil and all other waste to waste transfer site with additional costs if soil is contaminated
- Licences and permits (Wildlife and Countryside)
- Licences to disturb species found in ecological survey report
- Land drainage and Environment Agency consents
- Natural England consent
- Flood catchment survey
- Full wildlife survey
- Permissions to work
- Surfacing the path to make it compliant
- Required infrastructure to keep path stock proof

4.35 The estimated cost of opening Bridleway 80 between points C and F would be £50,000 – £80,000⁹. This excludes the cost of employing an archaeological contractor to monitor works. As stated in 3.36 above, the cost of reinstating Bridleway 80 is not a valid consideration within the legal tests under Section 119 of the Highways Act 1980 but is included for information.

Section 29 Highways Act 1980

4.36 Under Section 29 of the Highways Act 1980, Dorset Council must have regard to the needs of agriculture, forestry and the desirability of conserving flora, fauna and geological and physiographical features when making diversion orders.

4.37 An ecological report was prepared by Dorset Council’s Natural Environment Team in April 2023 who carried out a survey to identify important habitats and

⁹ The cost could increase if unknown factors are discovered during works requiring additional works.

features and the likelihood of protected species being present associated with the existing W21/80 Bridleway.

- 4.38 The survey found records of several bat species, hazel dormice, badgers, and otters within 1km of the bridleway, as well as suitable nesting and foraging habitat for breeding birds. It was confirmed by the ecologist that the current bridleway was a suitable commuting habitat for bats, badgers and otters.
- 4.39 Taking into account Section 29 of the Highways Act, officers believe that the diversion of Bridleway 80 would conserve flora and fauna that is present along the current bridleway with minimal impact on wildlife along the proposed new route.
- 4.40 Dorset Council's Senior Archaeologist carried out a site visit to assess the status of the current bridleway as a Holloway, following a request from the case officer.
- 4.41 Their opinion is that the upper part of the route between F and E appears to be a route of historic origin - a Holloway, possibly medieval in origin. However the route becomes much less distinct as it continues south from E as it is cut deeply into a narrow passage and it is difficult to distinguish a historic routeway here as it seems to have been altered by the persistent and heavy flow of water down the slope. Around point Q there are substantial banks that appear to be historic and may have been attempts to manage the flow of water down the slope to avoid the farmyard.
- 4.42 They note medieval or post medieval drainage ditches are recorded in an adjacent field to the west which may indicate further attempts at managing the flow of water from springs further up the slope.
- 4.43 They welcome the conservation and continuation of archaeological and historic features in their original use, however the amount of work needed to open up the route is such that it would be in danger of having a detrimental effect on the historic fabric and impinge on the integrity of the monument.
- 4.44 Their opinion is that even if there was a moderate gain in archaeological terms, which seems unlikely in view of the amount of work required to bring the bridleway up to standard, this would not outweigh the ecological impact.
- 4.45 They have no objection to the proposed diversion of Bridleway 80.

Public enjoyment of bridleway

- 4.46 The proposed new bridleway runs through open fields and woodland and offers a safer and more accessible path in terms of surface, with extensive views. The contrast between the woodland section, which includes a length

alongside a small stream, and open fields fulfils the wishes of the majority of those who objected to the first consultation, which is evidenced by the reduced number of objections to the revised proposals.

- 4.47 The landowners have replanted the field through which the proposed bridleway runs J – P with wildflowers and herbal leys for environmental and biodiversity reasons, which adds to the public enjoyment of the new route.
- 4.48 The proposed diversion is supported by the Ramblers, the British Horse Society and Beaminster Town Council as well as numerous local walkers and horseriders.
- 4.49 One local horserider describes the current bridleway as “extremely narrow and quite treacherous in places” and that it “would be difficult and perhaps an environmental risk to reopen”. They describe the proposed new bridleway as “a fantastic option for me as a horseman and lover of the countryside and I believe for walkers. I have ridden through this permissive section and it really is a more beautiful option and a wonderful passage with minimal impact to the flora and fauna where one can really take pleasure in the beautiful Dorset Countryside.”
- 4.50 Other local residents who walk and ride in the area describe the current bridleway as “unsafe for horses and dangerous on foot”, “impassable and very boggy”, whilst the proposed diversion is described as a “great improvement” which would “open up a whole new route for us as walkers, riders and nature lovers”.
- 4.51 A “dog walker, horse rider and countryside loving local resident” supports the proposals on the basis that the new route is through a beautiful field of wild flowers and a bluebell wood, whilst the current bridleway has overhanging trees, jagged rocks, boulders and very deep muddy sections and would be “suicidal to a horse and rider”. They feel that “nature has taken over this section of the bridleway and it should stay that way”.
- 4.52 One regular user of footpaths and bridleways in the area for over 30 years, welcomes the new bridleway route as it is an enjoyable, safer and more accessible route for horseriders and walkers. In particular, the new bridleway would provide better access for horse riders to Buckham and Beaminster downs as the two alternative routes that connect to the downs from the south are both difficult to use as they are rocky, washed out, steep and slippery.
- 4.53 Officers believe that the current route of Bridleway 80, which has not been enjoyed by the public for many years, would be less enjoyable to the public than the proposed route if opened up. The works needed to reopen Bridleway 80 would have a negative impact on wildlife, the landscape and historic

features, which are the very characteristics that objectors value along the current route.

Other considerations

- 4.54 The diversion would have no material effect on the land served by the current route or over which the new route runs.
- 4.55 The diversion will have a positive effect on agriculture, flora, fauna and geological and physiographical features as it enables better land management by moving the bridleway away from the farmyard and protects wildlife and historic monuments that are present along the current bridleway.
- 4.56 The proposal affects the applicants' land and land belonging to one additional landowner, who supports the proposals. Given the route of the proposed diversion it is unlikely that compensation would be payable under Section 28 of the Highways Act 1980.
- 4.57 A section of the current route of Bridleway 80 running from just south of point E to point F is unregistered. Dispensation will be obtained from the Secretary of State before the Order is made.
- 4.58 Some works will have to be carried out on the new route to improve it for public use including:
- Vegetation clearance as needed between points I and J
 - River crossing at point B to be improved for equestrian use
 - Stile north of point B to be removed
 - Vegetation clearance as needed between points P – O – Q – B – M – N
 - Bridle gate to BS5719:2018 with long handle suitable for equestrian use to be installed at point N
- 4.59 The works will be carried out and funded by the applicant.
- 4.60 The order will be confirmed only on completion of these works. If confirmed by the Secretary of State, the order will provide that the diversion is not effective until the works have been completed and certified.
- 4.61 If the diversion order is unopposed the order should be confirmed as the diverted route is expedient and would not result in a path that is substantially less convenient to the public.

Rights of Way Improvement Plan

- 4.62 The proposed diversion fulfils two objectives in the Rights of Way Improvement Plan to improve Dorset's network of Public Rights of Way, wider access and outdoor public space.
- 4.63 The proposed diversion improves accessibility by diverting Bridleway 80 onto a safer and more accessible route, meeting the objective of the Dorset ROWIP with regard to improving accessibility of the network.
- 4.64 The proposed diversion also increases provision for horseriders by increasing the length of the bridleway by 349 metres which meets the objective of the Dorset ROWIP with regard to increasing bridleway networks.

5 Financial Implications

- 5.1 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.

6 Natural Environment, Climate & Ecology Implication

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

7 Well-being and Health Implications

- 7.1 (Diversion) Use of public rights of way promotes a healthy balanced lifestyle.

Other Implications

- 8.1 n/a

Risk Assessment

- 9.1 The risks associated with this decision; the level of risk has been identified as:
Current Risk: LOW
Residual Risk: LOW

10 Equalities Impact Assessment

- 10.1 (Diversion) The furniture on the proposed route meets the requirements of British Standard BS5709:2018. The surface of the proposed new bridleway is more accessible than the current route and the gradient is no less accessible.

11 Conclusion

11.1 The application to extinguish part of Footpath 79, Beaminster meets the tests under Section 118 of the Highways Act 1980.

11.2 Order making;

It is expedient to extinguish Footpath 79 on the ground that it is not needed for public use due to an alternative route in close proximity - the proposed new route of Bridleway 80.

11.3 Order confirmation;

If unopposed, it is expedient to confirm the order as:-

- Footpath 79 is unlikely to be used by the public in preference to the alternative route along the proposed new bridleway. The alternative route is preferred by most walkers as is on drier ground and runs alongside a stream which is a highlight for many walkers, whilst the part of Footpath 79 to be extinguished is often wet and boggy.
- The extinguishment would have no material effect on other land served by the footpath;

11.4 The application to divert part of Bridleway 80 meets the tests under Section 119 of the Highways Act 1980.

11.5 Order making;

- Bridleway 80 is to be diverted in the interests of the landowners as it would improve privacy and security for the landowners by moving the bridleway away from the farmyard, outbuildings and house.
- The northern termination point of Bridleway 80 will be unaffected and the southern termination meets the same highway as the current one and is therefore substantially as convenient to the public.

11.6 Order confirmation;

- The diversion of Bridleway 80 is expedient in the interests of the landowner;
- The diversion is not substantially less convenient to the public as the increase in length is considered modest considering the bridleway's rural location and its recreational use, and the gradient and surface are more accessible than the current bridleway.

It is expedient to confirm the order as:

- The public enjoyment of the bridleway would be enhanced by the diversion and has the support of several local walkers and horseriders, the Ramblers, the British Horse Society and Beaminster Town Council
- The diversion would have no material effect on the land served by the current route or over which the new route runs.
- The diversion will have a positive effect on agriculture, flora, fauna and geological and physiographical features as it enables better land management by moving the bridleway away from the farmyard and protects wildlife and historic monuments that are present along the current bridleway.

11.7 The application should be accepted and extinguishment and diversion orders made.

11.8 In the event that objections are received to only one of the orders, Dorset Council would submit both orders to the Secretary of State for confirmation.

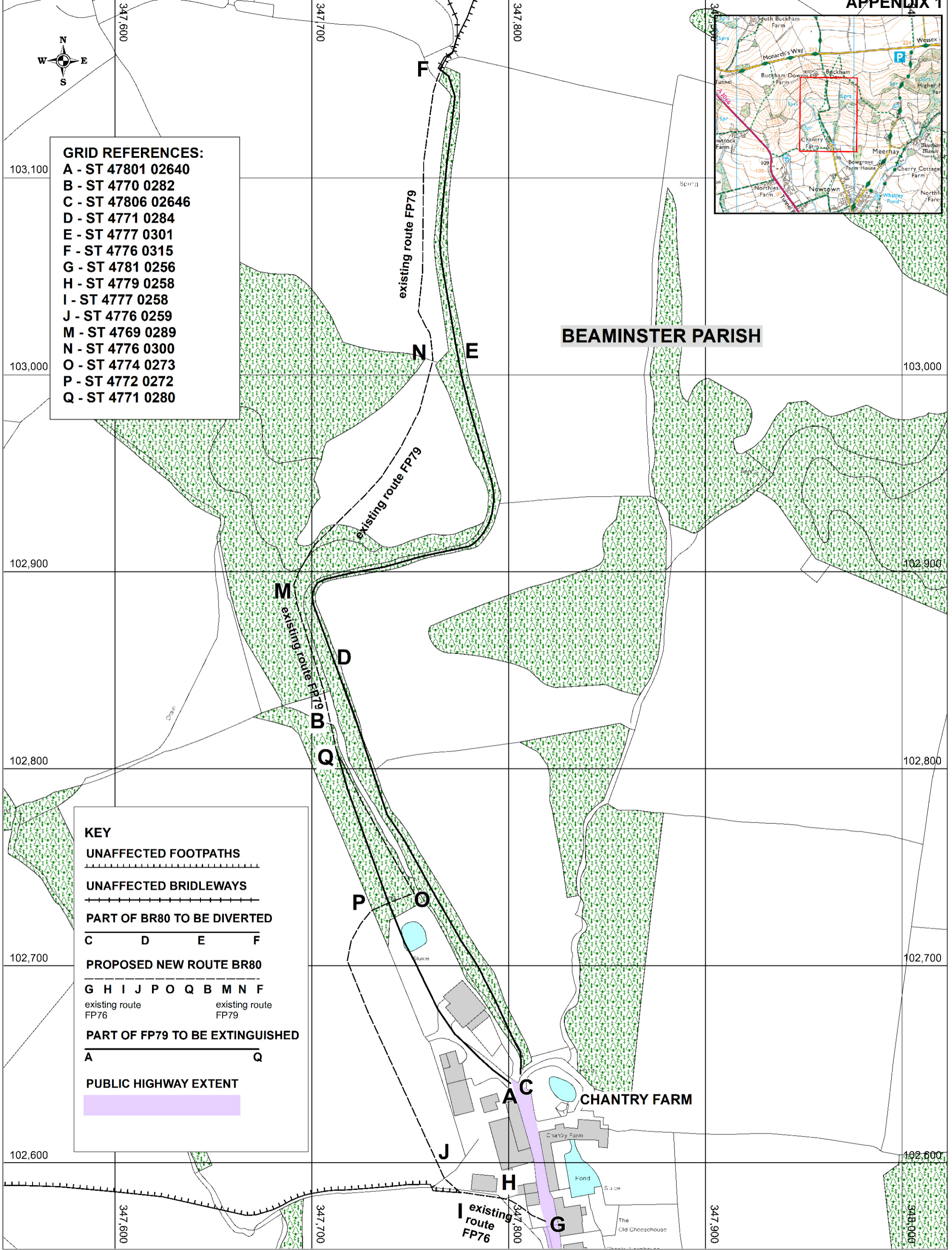
12 **Appendices**

- 1 Drawing P226/23/2
- 2 Drawing P226/22/2
- 3 Summary of consultation responses (second consultation)
- 4 Summary of consultation responses (first consultation)
- 5 Extract from Parish Survey map 1951

13 **Background Papers**

The files of the Executive Director, Place (ref.RW/P226)

July 2023



GRID REFERENCES:
 A - ST 47801 02640
 B - ST 4770 0282
 C - ST 47806 02646
 D - ST 4771 0284
 E - ST 4777 0301
 F - ST 4776 0315
 G - ST 4781 0256
 H - ST 4779 0258
 I - ST 4777 0258
 J - ST 4776 0259
 M - ST 4769 0289
 N - ST 4776 0300
 O - ST 4774 0273
 P - ST 4772 0272
 Q - ST 4771 0280

KEY

UNAFFECTED FOOTPATHS

UNAFFECTED BRIDLEWAYS

PART OF BR80 TO BE DIVERTED
 C D E F

PROPOSED NEW ROUTE BR80
 G H I J P O Q B M N F

existing route FP76
 existing route FP79

PART OF FP79 TO BE EXTINGUISHED
 A Q

PUBLIC HIGHWAY EXTENT
 [Purple shaded area]

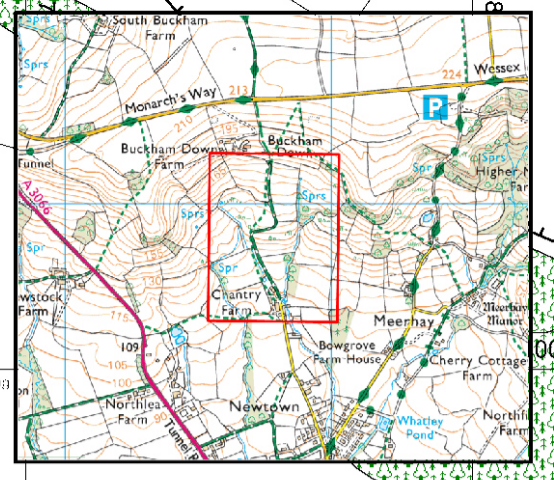
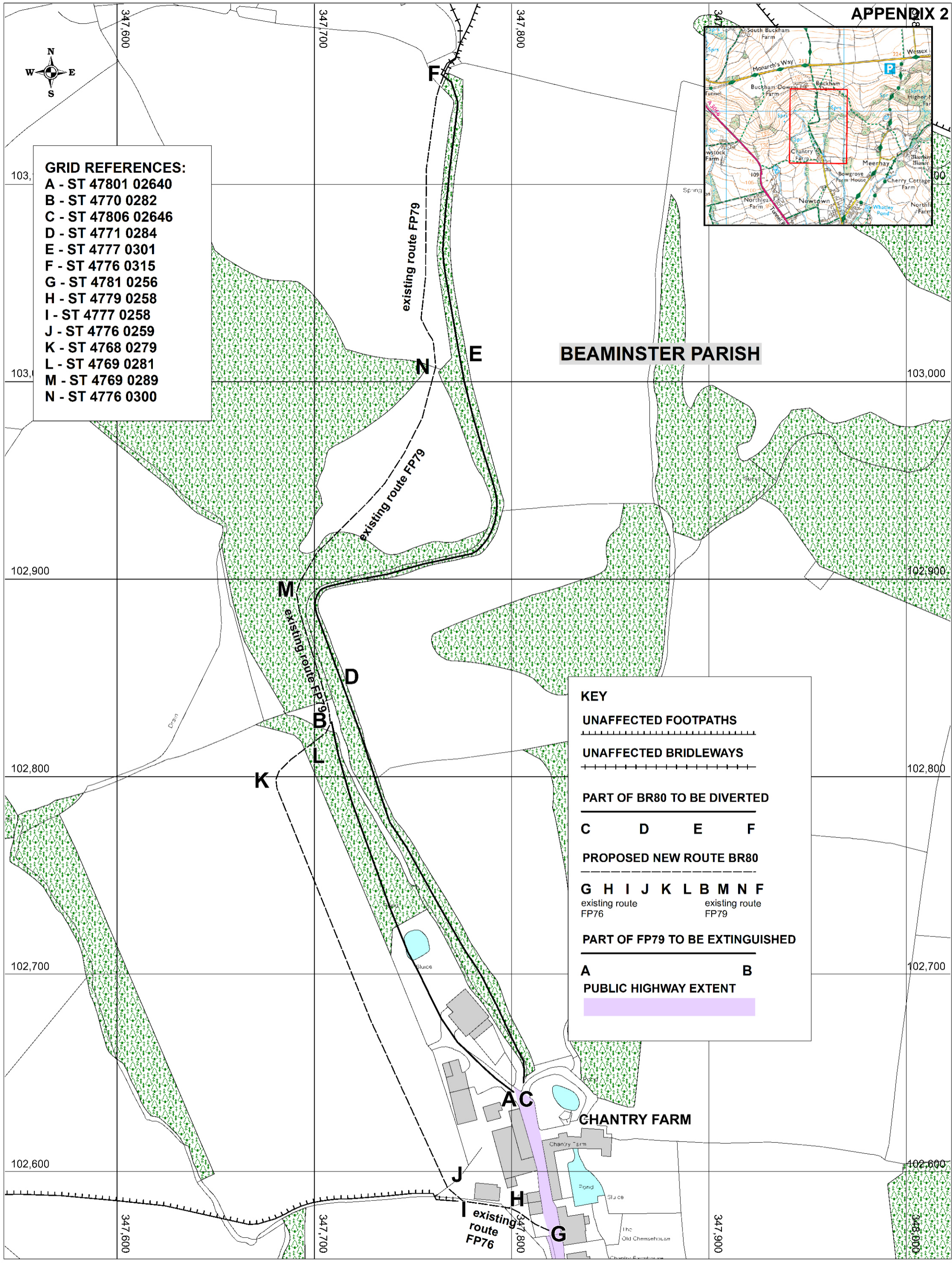
BEAMINSTER PARISH

CHANTRY FARM

SECTION 118 HIGHWAYS ACT 1980 AND SECTION 119, HIGHWAYS ACT 1980
APPLICATION TO EXTINGUISH PART OF FOOTPATH 79 AND DIVERT PART OF BRIDLEWAY 80
BEAMINSTER AT CHANTRY FARM
 THIS MAP IS NOT DEFINITIVE AND HAS NO LEGAL STATUS

Ref: P226/23/2
 Date: 01/03/2023
 Drawn by: CAM
 Scale: 1:1700 at A3
 Cent X: 347,783
 Cent Y: 102,874

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 I - ST 4777 0258
 J - ST 4776 0259
 K - ST 4768 0279
 L - ST 4769 0281
 M - ST 4769 0289
 N - ST 4776 0300

KEY

UNAFFECTED FOOTPATHS
 UNAFFECTED BRIDLEWAYS

PART OF BR80 TO BE DIVERTED
 C D E F

PROPOSED NEW ROUTE BR80
 G H I J K L B M N F
 existing route FP76 existing route FP79

PART OF FP79 TO BE EXTINGUISHED
 A B

PUBLIC HIGHWAY EXTENT

SECTION 118, HIGHWAYS ACT 1980 AND SECTION 119, HIGHWAYS ACT 1980
APPLICATION TO EXTINGUISH PART OF FOOTPATH 79, BEAMINSTER AND DIVERT PART OF BRIDLEWAY 80 BEAMINSTER AT CHANTRY FARM
 THIS MAP IS NOT DEFINITIVE AND HAS NO LEGAL STATUS

Ref: P226/22/2
 Date: 29/11/2022
 Drawn by: CAM
 Scale: 1:1700 at A3
 Cent X: 347,783
 Cent Y: 102,874

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SECOND CONSULTATION

Summary of consultation responses

Objecting to the proposal:

Name	Comments
Open Spaces Society (OSS)	<p>Opposes extinguishment – no evidence to show footpath 79 not needed for public use. Wrong to suggest diverted bridleway is a substitute for extinguished footpath. Sharing replacement route with horses would be inconvenient to pedestrians.</p> <p>Opposes diversion – No action taken by Council to remove obstructions on BR80.</p> <p>Case Law and PINS advice Note no 9 referenced with regard to dealing with temporary circumstances preventing use by the public in Section 119.</p> <p>Public would still have right to use adopted highway to point C.</p> <p>Holloway status of bridleway.</p> <p>July 2023 – additional comments submitted</p> <p>Maintains objection following ‘without prejudice’ site meeting with officers. BR80 should be opened up for public use.</p> <p>Nature conservation interest cannot override bridleway’s statutory designation on the definitive map as a right of way that is available for public use. Queries accuracy of estimated costs. Budget not a relevant factor overriding Council’s mandatory legal obligations to maintain BR80.</p>
West Dorset Campaign to Protect Rural England (CPRE)	<p>CPRE understands necessity of moving Footpath 79 away from Chantry Farm buildings and farmyard and supports Footpath 79 remaining in woodland area (O to B).</p> <p>Does not support merging Footpath 79 and Bridleway 80 - horses may make path unsafe and unusable for walkers.</p> <p>Bridleway 80, currently blocked by debris, barbed wire and vegetation, needs to be cleared.</p> <p>Holloways have great historical value and should be protected and maintained. This is also vital for their ancient ecosystems which are in danger.</p>
Beaminster resident (#1)	<p>Supports diversion of Footpath 79 G – H – I – J – P – O – B and extinguishment of Fp79 A – Q.</p> <p>Objects to “merging the footpath and bridleway” which will make the route unsafe and unusable for walkers due to horses and cyclists churning up the route.</p>

APPENDIX 3

	<p>Request for estimate of equestrian / bicycle use and evidence that BR80 cannot be reinstated and cost analysis of revised proposal / reopening of BR80.</p> <p>BR80 is historic route and Holloway of educational and recreational importance to Beaminster.</p> <p>Reopening BR80 would separate walkers from livestock in field north of N – E Diversion is a dangerous precedent – Dorset Council and landowner have allowed BR to deteriorate by obstructing route and “ignoring public comments” so that reinstating path requires extensive works.</p> <p>Requests that previous comments to first consultation are also considered – (see summary of first consultation responses in Appendix 4)</p>
<p>(#15)</p>	<p>Supports diversion of FP79 G – H – I – J – P – O and extinguishment of FP79 A – Q. Does not support “proposed new route of BR80 G – H – I – J – P – O – Q – B – M – N – F or diversion of BR80 from C – D – E – F</p> <p>Sharing route with horseriders would make route less enjoyable for walkers. BR80 is an historic route and should remain open.</p> <p>Refers to comments made in first consultation (see summary of first consultation responses in Appendix 4)</p>
<p>Netherbury resident (#16)</p>	<p>Supports diversion of FP79 G – H – I – J – P – O and extinguishment of FP79 A – Q. Does not support “proposed new route of BR80 G – H – I – J – P – O – Q – B – M – N – F or diversion of BR80 from C – D – E – F for practical and historical reasons and as a matter of principle and precedent.</p> <p>Sharing route with horse riders or mountain bikers would spoil enjoyment for walkers. BR80 is an historic route and should remain open - as a Holloway it should be available for Beaminster residents to enjoy and should not have been allowed to get into current state.</p>

Supporting the proposal:

Name	Comments
Beamminster Town Council	No objection. Revised proposals “would seem a sensible solution”
The Ramblers	Supports proposed diversion and extinguishment. Agrees with Dorset Council that to reinstate the recorded route of BR80 would require removal of several mature trees and destroy the habitat corridor that has evolved since the route has fallen into disuse. BR80 disused since mid-1980s (or earlier) and the use of FP79 as an alternative is long established. Raises concerns regarding possibly flooding of the diverted route B – Q - O) alongside stream and queries if culvert needed between O and P where the new route crosses a seasonal stream.
BHS	Supports revised proposal as BR80 impassable and unrideable – “this proposal must be an improvement”
#27 Beamminster resident (Received July 2023)	<p>Supports proposals. Bridleways extremely important for riders, for exercise and well being of horses, and for horse riding tourism in West Dorset.</p> <p>This particular bridleway links with bridleway network in area. Would be difficult to reopen bridleway which is extremely narrow and treacherous in places for riders.</p> <p>New route fantastic option. Has ridden new permissive route which is more beautiful option with minimal impact on flora and fauna.</p> <p>Applicants have worked hard to make it the best option for all to enjoy. Being diverted around working farm also gives walker and rider a higher level of safety which is a important consideration.</p>
#28 Beamminster resident (Received July 2023)	Fully support diversion / extinguishment. Bridleway very boggy and dangerous on foot / horseback. New proposals would open up whole new route for us as walkers, riders and nature lovers.
#29 Beamminster resident (Received July 2023)	Underground spring has cause entrance to woodland walk to become impassable and very boggy. Suggested alternative is a pleasant short diversion and avoids boggy ground. Freedom to walk through farm is intrusive for the landowners.
#30 Sherborne resident (Received July 2023)	Previously lived in Beamminster. Current bridleway overgrown, eroded and boggy – unsafe for horses and dangerous on foot. It is a haven for wildlife so reinstatement for public would be counterproductive. Proposed alternative route great improvement – more open and pleasing ride or walk out of harms way without imposing on farm yard.

APPENDIX 3

<p>#31 Beaminster resident</p> <p>(Received July 2023)</p>	<p>Strongly supports proposal. Has enjoyed walking proposed new path many times over the last year instead of farmyard, wellington boot height bog and stoney unlevel hazardous footpath that has now become a funnel for water from hills above.</p> <p>Current bridleway dangerous for humans let alone animals. Most practical solution is what has been proposed. Fortunate that landowners willing to set aside route through lovely field and reopen access for horses after all these years.</p>
<p>#32 Beaminster resident</p> <p>(Received July 2023)</p>	<p>Frequent user of footpath during 30 years living in area and keen horserider. Supports proposed changes, new path is through beautiful field of wild flowers and bluebell wood. Current bridleway has overhanging trees, jagged rocks, boulders and very deep muddy sections – would be suicidal to horse and rider. Nature has taken over this section of the bridleway and it should stay that way.</p>
<p>#33 Beaminster resident</p> <p>(Received July 2023)</p>	<p>Regular user of footpaths and bridleways in Beaminster for last 30+ years. Very much in favour of proposals. New bridleway would be more accessible and provide safe, practical and enjoyable route for walkers and riders. Current footpath washed out with deep bog – difficult to navigate. Current bridleway completely overgrown and washed out for as long as they can remember. Clearing bridleway would disturb wildlife and still be unsafe to walk or ride up. As horserider, proposed route would offer safe access on to downs as other two alternatives in area are steep and slippery / difficult to navigate.</p>

Other responses received:

Name	Comments
Wessex Water	No objection. Apparatus in the area.
National Grid	No objection. Plan indicates apparatus in the area.
Environment Agency	Nothing to add to response to first consultation other than any works to the ordinary watercourse may require an ordinary watercourse consent which would be dealt with by the Flood Risk Management Team in Dorset Council, and that you should seek advice from your ecologist on any precautionary measures needed prior to the vegetation clearance works.
Senior Archaeologist Dorset Council	There are at present no recorded archaeological finds or features or historic buildings on or in the immediate vicinity of the routes affected by this proposal. Consequently, I do not feel that historic environment considerations constitute a constraint in the context of this proposal.

FIRST CONSULTATION

Summary of consultation responses

Dec 2022 / Jan 2023

Objecting to the proposal:

Name	Comments
West Dorset Campaign to Protect Rural England (CPRE)	Objects to extinguishment and diversion as public should have as much practical access to countryside by such routes as possible.
Beaminster Town Council	Historically believed route forms part of Drovers route. Diversion of Footpath 79 impacts on public's enjoyment - removes part of woodland walk. Proposal to combine Footpath 79 and Bridleway 80 at point B detrimental to habitat through woods as it is a wet area. Town Council urges Dorset Council to agree alternative route with applicant which offers privacy and security for landowner whilst maintaining route of current Footpath with exception of small section at point A where it runs through farmyard.
Beaminster resident (#1)	Bridleway 80 is an ancient Holloway which would be of substantial benefit to Beaminster if reopened. Proposed extinguishment of Footpath 79 would detract from enjoyment of the route as it is a delightful brookside / woodland walk particularly in the spring. Queries reasons of privacy / security for diverting bridleway / extinguishing footpath and notes that there is a public highway between points G and A. Suggests an alternative route avoiding farm buildings but retaining a path through the woods.
Beaminster resident (#2)	Objects to application as it would dramatically change route that my family and I enjoy regularly.
Beaminster resident (#3)	Objects to change of footpath into field - significant degradation of experience of walk.
Rampisham Resident (#4)	Proposed change will stop public access to charming brookside walk and permanently close a separate bridleway. Feels that new owners should not immediately change things when moving into an area.
Bridport Resident (#5)	Objects in principle as ancient pathways are part of our heritage and should not be moved just for benefit of landowner. Each time a pathway is lost so is part of our history.

APPENDIX 4

Beamminster resident (#6)	Historic route, much used and enjoyed by people of Beamminster, not acceptable that public enjoyment of footpath should be sacrificed to wishes of one landowner. Path should be improved, not taken away.
Member of Beamminster Ramblers & West Dorset Ramblers (#7)	Opposes application as it would reduce enjoyment of walk as woodland/brookside is a special section of the walk.
(#8)	Objects to proposals. Suggestion to look at keeping footpath in wood.
(#9)	Objects to closure of footpath and rerouting as currently it goes through a lovely wooded area especially beautiful in Spring. Being able to enjoy woodland benefits our mental health. No possible reason to close this. No objection to footpath avoiding farm yard.
Beamminster resident (#10)	Extinguishment and diversion will negatively effect enjoyment of walk we regularly enjoy. Removes access to woodland, stream and nature ponds.
Beamminster resident (#11)	Objects to extinguishment of footpath as it is only for privacy. Bridleway may be ancient drove to what was once a common so it should be preserved and restored for public use
(#12)	Extinguishment and diversion will spoil enjoyment of walk by stream especially in spring when wild flowers are out.
Dorchester resident (#13)	Few stream side woodland paths in Dorset and this route is particularly beautiful. Would like path to remain for future generations to enjoy.
Beamminster resident (#14)	Opposed to proposals as this will seriously compromise enjoyment of exceptional walk through area of outstanding natural beauty.
(#15)	The proposal to divert Footpath 79 from M southwards would negatively impact walk – section proposed to be diverted brings greatest pleasure in walk. Clearance of vegetation between points L - B - M - N", would have detrimental impact on vegetation and soil structure and beneficial micro-organisms.
Netherbury Resident (#16)	Footpath and bridleway not impassable. Rerouting into the field would not improve accessibility and enjoyment for public. Diversion of footpath and bridleway would not improve privacy and security since the public highway will continue to run through the buildings to point C. Suggests alternative proposal avoiding the farm buildings but retaining a route through woods.

APPENDIX 4

Beamminster resident (#17)	No reason to change public rights of way as they have existed for time immemorial. Footpath is ancient route descending from downs and any changes are detriment to local history. Enjoys current route which has diversity of indigenous flora and a pretty stream.
Littlebredy Resident (#18)	Footpath has been obstructed on purpose and diverted since the property changed hands. Enjoyed walking along by the brook.
Beamminster resident (#19)	Objects to extinguishment as it will impact on public enjoyment changing it from a stream side to field based walk. Objects to diversion as it will make footpath more hazardous and difficult for public and damage trees and hedgerows as horses will be diverted on a narrow path, and will result in loss of unique hollow way. Trees planted by the stream may have been supported by Millennium Project Funds so should be retained as a public amenity. Suggests alternative route avoiding farm yard but retaining part of current footpath and bridleway.
Local resident (#20)	Regularly walks woods at least twice a week. Objects proposal as it will reduce enjoyment of walk at all times of year.
Beamminster residents (#21)	Object to diversion through fields which get very boggy and wet and are not at all as pretty or pleasant to walk through as the current path. The land owner seeks to have their own private estate at the end of Chantry Lane which will add value to their property. A better solution would be as to send walkers around the side of the out buildings, however this has been refused by the owners.
Beamminster resident (#23)	Objects to extinguishment and suggests alternative which avoids farmyard and retains path through woods.
Beamminster resident (#24)	Objects to proposal. Suggests that it is not within powers of Highways Act 1980 to extinguish Footpath 79 and provide alternative route along new bridleway. Extinguishment of Footpath 79 and diversion of Bridleway 80 should be subject to separate considerations. Proposed route for Footpath 79 less commodious for public. The proposed route takes no account of the historic significance of existing route being adjacent to ancient route from Beamminster Town to Buckham Downs and South Perrot. Proposals present no positive reasons at all to extinguish, re-route and/or reclassify Footpath 79 have no merit and should be dismissed. Diversion of Bridleway 80 may be of benefit to users, given present parlous state of existing route. Proposals ignore historical significance of existing route. Correct course of action will be to repair existing route of bridleway
Beamminster resident (#25)	Walks route semi-regularly. Field option will significantly reduce the enjoyment of the walk.

APPENDIX 4

Beaminstor resident (#26)	Enjoys walking through woodland by stream and “would not like to see any changes to the peaceful little area, with it continuing to be open for all”.
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Supporting the proposal:

Name	Comments
The Ramblers	Supports proposal. Query over section of Footpath 76 around point I that may need diverting, and surface improvements which need to include L to B.
(#22)	Supports proposal as new route is far less muddy, offers great views, and avoids the farm which better for the dogs which get more time off the lead. Plenty of other lovely woodland walks and a 100 metre doesn't matter when there is a safe alternative next door.

Other responses received:

Name	Comments
BT	No affected apparatus
Wessex Water	No objection. Apparatus in the area.
National Grid	No objection. Plan indicates apparatus in the area.
Environment Agency	None of the works are near a main river channel so no FRA permit is required. If installing or altering culvert on ordinary watercourse (non-main river channel) likely to require ordinary watercourse consent – dealt with by the Flood Risk Management Team, DC
Senior Archaeologist Dorset Council	There are at present no recorded archaeological finds or features or historic buildings on or in the immediate vicinity of the routes affected by this proposal. Consequently, I do not feel that historic environment considerations constitute a constraint in the context of this proposal.

EXTRACT FROM BEAMINSTER PARISH SURVEY MAP 1951

