

HIGHWAYS ACT 1980 SECTION 119
THE WILTSHIRE COUNCIL WESTBURY 29 AND DILTON MARSH 20
DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER 2021

HIGHWAYS ACT 1980 SECTION 118
THE WILTSHIRE COUNCIL WESTBURY 28 AND DILTON MARSH 19
EXTINGUISHMENT AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER 2021

Representations in support

1. Alexandra Clarke
2. Bill and Kay Dawson
3. Cori Roberts
4. Danny McGrath
5. Dilton Marsh Parish Council
6. Georgia Alford
7. Jordan Russell
8. Julia Mathison
9. Martin Waker
10. Richard Lewis
11. Riff Hutchinson
12. Romany Hamilton
13. Simon Bishop

From: [REDACTED]
Sent: 30 October 2021 12:38
To: [Roberts, Ali](#)
Subject: Fwd: Proposed diversion on westbury 29 (part) dilton marsh 20 (part) westbury 29 (part) dilton Marsh 19 (part)

Dear Miss Roberts,

I received your email yesterday saying there was an error in the previous order. Is it ok for me to just send you our previous correspondence? See below and if you need anything further from me in order to assist get this approved please don't hesitate to contact me.

Kind regards.

Alex

Begin forwarded message:

From: [REDACTED]
Subject: Proposed diversion on westbury 29 (part) dilton marsh 20 (part) westbury 29 (part) dilton Marsh 19 (part)
Date: 6 July 2021 at 21:20:13 GMT+2
To: Ali.Roberts@wiltshire.gov.uk, [REDACTED]

Dear Miss Roberts

I am writing to you to show support for the proposed diversion of the footpath around Dilton Vale Farm. We walk regularly and have done for years... the footpath takes us directly past their windows and very close to their house which is unnecessary and actually the diversion would be best everyone and their dogs, it would also be far more peaceful for all. With the amount of new residents over the years the path closer to the property now feels intrusive.

Thank you.

Alex.

From:

Sent:

To:

[REDACTED]
03 November 2021 19:22

[Roberts, Ali](#)

The pathway

Dearest Ms ROBERTS

I feel this pathway should be moved as I have spent many days and afternoons walking through Wiltshire and would highly recommend the moving of the footpath that passes so close to Dilton Vale Farm. On many occasions we have disrupted a social occasion at the home of these lovely people. I am in full support of a small diversion which would affect nobody and only make our ambles much more solitary and peaceful. Thank you for your time and patience

Yours sincerely

Alexandra Kerrison Clarke

From: [REDACTED]
Sent: 31 October 2021 16:12
To: [Roberts, Ali](#)
Subject: Fwd: Proposed Diversion of Footpath

Dear Ali

Thank you for your email informing me that you have had to draw up new orders for the proposed diversion of the footpath at Dilton Vale Farm.

I would like to resubmit my original response, which is attached, as I have no further comments I wish to make. I very much hope that the bid for the proposed footpath is successful as it will make the lives of the present and future occupants of Dilton Vale Farm safer and give them more privacy.

Yours sincerely
Bill Dawson

Sent from my iPad

Begin forwarded message:

From: Bill & Kay Dawso [REDACTED]
Date: 7 July 2021 at 18:42:23 BST
To: Ali.Roberts@wiltshire.gov.uk
Cc: [REDACTED]
Subject: Proposed Diversion of Footpath

Subject: proposed diversion on Westbury 29 (part) Dilton Marsh 20 (part) Westbury 29 (part) and Dilton Marsh 19 (part)

Dear Miss Roberts

We have been using the footpaths in the area around Dilton Vale Farm for 27 years and wholeheartedly support the proposed diversion of the original footpath which crosses directly across the garden, close to the property and denies the current owners any privacy.

One thing that we have noticed is that over the years the numbers of dog walkers has increased due to the expansion of the new housing at Westbury Leigh and therefore the current owners now have an even greater intrusion in their lives. We ourselves feel awkward crossing their land so close to the property and feel that a diversion would be a very good solution all round.

Kind regards
Bill Dawson

Sent from my iPad

From: [REDACTED]
Sent: 04 November 2021 11:19
To: [Roberts, Ali](#)
Subject: Fwd: proposed diversion on Westbury 29 (part), Dilton Marsh 20 (part), Westbury 29 (part) and Dilton Marsh 19 (part).

----- Forwarded message -----

From: Cori Roberts [REDACTED]
Date: 15 Jul 2021, 17:58 +0100
To: Ali.Roberts@wiltshire.gov.uk
Subject: proposed diversion on Westbury 29 (part), Dilton Marsh 20 (part), Westbury 29 (part) and Dilton Marsh 19 (part).

Subject:
proposed diversion on Westbury 29 (part), Dilton Marsh 20 (part), Westbury 29 (part) and Dilton Marsh 19 (part).

Dear Miss Roberts,

I'm writing to you in support of the new proposal

We walk there all the time using the footpaths at Dilton Vale Farm

I would actually like to express our support for the proposed diversion of the original path. The existing path passes very close to the owner's property and makes us feel uncomfortable to be honest walking so close to the house.

Best wishes
Cori Roberts

From: [REDACTED]
Sent: 03 November 2021 14:06
To: [Roberts, Ali](#)
Cc: rob.nic@me.com
Subject: Footpath

Dear Mrs Roberts,

I am writing to you regarding the proposed diversion of the current footpath running close to Dilton Vale Farm. My family and I use this footpath regularly to walk our dogs and enjoy the area. I have absolutely no objection to the diversion taking the path further away from the house, as the current route is awkwardly close to where that family live, and it really is no hardship to follow the new proposed route.

Sincerely

Danny McGrath
First Assistant Director/Producer

[REDACTED]

[REDACTED]

[REDACTED]

From: [DiltonMarsh Clerk](#)
Sent: 23 November 2021 10:49
To: [Roberts, Ali](#)
Subject: Footpaths Westbury 29 part, Dilton Marsh 20 part and Extinguishment of Footpaths Westbury 28 part and Dilton Marsh 19 part

Dear Ali

I can confirm that the PC has no objection to the proposals.

Kind regards,

Nikki

Nicola Duke B.A (Hons), FSLCC
Parish Clerk
For and on behalf of
Dilton Marsh Parish Council

From: Nicola Duke <diltonmarshpc@aol.co.uk>
Sent: 03 November 2021 12:42
To: DiltonMarsh Clerk <clerk@diltonmarsh-pc.uk>
Subject: Fwd: Footpaths Westbury 29 part, Dilton Marsh 20 part and Extinguishment of Footpaths Westbury 28 part and Dilton Marsh 19 part

-----Original Message-----

From: Roberts, Ali

To: Roberts, Ali

Sent: Fri, 29 Oct 2021 12:07

Subject: Footpaths Westbury 29 part, Dilton Marsh 20 part and Extinguishment of Footpaths Westbury 28 part and Dilton Marsh 19 part

Highways At 1980 section 119 and 118

Diversion of Footpaths Westbury 29 (part), Dilton Marsh 20 (part) and Extinguishment of Footpaths Westbury 28 (part) and Dilton Marsh 19 (part)

I do apologise for any inconvenience this may cause but due to an error in the previous Order I have had to draw up new Orders separating the diversion requirement under Highways Act 1980 Section 119 and the extinguishment requirement under Highways Act 1980 Section 118. Wiltshire Council has made the Orders on 25 October 2021. Please find attached a copy of the Orders, the Order Plans and the Notice of making the Orders. I have also attached the decision report on the making of the Orders.

If you have made a representation to the previous Order to follow process and regulation you will need to resubmit your response to these Orders whether that is to

copy the previous response directly or if you have further comments you would like to make. Please send representations by Friday 3 December 2021.

Please find attached the decision report recommending an Order is made and the associated appendices.

Kindest regards,

Ali

Please note that any responses to this email will be available for public inspection in full. Information relating to the way Wiltshire Council will manage your data can be found at:

<http://www.wiltshire.gov.uk/recreation-rights-of-way>

Ali Roberts (Miss)
Definitive Map Officer
Rights of Way and Countryside
Wiltshire Council
County Hall
Trowbridge
BA14 8JN

Wiltshire Council

Tel: 01225 756178

Email: ali.roberts@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

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From: [REDACTED]
Sent: 14 July 2021 13:47
To: [Roberts, Ali](#)
Cc: [REDACTED]
Subject: Proposed Diversion on Westbury & Dilton Marsh

Dear Miss Roberts,

We are getting in touch regards to a regular footpath route through Dilton Vale Farm that we take and would like to strongly express our support for the proposed diversion of the original path.

Being in such close proximity to a private family house makes us feel uncomfortable, so we can only imagine how the owners must feel. The number of residents around the Dilton Marsh and Westbury area has increased significantly since the owners originally bought the property and now over the past couple of years with lockdown restrictions seeing a huge rise in outdoor activities, we only think it just and fair for the diversion to be approved, not only benefitting the walkers but the lovely family who live there who just want a bit of privacy.

Kind regards,

Georgia

From: [REDACTED]
Sent: 29 October 2021 12:33
To: [Roberts, Ali](#)
Subject: Re: Footpaths Westbury 29 part, Dilton Marsh 20 part and Extinguishment of Footpaths Westbury 28 part and Dilton Marsh 19 part

Hi Ali,

Thank you for letting me know. Happy to continue, thank you for your support.

Georgia

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From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: Friday, October 29, 2021 12:07:06 PM
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Subject: Footpaths Westbury 29 part, Dilton Marsh 20 part and Extinguishment of Footpaths Westbury 28 part and Dilton Marsh 19 part

Highways At 1980 section 119 and 118
Diversion of Footpaths Westbury 29 (part), Dilton Marsh 20 (part) and Extinguishment of Footpaths Westbury 28 (part) and Dilton Marsh 19 (part)

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Kindest regards,

Ali

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Ali Roberts (Miss)
Definitive Map Officer

Rights of Way and Countryside
Wiltshire Council
County Hall
Trowbridge
BA14 8JN



Tel: 01225 756178
Email: ali.roberts@wiltshire.gov.uk
Web: www.wiltshire.gov.uk

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From: [REDACTED]
Sent: 29 October 2021 19:19
To: [Roberts, Ali](#)
Subject: Re: Footpaths Westbury 29 part, Dilton Marsh 20 part and Extinguishment of Footpaths Westbury 28 part and Dilton Marsh 19 part

Dear Miss Roberts,

I regularly walk my dog on the footpaths at Dilton Vale Farm, and I would like to express my support for the proposed diversion of the original footpath. The current path passes very close to the owner's property and makes me feel uncomfortable as I feel like I am intruding on the owners property.

There is a considerably higher number of residents in Westbury and Dilton Marsh now compared to when the owners bought the property due to the expansion of the Leigh Park estate, and the footpath use has now changed and would benefit both walkers and the landowner if the diversion was approved. I honestly feel that not only does it make me feel uncomfortable walking so close to the owners property but probably feels like an invasion of privacy for the land owner.

I would appreciate it if you would consider my opinion when making your decision.

Kind regards,

Jordan Russell

Sent from my iPhone

On 29 Oct 2021, at 12:07, Roberts, Ali <Ali.Roberts@wiltshire.gov.uk> wrote:

Highways At 1980 section 119 and 118
Diversion of Footpaths Westbury 29 (part), Dilton Marsh 20 (part)
and Extinguishment of Footpaths Westbury 28 (part) and Dilton
Marsh 19 (part)

I do apologise for any inconvenience this may cause but due to an error in the previous Order I have had to draw up new Orders separating the diversion requirement under Highways Act 1980 Section 119 and the extinguishment requirement under Highways Act 1980 Section 118. Wiltshire Council has made the Orders on 25 October 2021. Please find attached a copy of the Orders, the Order Plans and the Notice of making the Orders. I have also attached the decision report on the making of the Orders.

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Please find attached the decision report recommending an Order is made and the associated appendices.

Kindest regards,

Ali

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Ali Roberts (Miss)
Definitive Map Officer
Rights of Way and Countryside
Wiltshire Council
County Hall
Trowbridge
BA14 8JN
<image002.png>

Tel: 01225 756178

Email: ali.roberts@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

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<Order plan WEST29 DMAR20 119.pdf>

<Making an order - WEST29 DMAR20 - 119.docx>

<118 - WEST28 DMAR19.pdf>

<Order plan WEST28 DMAR19 118.pdf>

<Making of order - WEST28 DMAR19 - 118.docx>

<Decision Report - WEST29 DMAR20 WEST28 DMAR19.pdf>

From: [REDACTED]
Sent: 30 October 2021 11:10
To: [Roberts, Ali](#)
Cc: [REDACTED]
Subject: RE: Proposed Diversion on Westbury 29 (part), Dilton Marsh 20 (part), Westbury 29 (part) and Dilton Marsh 19 (part).

IN RESPECT OF:

Proposed diversion on Westbury 29 (part), Dilton Marsh 20 (part), Westbury 29 (part) and Dilton Marsh 19 (part). (**the Diversion**)

Dear Miss Roberts,

It has come to my attention there is a proposed Diversion to the footpaths at Dilton Vale Farm (**DVF**), which I wish to express my unreserved support in favour of.

The original path runs so close to the actual residence of the owner's of DVF, as to make it feel intrusive and uncomfortable for all parties, especially given the influx of walkers compared to years ago.

No doubt, the increase in population in Westbury and Dilton Marsh, as compared to when the owners first bought DVF has had a big impact on the frequency and use of the original footpath.

It seems only appropriate and practical on the merits, for the benefit of both frequent and occasional walkers as well as for the property owners of DVF, that the Diversion be approved without question and proceed accordingly.

Please note this as my formal election, the Diversion be approved.

Kind regards,

J. Mathison

From: [REDACTED]
Sent: 06 November 2021 17:40
To: [Roberts, Ali](#)
Subject: Fw: Proposed division on Westbury 29 (part), DiltonMarsh 20 (part), Westbury 29 (part), Dilton Marsh 19 (part)

Hi Ali,

Here is my support for the proposed diversion of the footpath.

Regards
Mr Waker

From: martin waker
Sent: 06 July 2021 19:15
To: ali.roberts@wiltshire.gov.uk <ali.roberts@wiltshire.gov.uk>
Cc: [REDACTED]
Subject: Proposed division on Westbury 29 (part), DiltonMarsh 20 (part), Westbury 29 (part), Dilton Marsh 19 (part)

Dear Miss Roberts,

As a regular walker in the Westbury area I would like to put forward my support for the proposed division of the original path around Dilton Vale Farm. This is a lovely route to walk but passing so close to the property make me feel very awkward but the division takes you away from the house and feels less intrusive.

Due to the increased numbers of people using local walks compared to when the occupiers bought the property, the division would benefit both the owner and walkers making all feel more comfortable using the path and this lovely area if it is approved.

Kind regards
Martin Waker

From: [REDACTED]
Sent: 29 October 2021 13:38
To: [Roberts, Ali](#)
Subject: Re: Footpaths Westbury 29 part, Dilton Marsh 20 part and Extinguishment of Footpaths Westbury 28 part and Dilton Marsh 19 part

FAO Ms Roberts,

It has come to my attention, that a proposal has been drafted to divert the footpath from Dilton Vale Farm.

I whole heartedly support this proposal.

I'm sure that there are many more walkers in 2021 than there were when the original footpath was conceived. The said footpath could quite easily be diverted, to the benefit of both walkers and the landowner concerned.

With kind regards

Richard Lewis (Mr)

On 29 Oct 2021, at 12:07, Roberts, Ali <Ali.Roberts@wiltshire.gov.uk> wrote:

**Highways At 1980 section 119 and 118
Diversion of Footpaths Westbury 29 (part), Dilton Marsh 20 (part)
and Extinguishment of Footpaths Westbury 28 (part) and Dilton
Marsh 19 (part)**

I do apologise for any inconvenience this may cause but due to an error in the previous Order I have had to draw up new Orders separating the diversion requirement under Highways Act 1980 Section 119 and the extinguishment requirement under Highways Act 1980 Section 118. Wiltshire Council has made the Orders on 25 October 2021. Please find attached a copy of the Orders, the Order Plans and the Notice of making the Orders. I have also attached the decision report on the making of the Orders.

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Please find attached the decision report recommending an Order is made and the associated appendices.

Kindest regards,

Ali

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Ali Roberts (Miss)
Definitive Map Officer
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<Decision Report - WEST29 DMAR20 WEST28 DMAR19.pdf>

From: [REDACTED]
Sent: 09 November 2021 08:45
To: [Roberts, Ali](#)
Subject: Proposed diversion on Westbury 29 (part), Dilton Marsh (part),
Westbury 29 (part), and Dilton Marsh 19 (part)

Dear Miss Roberts,

I walk every week on the Dilton Vale Farm footpaths. I would like to whole heartedly support the proposed diversion of the foot path, it makes perfect sense.

Yours sincerely

Richard Hutchinson

From: [REDACTED]
Sent: 06 November 2021 13:29
To: Roberts, Ali
Cc: Rob TAYLOR
Subject: Proposed diversion on Westbury 29(part) Westbury 29 (part) and Dilton Marsh 19 (part)

Dear Miss Roberts,

In response to the above, I would like to offer my full support for the diversion of the original path. I regularly walk my small dog on this particular route and find it to be particularly intrusive as it passes so incredibly close to the property. Furthermore, the owner's have large dogs that rush to greet my small dog with an over friendliness that I find disconcerting.

There are many resident's in the Dilton Marsh and Westbury area that I have spoken to that feel a change in the diversion would be beneficial to all parties involved. It makes me feel further uncomfortable passing so close to the property whose owner's are so often in residence and working on projects in their garage, or workshop.

Finally, the current route is confusing and needs clarification which the new route provides.

Kind Regards

Romany Hamilton

From: [REDACTED]
Sent: 29 October 2021 13:28
To: Roberts, Ali
Cc: rob taylor
Subject: Dilton vale Farm path

Dear MrRoberts,

I'm writing to you to ask if you could please move the pathway along the edge of Dilton Vale farm House.

I was talking to the owner Mr Taylor recently as he was standing nearby.

There seems to be a huge increase of foot flow along the path since the lockdowns .

Obviously this is impacting on his and his family's life . The noise but be very intrusive to them .

Also as the world has gone mad on buying lockdown dogs he must get a huge amount of dogs barking and not forgetting the smell of dog poo .

I wouldn't normally feel the need to write but I genuinely feel very sorry for the chap and feel as the council should step up in this incidence .

He tells me he's been in talks with the council offering a suitable diversion but to no avail.

Kind regards

Simon Bishop

Sent from my iPhone

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HIGHWAYS ACT 1980 SECTION 118
THE WILTSHIRE COUNCIL WESTBURY 28 AND DILTON MARSH 19
EXTINGUISHMENT AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER 2021

Objections

1. Mr and Mrs Davies
2. Mr Morland
3. Mrs Ellis and Mrs Collier
4. Westbury Town Council

From: [REDACTED]
Sent: 26 November 2021 18:22
To: [Roberts, Ali](#)
Subject: Re: PPO enquiry re 2020/10P

Despite our (and many, many other) objections to the planned changes to this footpath it appears that it is going to go through anyway. I know for a fact that quite a few other people have objected to these changes but it seems it was a waste of time. I wonder what would have to have been said for the proposal to have been turned down? Does the landowner have friends on the council? We reiterate our objections set out in our previous e-mail of 22nd August 2021.

Richard and Debra Davies

On Monday, 23 August 2021, 09:11:39 BST, Roberts, Ali <ali.roberts@wiltshire.gov.uk> wrote:

Dear Mr and Mrs Davies,

Thank you for your email. Your comments have been forwarded as formal objection to the made Order. I will keep you fully informed of any further actions on this case.

Kind regards,

Ali

Ali Roberts (Miss)

Definitive Map Officer

Rights of Way and Countryside
Wiltshire Council

County Hall
Trowbridge

BA14 8JN

Wiltshire Council

Tel: 01225 756178

Email: ali.roberts@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

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From: [REDACTED]
Sent: 21 August 2021 10:47
To: rightsofway <rightsofway@wiltshire.gov.uk>
Subject: PPO enquiry re 2020/10P

PPO enquiry re 2020/10P in RoW PPO <http://www.wiltshire.gov.uk/row/ppo/getppo.php?id=6260>

We object most strongly to this application. This footpath has been in existence for decades, if not hundreds of years and should not be changed at the whim of a relatively new owner / occupant who knew about the existence of these footpaths before purchasing the property and were obviously prepared to accept the presence of occasional walkers. The alternative offered becomes waterlogged and slippery during the winter months (and indeed during this wet summer) and I am sure the homeowner would not want to be sued by a person sustaining an injury by slipping on the wet, muddy areas or on one of the two footbridges he has installed. The idea of security is not relevant as anyone using the new route with intent is just as likely to intrude if they are 2 metres or 100 metres away. As for privacy, he knew the situation when he bought the house and the situation is no different to a house on any other street (especially ones that actually front the pavement) and the footfall would be much more than that which he is concerned about. As a landowner he is obligated to maintain the footpaths on his property in a useable condition instead of which he has deliberately allowed them to become overgrown and difficult to use to deter walkers from using them.

Those in the council responsible for footpaths should tell him that he should abide by these rules and correct the current situation. In the past he has also used his dogs as a deterrent to people wishing to use the paths citing the fact that they "are only defending their property". Finally, I and many other walkers believe that the sole reason for applying for this diversion is because he has holiday lets on his property and also a wedding venue business and he doesn't want walkers interfering in his business interests.

Richard and Debra Davies

██████████ Dilton Marsh, BA13 ██████████

(I have sent this e-mail via your Outlook address but am sending this as confirmation just in case the original did not reach you.)

This email originates from Wiltshire Council and any files transmitted with it may contain confidential information and may be subject to Copyright or Intellectual Property rights. It is intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender and delete the email from your inbox. Any disclosure, reproduction, dissemination, modification and distribution of the contents of the email is strictly prohibited. Email content may be monitored by Wiltshire Council to ensure compliance with its policies and procedures. No contract is intended by this email, and any personal opinions expressed in this message are those of the sender and should not be taken as representing views of Wiltshire Council. Please note Wiltshire Council utilises anti-virus scanning software but does not warrant that any e-mail or attachments are free from viruses or other defects and accepts no liability for any losses resulting from infected e-mail transmissions. Receipt of this e-mail does not imply consent to use or provide this e-mail address to any third party for any purpose. Wiltshire Council will not request the disclosure of personal financial information by means of e-mail any such request should be confirmed in writing by contacting Wiltshire Council.

From: [REDACTED]
Sent: 02 December 2021 16:44
To: [Roberts, Ali](mailto:ali.roberts@wiltshire.gov.uk)
Cc: [rightsofway](mailto:rightsofway@wiltshire.gov.uk); [Wickham, Suzanne](mailto:Wickham,Suzanne@wiltshire.gov.uk)
Subject: The Wiltshire Council Westbury 29 (Part), Dilton Marsh 20 (Part) Diversion and Westbury 28 (Part) and Dilton Marsh 19 (Part) Extinguishment and Definitive Map and Statement Modification Orders 2021, made on 25 October 2021

Attention: Ali Roberts, Rights of Way and Countryside

Dear Definitive Map Officer,

Thank you for your e-mail sent Fri 29/10/2021 11:07 and its attachments.

I wish to maintain (and resubmit) my duly-made representations about and objection to this Scheme, set out in my e-mails below (sent Mon 30/08/2021 22:19 and Wed 01/09/2021 14:53), but now relating to two Orders, the making of which was advertised by further Public Notices in the Friday, 5th November 2021 issue of The Warminster Journal newspaper.

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Please confirm receipt.

Yours sincerely,

Francis Morland

[REDACTED] Chapmanslade Westbury Wilts. BA13 [REDACTED]

From: [REDACTED]
Sent: 01 September 2021 14:53
To: ali.roberts@wiltshire.gov.uk <ali.roberts@wiltshire.gov.uk>
Cc: rightsofway@wiltshire.gov.uk <rightsofway@wiltshire.gov.uk>; [Wickham, Suzanne](mailto:Wickham,Suzanne@wiltshire.gov.uk) <Suzanne.Wickham@wiltshire.gov.uk>
Subject: The Wiltshire Council Westbury 29 (Part), Dilton Marsh 20 (Part) Diversion and Westbury 28 (Part) and Dilton Marsh 19 (Part) Extinguishment and Definitive Map and Statement Modification Order 2021, made on 11 August 2021

Attention: Ali Roberts, Rights of Way and Countryside

Dear Definitive Map Officer,

I regret that there is a typographical error in my e-mail sent Mon 30/08/2021 22:19 ("338 metres" should read "388 metres").

Please find the corrected text below.

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To: ali.roberts@wiltshire.gov.uk <ali.roberts@wiltshire.gov.uk>
Cc: rightsofway@wiltshire.gov.uk <rightsofway@wiltshire.gov.uk>; Wickham, Suzanne <Suzanne.Wickham@wiltshire.gov.uk>
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My concerns centre on the historic importance of the location of Dilton Vale Farm, at the junction of no less than five public footpaths, which I know of no other instances of locally,

and the excessively circuitous nature of the proposed diversion, around the current ownership boundary, which is of an entirely different character from the existing routes, even though the specific privacy and security points made by the applicants could be more than adequately met by a much shorter and more direct diversion from a point north of point B and linking to Footpath Dilton Marsh 19 at point H, but avoiding point G. I see no justification for stopping up the routes along the existing track between points E, D and F, which is the historic continuation of Honey Lane and will in any event, it appears, remain in use as the private vehicular access to the stables/farm buildings complex serving the Dilton Vale Farm rural enterprise(s). The existing fences along the north east side of the track, suitably augmented, would adequately ensure the privacy and security of the listed dwelling itself.

Figures extracted from the Order illustrate how circuitous the proposed diversion is. The existing route C-B-F-D-E totals 223 metres. The proposed route C-A-I-H-E totals 388 metres, an increase of 165 metres or 74%. My own calculations indicate that the Order overstates the length of D-E by about 4 metres, so the extra distance may be even greater.

On the various tests of expediency to the public, convenience, and public enjoyment, I consider the proposals in the Order are deficient and do not reach the appropriate degree to confirm it. I also share the view of Westbury Town Council that it creates an unfortunate precedent for the future (viz. public footpaths which simply zigzag around property boundaries).

I also have a number of concerns about the Order Plan and the Schedule to the Order:-

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I reserve the right to amend or add to these representations and duly made objection in the future.

Please confirm receipt.

Yours sincerely,

Francis Morland

██████████ Chapmanslade Westbury Wilts. BA13 ██████████

From: [REDACTED]
Sent: 06 December 2021 13:58
To: [Roberts, Ali](#)
Cc: [rightsofway](#); [Wickham, Suzanne](#)
Subject: The Wiltshire Council Westbury 29 (Part), Dilton Marsh 20 (Part) Diversion and Westbury 28 (Part) and Dilton Marsh 19 (Part) Extinguishment and Definitive Map and Statement Modification Orders 2021, made on 25 October 2021

Attention: Ali Roberts, Rights of Way and Countryside

Dear Definitive Map Officer,

Thank you for your e-mail below.

For the avoidance of doubt, my duly-made representations and objection are to the proposed extinguishments too (i.e. the Extinguishment Order made 25 October 2021).

Yours sincerely,

Francis Morland

From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 06 December 2021 07:31
To: [REDACTED]
Subject: RE: The Wiltshire Council Westbury 29 (Part), Dilton Marsh 20 (Part) Diversion and Westbury 28 (Part) and Dilton Marsh 19 (Part) Extinguishment and Definitive Map and Statement Modification Orders 2021, made on 25 October 2021

Dear Mr Morland,

Thank you for your email, I acknowledge receipt of your duly made objection to the made Orders dated 25 October 2021. I do apologise that you have needed to respond twice as the Orders were required to be remade.

Your comments have been forwarded as formal objection to the proposed diversion. I will keep you fully informed of any further actions on this case.

Kind regards,

Ali

Ali Roberts (Miss)
Definitive Map Officer Definitive Map and Highway Records
Wiltshire Council County Hall Trowbridge BA14 8JN

Tel: 01225 756178 Email: ali.roberts@wiltshire.gov.uk Web: www.wiltshire.gov.uk

From: [REDACTED]
Sent: 02 December 2021 16:44
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Cc: rightsofway <rightsofway@wiltshire.gov.uk>; Wickham, Suzanne <Suzanne.Wickham@wiltshire.gov.uk>
Subject: The Wiltshire Council Westbury 29 (Part), Dilton Marsh 20 (Part) Diversion and Westbury 28 (Part) and Dilton Marsh 19 (Part) Extinguishment and Definitive Map and Statement Modification Orders 2021, made on 25 October 2021

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To: ali.roberts@wiltshire.gov.uk <ali.roberts@wiltshire.gov.uk>
Cc: rightsofway@wiltshire.gov.uk <rightsofway@wiltshire.gov.uk>; Wickham, Suzanne <Suzanne.Wickham@wiltshire.gov.uk>
Subject: The Wiltshire Council Westbury 29 (Part), Dilton Marsh 20 (Part) Diversion and Westbury 28

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Please confirm receipt.

Yours sincerely,

Francis Morland

██████████ Chapmanslade Westbury Wilts. BA13 ██████████

From: [REDACTED]
Sent: 29 October 2021 16:50
To: [Roberts, Ali](#)
Subject: Re: Footpaths Westbury 29 part, Dilton Marsh 20 part and Extinguishment of Footpaths Westbury 28 part and Dilton Marsh 19 part

Hi

We would still like it noted that we object to any rerouting of the above footpath as previously stated below -

I would like it noted that I object to the footpath around Dilton Vale farm being diverted. I have walked this way on a number of occasions over the last 50+ years. Every other owner has had no problem with people walking across the path. As far as I am aware there has never been any damage to land or property. This walk way was often used by my grandparents to reach the church at Old Dilton from where they live in Westbury Leigh. I & a number of others have raised complaints regarding the overgrown vegetation from Mill Stream, to which nothing seems to be done. It feels like they are deliberately causing an obstruction, now for the owners of Dilton Vale to want to divert the path just adds to that thought! If you don't want people walking past your door don't buy a home with a right of way/footpath/bridleway or whatever on your doorstep

Mrs Marie Ellis & Mrs Hazel Collier

Sent from my iPad

On 29 Oct 2021, at 12:07, Roberts, Ali <Ali.Roberts@wiltshire.gov.uk> wrote:

Highways At 1980 section 119 and 118
Diversion of Footpaths Westbury 29 (part), Dilton Marsh 20 (part) and Extinguishment of Footpaths Westbury 28 (part) and Dilton Marsh 19 (part)

I do apologise for any inconvenience this may cause but due to an error in the previous Order I have had to draw up new Orders separating the diversion requirement under Highways Act 1980 Section 119 and the extinguishment requirement under Highways Act 1980 Section 118. Wiltshire Council has made the Orders on 25 October 2021. Please find attached a copy of the Orders, the Order Plans and the Notice of making the Orders. I have also attached the decision report on the making of the Orders.

If you have made a representation to the previous Order to follow process and regulation you will need to resubmit your response to these Orders whether that is to copy the previous response directly or

if you have further comments you would like to make. Please send representations by Friday 3 December 2021.

Please find attached the decision report recommending an Order is made and the associated appendices.

Kindest regards,

Ali

Please note that any responses to this email will be available for public inspection in full. Information relating to the way Wiltshire Council will manage your data can be found at:

<http://www.wiltshire.gov.uk/recreation-rights-of-way>

Ali Roberts (Miss)
Definitive Map Officer
Rights of Way and Countryside
Wiltshire Council
County Hall
Trowbridge
BA14 8JN
<image002.png>
Tel: 01225 756178
Email: ali.roberts@wiltshire.gov.uk
Web: www.wiltshire.gov.uk

Report a problem <https://my.wiltshire.gov.uk/>

Follow Wiltshire Council

<image007.png> <image008.gif>

[Sign up](#) to Wiltshire Council's email news service

Information relating to how Wiltshire Council will manage your data can be found at: <http://www.wiltshire.gov.uk/recreation-rights-of-way>

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provide this e-mail address to any third party for any purpose. Wiltshire Council will not request the disclosure of personal financial information by means of e-mail any such request should be confirmed in writing by contacting Wiltshire Council.

<119 - WEST29 DMAR20.pdf>

<Order plan WEST29 DMAR20 119.pdf>

<Making an order - WEST29 DMAR20 - 119.docx>

<118 - WEST28 DMAR19.pdf>

<Order plan WEST28 DMAR19 118.pdf>

<Making of order - WEST28 DMAR19 - 118.docx>

<Decision Report - WEST29 DMAR20 WEST28 DMAR19.pdf>

At a meeting held on Monday 15th November 2021, Westbury Town Council Highways, Planning and Development Committee voted to resubmit their previous objections:

At a meeting held on Monday 20th September 2021, Westbury Town Council Highways, Planning and Development Committee considered the following:

Highways At 1980 section 119 and 118
Proposed diversion of Footpaths Westbury 29 (part), Dilton Marsh 20 (part) and extinguishment of Footpaths Westbury 28 (part) and Dilton Marsh 19 (part)

Westbury Town Council wish to submit their previous objection below (dated 23.06.2021) to this diversion, as well as the additional points below:

- *Objection 23.06.2021* – public footpaths are for the public. It is difficult to see any merit in this application when the occupiers brought the house next to the public footpath and being aware of the footpath. Public footpaths are sacrosanct, and we move them at our peril, creating a precedent for the future.
- *Additional point* – The owner would have been made aware during the process of purchasing this property, of the location of any public footpaths crossing their land.
- *Additional point* – The town council supports the attached comments from Cllr Morland (see below).
- *Additional point* – The town council would like to comment, and it noted that the application states that it is a family home, however it is being run as a business and marketed as a wedding venue, as well as rental on outlets such as air B&B.

Comments from Cllr Morland

From: Francis Morland **Sent:** 18 September 2021 16:59

To: Westbury Town Council

Subject: The Wiltshire Council Westbury 29 (Part), Dilton Marsh 20 (Part) Diversion and Westbury 28 (Part) and Dilton Marsh 19 (Part) Extinguishment and Definitive Map and Statement Modification Order 2021, made on 11 August 2021

Dear Town Clerk,

Re: Agenda Item 12, HP&D - 20th September 2021

Please find below a copy of my duly made representations about and objection to the Order.

A point that has only come to my attention since making them is that the AECOM Westbury Neighbourhood Plan Site Options and Assessment Report (February 2021) includes a large site at Dilton Vale Farm BA13 3RA (WNP8), submitted in response to the Steering Group's Call for Sites, which is adjacent/close to the Order site, and which appears to cast doubt on some of the public benefits said to arise from the Order scheme.

Yours sincerely,
Francis Morland

From: Francis Morland **Sent:** 01 September 2021 14:53

To: Ali Roberts **Cc:** Rights of Way, Suzanne Wickham

Subject: The Wiltshire Council Westbury 29 (Part), Dilton Marsh 20 (Part) Diversion and Westbury 28 (Part) and Dilton Marsh 19 (Part) Extinguishment and Definitive Map and Statement Modification Order 2021, made on 11 August 2021

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Francis Morland

From: Francis Morland **Sent:** 30 August 2021 22:19

To: Ali Roberts **Cc:** Rights of Way, Suzanne Wickham

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It appears that point H is not a single point but a composite of locations used inconsistently in the Order. In Part 1 of the Schedule, it is said to be a point on Footpath Dilton Marsh 19 about 13 metres north of its southern end. In Part 2 of the Schedule, it is described as being at the boundary between the Town of Westbury and the Parish of Dilton Marsh - presumably at the mid-stream of the Biss Brook. In Part 3 of the Schedule, the descriptions of Footpaths Westbury 29 and Dilton Marsh 20 locate it similarly.

This appears also to be the cause of the error in the description of Footpath Westbury 29 in Part 3 of the Schedule, where "Footpath Dilton Marsh 19" should read "Footpath Dilton Marsh 20" and should be preceded by the word "meet".

In the description of Footpath Dilton Marsh 20, "at Penknap" is obsolete and uncertain and should be replaced by "at Honey Lane (outside 20 Tower Hill)" or similar. I am uncertain whether "road U/C 6188" is in fact Honey Lane or where its southern end lies.

In the description of Footpath Westbury 28, "Leigh Fields Lane" is obsolete and uncertain and should be replaced by "Sand Hole Lane", "at" should be replaced by "north of", and "joins path No. 29" should be replaced by "connects to Footpath Dilton Marsh 19".

In the description of Footpath Dilton Marsh 19, "From the Corn Mill at Westbury Leigh" is obsolete and uncertain and should be replaced by "From its junction with Footpath Westbury 26 at Millstream House" or similar, and "the Westbury Urban District boundary" should be replaced by "its junction with Footpath Dilton Marsh 20" or similar.

The reasons for reducing the stated lengths of Footpaths Dilton Marsh 20, Westbury 28 and Dilton Marsh 19 by 12 metres, 93 metres and 26 metres respectively are unclear and unexplained. Part 1 and 2 of the Schedule increase the length of Dilton Marsh 20 by 15 metres, and Part 1 of the Schedule stops up only 48 metres of Westbury 28 and 13 metres of Dilton Marsh 19.

I reserve the right to amend or add to these representations and duly made objection in the future.

Please confirm receipt.

Yours sincerely,
Francis Morland

From: [Sarah Harris](#)
Sent: 17 November 2021 14:01
To: [Roberts, Ali](#)
Subject: RE: Footpaths Westbury 29 part, Dilton Marsh 20 part and Extinguishment of Footpaths Westbury 28 part and Dilton Marsh 19 part
Attachments: WTC Footpath Westbury Dilton Marsh 29-20-28-19 - HPD 15.11.2021.docx

Dear Ali,

Following your email below, Westbury Town Council Highways, Planning and Development Committee met on Monday 15th November 2021 and agreed that they would resubmit their previous objection comments. Please see attached.

Please let me know if you need anything.

Many Thanks

Kind Regards
Sarah



Sarah Harris
Committee & Communications Officer
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The Laverton, Bratton Road, Westbury
Wiltshire, BA13 3EN
www.westburytowncouncil.gov.uk



From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 29 October 2021 12:07
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Subject: Footpaths Westbury 29 part, Dilton Marsh 20 part and Extinguishment of Footpaths Westbury 28 part and Dilton Marsh 19 part

Highways At 1980 section 119 and 118
Diversion of Footpaths Westbury 29 (part), Dilton Marsh 20 (part) and
Extinguishment of Footpaths Westbury 28 (part) and Dilton Marsh 19 (part)

I do apologise for any inconvenience this may cause but due to an error in the previous Order I have had to draw up new Orders separating the diversion requirement under Highways Act 1980 Section 119 and the extinguishment requirement under Highways Act 1980 Section 118. Wiltshire Council has made

the Orders on 25 October 2021. Please find attached a copy of the Orders, the Order Plans and the Notice of making the Orders. I have also attached the decision report on the making of the Orders.

If you have made a representation to the previous Order to follow process and regulation you will need to resubmit your response to these Orders whether that is to copy the previous response directly or if you have further comments you would like to make. Please send representations by Friday 3 December 2021.

Please find attached the decision report recommending an Order is made and the associated appendices.

Kindest regards,

Ali

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<http://www.wiltshire.gov.uk/recreation-rights-of-way>

Ali Roberts (Miss)
Definitive Map Officer
Rights of Way and Countryside
Wiltshire Council
County Hall
Trowbridge
BA14 8JN

Wiltshire Council

Tel: 01225 756178

Email: ali.roberts@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

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