

**APPENDIX 4: CORRESPONDENCE FROM R A HALE DATED 20 DECEMBER 2012
AND 15 JANUARY 2013**

To:

Miss J Green
Rights of Way Officer
Neighbourhood Services
Wiltshire Council
County Hall
Bythesea Road
Trowbridge Wiltshire
BA14 8JN

From:

R A Hale
Botallack
Monmouth Road
Tisbury
Wiltshire
SP3 2NL

20 December 2012

Reference: Path diversion 2011/28
Bridleway, Tuckingmill, West Tisbury

Dear Miss Green,

I am writing to object to the above referenced bridleway diversion, I have three objections which are detailed below. This letter has been sent by recorded delivery so I have proof of delivery.

Background

The bridleway for which a diversion order has been applied for was recently temporarily closed for the installation of underground services. During this period a **temporary** alternative pathway was put in place to enable continued use of the right of way. The diversion application attempts to make this temporary diversion **permanent**.

The bridleway provides pedestrian and equine access to a path to West Hatch which is heavily used at times.

Objection 1 - the proposed diversion is not equivalent to the existing bridleway

The existing bridleway is used for access to dwellings and agricultural access to fields. As such it is maintained in a usable condition (see **Annex 1**). The proposed diversion is a temporary construction (as stated in "Background" above) which was not intended as a permanent arrangement and is already becoming overgrown (see **Annex 2**).

The diversion application makes no provision for the maintenance of the proposed diversion in an equivalent state to the existing bridleway, either in the short term or over time. It will soon degrade into a track over a field.

The bridleway is used by horses and as the existing temporary surface degrades and eventually disappears altogether the route will become unusable to pedestrians. As a local farmer has recently barred alternative permissive access to the West Hatch path increased pedestrian usage will be experienced along the bridleway.

Objection 2 - the diverted route will be blocked by hippies/travellers

As a result of the underground services work the council work/storage area adjacent to the proposed diversion now incorporates the proposed diversion. The council work area has been occupied hippies/travellers in the past and in order to prevent this the council placed large concrete blocks behind the gateway from the road to prevent access.

These blocks have now been removed and donated to a property owner to mark out a parking area (see **Annex 3**) - leaving easy access to the council work area through the gateway again.

A hippy caravan has taken up residence in a lay-by outside the council work area access gate (see Annex 4). More hippies may arrive in the spring to move into the council work area. If travellers move in, their dogs may render the proposed diversion inaccessible.

Objection 3 - the diversion is an opportunistic attempt to raise property values

It is apparent, for the reasons in the previous paragraphs, that the proposed diversion is not a viable alternative to the existing bridleway. The proposed diversion would appear to be an opportunistic attempt to use a temporary diversion as the permanent way to increase property values.

There is no public benefit from this diversion, indeed just the opposite is true, and therefore I consider the diversion request should be refused.

Yours sincerely

R A Hale

Annex 1 - the existing bridleway is maintained in a usable condition



Annex 2 - the temporary diversion is already becoming overgrown after less than a year



Annex 3 - the blocks previously used to bar access to the council work area have been removed and used to mark car parking



Annex 4 - hippy caravan in lay-by outside the council work area access gate



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From:

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SP3 2NL

15 January 2013

Reference: JG/PC/24 2011/28
Bridleway, Tuckingmill, West Tisbury

Dear Ms Green,

Thank you for acknowledging receipt of my letter of 20 December 2010 and your letter and additional information dated 10 January 2013.

I do wish to maintain my objections (most importantly the third objection) and I have clarified my reasons below.

Objection 1 - the proposed diversion is not equivalent to the existing bridleway

Your letter (10 Jan 2013) states that the diverted path will be reconstructed to council requirements (which addresses my objection to the existing track) but does not address the issue of future maintenance adequately.

1. You state that the "The ongoing maintenance of the surface of the bridleway is the responsibility of the Wiltshire Council, working in conjunction with the landowner". It also refers to the problems at the Southern end of the existing bridleway: "uneven surface of the present definitive route" and "damage caused by the presence of a badger sett". If the maintenance arrangements you describe were adequate there would be no existing issues with the surface of the existing bridleway, therefore they are unlikely to work for the diversion.
2. The maintenance of the existing bridleway is primarily the responsibility of its' owner and vehicular users while the ongoing maintenance of the proposed diversion is (according to your letter) is the responsibility of the Council. This seems to me to be a transfer of cost to the public purse, surely if the diversion is granted it should be conditional on the maintenance of the diverted route by the users/owners of the existing route - as they will not use the diversion they have little interest in maintaining it.

As a matter of interest, there is no damage to the existing bridleway from the badger sett (which is off the bridleway), just some spoil from the excavations which could easily be removed.

Objection 2 - the diverted route will be blocked by hippies/travellers

Page 5 of the decision report contains a diversion plan which indicates the previously council owned land inside an earth berm. Part of this berm (between the ex-council area and Quarry House) was removed during the works for which the bridleway was

temporarily diverted, providing access to additional flat areas which could be used for travellers vehicles - making it an even more attractive site.

Anyone who reads the papers or listens to the news cannot but be aware of the problems and timescales involved in moving travellers on. Your response to this issue is therefore completely inadequate.

Objection 3 - the diversion is an opportunistic attempt to raise property values

The decision report lists three public benefits to the diversion; these are set out below with my comments:

1. Users of the bridleway would feel less invasive

I have used the bridleway for 20 years and have neither felt invasive or met anybody else who has. There are only 2 or 3 small Quarry House ground level windows adjacent to the existing bridleway.

2. Improved safety for path users from increased vehicular traffic using the existing route ...

In all the time I have used the Bridleway I have never encountered moving traffic. In any event, vehicles using the bridleway have to go slowly because of the bridleway width. I am unaware of any accidents.

3. Allowing the public more and attractive views.

of a field which often has a huge manure pile on it and a few hills on the horizon. The views begin at the Southern junction of the existing and diverted bridleways.

Frankly, I regard the supposed benefits as facetious and I remain of the view that this is simply an opportunistic attempt by a new owner, who presumably purchased the property in full knowledge of the bridleway, to increase the value of the property. I think this would set a very bad precedent which would result in a rash of other diversion requests.

Quite simply, there is no public benefit to the diversion.

Additional Comments

Security of Quarry House: I doubt that the burglaries at the property were by casual passers-by as the property is off the road. The proposed diversion would make the property more secluded and therefore an easier target.

Other objections: You state that there are no other objections to the order, there are several pages of objections in the decision report.

Yours sincerely



R A Hale