

## SUMMARY OF OBJECTIONS AND REPRESENTATIONS

## APPENDIX D

**N.B. The comments in the Objection column are the officer's summary of the original objection**

### OBJECTIONS (19 duly made plus one late submission)

No.	Name	Objection	Officer's Comment
1	Mr. and Mrs. K Bryant Milkhouse Water Expressed wish to sustain objection	<ol style="list-style-type: none"> <li>1. There are other working farmyards with rights of way through them (i.e. Broomsgrove, East Wick, Brimslade and Totteridge) and West Wick has not been a working farmyard for many years.</li> <li>2. It has passed close to Wick House rear and staff entrance for at least 200 years and is established and well used by horse riders and walkers.</li> <li>3. The existing path is solid, dry and well surfaced. The diversion leads up a steep sharp incline which is slippery and muddy and will be a hazard. The route has roots and stumps along it which will regrow.</li> <li>4. The route is around a field edge and is ill defined and rutted. Walkers and riders like the existing route because it is hard surfaced and dry.</li> <li>5. The route is believed to be ancient and probably part of a drove road. The western end at Oare is called Pound Lane. There is no reason why this ancient thoroughfare should not remain on its present alignment. One of the pleasures of this thoroughfare is to admire the old buildings such as the barn and it is not good that such small delights should be removed from the public for trivial reasons. Lord and Lady Devlin lived here for many years and evidently felt no need to remove the path.</li> <li>6. There is illegal and misleading signage on the route.</li> </ol>	<ol style="list-style-type: none"> <li>1. The applicant has concerns for safety in this area and it is not known what his future plans for the farmyard are. The Order may be made if it is in his interest to divert the path and this, along with increased privacy, is given as a reason satisfying this. Examples given are not directly comparable.</li> <li>2. The right of way leads past doors and windows to the rear of the property. Ordnance Survey maps c. 1870 support that Pewsey 62 was a through route by that time.</li> <li>3. The diversion would only come into force when Wiltshire Council certified the new route as acceptable. This would involve any slopes being graded, trees and roots being removed and a well drained surface being established.</li> <li>4. As above, though it is noted that the adjoining land is currently arable and that a wide headland would have to be observed.</li> <li>5. Without extensive research it is not possible to comment on the antiquity of Pewsey 62 (Pound Lane and Wick Lane). It is not shown on Andrews and Dury's Map of Wiltshire dated 1773 but may not have been if it had only been a bridle road at this time. It is not shown on the Ordnance Survey one inch old series (c.1815) but again may not have been if it was not a road. It is certainly shown on the Ordnance Survey County series maps of the late 19<sup>th</sup> century and early 20<sup>th</sup> century where it is recorded as a B.R. (bridle road).  The house is Grade 2 listed (English Heritage ID 311692) and dates from the mid 18<sup>th</sup> century. The garden wall is also listed and is believed to be the one that the existing route of Pewsey 62 passes.</li> <li>6. This is not a matter for this order.</li> </ol>

No.	Name	Objection	Officer's Comment
2	Sylvie Clayden New Mill	<ol style="list-style-type: none"> <li>1. Walks the route with a dog and sometimes with children and a baby in a pram.</li> <li>2. The proposed new route would bring horses down a steep bank onto a narrow bridleway on a bend. This path is not wide enough for horses and humans to pass safely normally but this new intersection will make it potentially more hazardous.</li> <li>3. The route is part of our heritage and should be maintained as such. Local residents love and respect the countryside and people's property and it cannot be imagined that offence is caused.</li> <li>4. Believes that the new owners are not yet familiar with the local sense of heritage and its importance. The change is unnecessary and potentially dangerous.</li> </ol>	<ol style="list-style-type: none"> <li>2. The steep bank would need to be graded before certification and acceptance. Wiltshire Council is not aware of any problems between users on adjoining bridleways.</li> <li>3. The route is of antiquity and the house it passes is clearly of merit (it is listed). Wiltshire Council is not aware of any problems with users of this path.</li> </ol>
3	Harriet Allen Broomsgrove <b>Objection Withdrawn</b>	<ol style="list-style-type: none"> <li>1. Is a concerned neighbour who has enjoyed the local bridleways for many years.</li> <li>2. Is horrified of the potential change to long standing rights of way. These changes are not beneficial to the ways of the countryside.</li> </ol>	<ol style="list-style-type: none"> <li>2. The law permits landowners to apply to divert public rights of way subject to a number of legal tests being satisfied.</li> </ol>
4	Gill Sharpe Milkhouse Water	<ol style="list-style-type: none"> <li>1. Has a footpath on their property that leads within a few metres of their house. Does not feel any need to divert it. Considers it selfish and unconscionable to want to divert an established right of way. Ancient rights of way need to be preserved and cared for. There are several locally that pass through properties and are part and parcel of living in this community.</li> <li>2. The bridleway does not impinge on the house and just passes by the tradesmen's entrance and ancillary cottage. This cannot be inconvenient as all people do is pass by. New owners need to accept that they are part of a community that expects their tradition and heritage to be respected and not adjusted to their ends.</li> <li>3. Rides the bridleway regularly with her daughter and does not consider a muddy unmade track to be acceptable as an alternative.</li> <li>4. The purchasers of the property knew of the right of way when they bought the house.</li> </ol>	<ol style="list-style-type: none"> <li>3. Wiltshire Council would not certify and accept a muddy unmade track.</li> </ol>
5	Iona Hassan Pewsey <b>Objection withdrawn subject to new route being of good standard</b>	<ol style="list-style-type: none"> <li>1. The route is well used and loved and forms a direct path from Oare to Wootton Rivers, Brimslade and beyond.</li> <li>2. As part of the history of the Pewsey Vale and in line with the stated aims of Wiltshire Council regarding access to the countryside the route should be vigorously protected.</li> </ol>	

No.	Name	Objection	Officer's Comment
6	Mrs. E Slayford Pewsey Expressed strong wish to sustain objection	<ol style="list-style-type: none"> <li>1. Has been riding this very old established right of way for decades.</li> <li>2. Previous owners never complained or found any inconvenience and it has always been a very safe route for riders being hard and dry.</li> <li>3. The new route will be the opposite and the eastern exit will be a threat to horse riders, especially her own elderly horse and hence herself.</li> <li>4. Many other bridleways in the area pass much closer to residences.</li> </ol>	
7	Mr. and Mrs. West New Mill	<ol style="list-style-type: none"> <li>1. Have been occasional users of the path for about 10 years.</li> <li>2. Sympathises with the wishes of the landowner but believes that the proposed diversion will create difficulties that will outweigh the benefits to him.</li> <li>3. The existing route is usable in all weathers, even the section beyond West Wick House. However, the new route is deeply rutted and likely to be prone to overgrowth very quickly.</li> <li>4. Has concerns that the new route will not be maintained and will become impassable.</li> <li>5. If year round passage could be guaranteed the objection would be withdrawn.</li> </ol>	<p>3 &amp; 4. The new route would need to be built to an acceptable standard for the Council. It would then be certified and accepted as a route maintainable at public expense and Wiltshire Council would become liable for its ongoing maintenance. Any growth from the sides would be the responsibility of the landowner. The Council's resources do not enable it to guarantee that the growth would be kept back at all times though it does have a statutory duty to keep the route free from obstruction.</p>
8	Pewsey Vale Running Club	<ol style="list-style-type: none"> <li>1. Writing on behalf of the running club which has 50 plus members. It is a route that is used and enjoyed by the club.</li> <li>2. The farmyard has not been a working farmyard for many years and there are many rights of way locally that do pass through farmyards (Broomsgrove, East Wick, Brimslade and Totteridge).</li> <li>3. Has concerns relating to the rutted replacement track and obstruction by vegetation and seasonal growth.</li> <li>4. Pewsey 62 is well used because it is hard surfaced and dry and this is not the case with the proposed diversion.</li> <li>5. The route is of historical significance and should be retained.</li> </ol>	<p>2. There are a significant number of rights of way through farms in this area (other examples include Manor Farm, Rainsombe and Noye's Farm) but none are directly comparable to West Wick.</p>
9	Fiona Burgess Woodborough	<ol style="list-style-type: none"> <li>1. Objects to the diversion as it is a functional, useful and long established public right of way.</li> </ol>	

No.	Name	Objection	Officer's Comment
10	A. Crosby-Jones Pewsey	<ol style="list-style-type: none"> <li>1. Keeps horses at Milkhouse Water and this bridleway is a frequent ride and is very well used by other riders, walkers, runners and cyclists because it is a quiet lane passable in all weathers.</li> <li>2. Has concerns that the new route will not be usable in all weathers and could lead to problems for inexperienced horses and riders.</li> <li>3. The Council would become liable for its maintenance and it would not be a good use of public money dealing with complaints about it.</li> <li>4. This is a friendly open local community where historic rights are numerous through farms and the new owners should accept it is a part of being in a rural Wiltshire community. This right of way has been there for hundreds of years and the previous owners found no need to divert it.</li> </ol>	<ol style="list-style-type: none"> <li>3. The Council has no record of complaints relating to the existing section through West Wick Farm or evidence of previous applications to divert.</li> </ol>
11	Nick Turner Expressed wish to sustain objection	<ol style="list-style-type: none"> <li>1. It has not been a working farmyard for very many years and locally many working farms do have rights of way leading through them.</li> <li>2. It doesn't pass the front of West Wick House.</li> <li>3. It is a solid dry well surfaced route at present whereas the alternative is not.</li> <li>4. The route has ancient origins and should be preserved.</li> </ol>	
12	John Footman Pewsey Expressed wish to sustain objection	<ol style="list-style-type: none"> <li>1. This is an ancient right of way that should not be closed.</li> <li>2. We regularly use the way and are worried that further changes could be brought to this pleasant right of way.</li> <li>3. The bridleway does not pass particularly close to West Wick as this is approached by a gated entrance and at least 50 yards of private drive. This right of way passes round the back of the property, past garages and disused buildings which could be made more private if the owners wished to by say, planting a simple hedge.</li> <li>4. The argument that it is close to the house is not sufficient reason as many rights of way or roads pass by most people's houses.</li> <li>5. Surely it is incumbent on the owners to make changes to increase their privacy without diverting an established right of way that is enjoyed by local residents.</li> <li>6. We feel that the notices on A4 paper displayed at ends of the path were difficult to understand and decipher.</li> </ol>	<ol style="list-style-type: none"> <li>6. These notices are statutory notices and the Council may not alter the wording.</li> </ol>

No.	Name	Objection	Officer's Comment
13	Jo Angell Milton Lilborne	<ol style="list-style-type: none"> <li>1. Used to live at West Wick Farmhouse and kept horses here, the previous owner, Lady Devlin, welcomed us to ride through without any issues.</li> <li>2. Runs a local livery business and many clients also like to ride this route.</li> <li>3. The route passes the rear of the house and not the front.</li> <li>4. The new route is prone to water run off and can get wet and slippery.</li> <li>5. The new route has deep ruts from tractors which are dangerous for horses.</li> <li>6. The existing route can be used all year round safely and is ideal for young riders who can be easily led from another horse.</li> <li>7. Considers it one of the safest rides in the area.</li> <li>8. Many other farms nearby have rights of way through them and welcome riders.</li> </ol>	
14	Mr and Mrs Thompson Oare	<ol style="list-style-type: none"> <li>1. Has walked and cycled here for 22 years and has not seen agricultural machinery here.</li> <li>2. Believes that by discouraging locals to walk through there is an increased security risk and they, and other local people, would challenge strangers.</li> <li>3. Locals were ignored during the consultation phase.</li> <li>4. The new route is not substantially as convenient to the public. It is steeper and longer and passes Lye House where aggressive dogs live.</li> <li>5. There is a significant drop from the proposed new route onto the adjoining bridleway.</li> <li>6. Cyclists would not find the new route a welcome part of their ride as it would be more difficult.</li> </ol>	<ol style="list-style-type: none"> <li>3. The only way to contact users of the route is to post notices on site and this was done. The effect is witnessed by these objections and representations which show it has been brought to the attention of local users.</li> <li>5. This gradient would need to be graded to make it less severe, this is recognised in the Council's decision to make the Order.</li> </ol>
15	Lorna Pollard Fairfield Stables	<ol style="list-style-type: none"> <li>1. Rides the route on a daily basis and also with her children and considers it a safe ride.</li> <li>2. Is a co-owner of a local stable and other people also use the route.</li> </ol>	
16	Karen Roff Wilcot	<ol style="list-style-type: none"> <li>1. Is a fairly inexperienced rider and has used Pewsey 62 many times.</li> <li>2. Is concerned that the new route is difficult to use, uneven and appears water logged.</li> <li>3. The current route is not prone to overgrowth or water problems and is ideal for all levels of riding experience.</li> </ol>	

No.	Name	Objection	Officer's Comment
17	Mrs. Sam Ricks Wootton Rivers Expressed wish to sustain objection	<ol style="list-style-type: none"> <li>1. Keeps horses locally and enjoys this route.</li> <li>2. The route passes by the rear of the property.</li> <li>3. The route is ancient.</li> <li>4. The new route is uneven and unsafe, narrow and slippery.</li> <li>5. The adjoining bridleway past Lye House gets really wet from water run off down the hill and is dark and overgrown.</li> <li>6. The new route has deep ruts from tractors.</li> <li>7. The current bridleway is on a good hard road surface. This is one of the safest rides in this area.</li> <li>8. There are other farms and houses close by with bridleways and rights of way through their land and they welcome riders and walkers.</li> </ol>	These points have been addressed in earlier comments to objections.
18	Lucy Turner	<ol style="list-style-type: none"> <li>1. Objects based on objections in an attached document. The document is an e-mail from Mr. Ken Bryant containing his objection (number 1 above).</li> <li>2. Regularly uses the route to run or walk as it is a wide track that never gets muddy.</li> </ol>	These points have been addressed in earlier comments to objections.
19	Anthony Wells Totteridge Farm	<ol style="list-style-type: none"> <li>1. The existing path has been used for decades (or longer) with no apparent cause for complaint.</li> <li>2. It provides the most direct and natural route.</li> <li>3. The route gives users an interesting and historical view of a traditional stable yard and thatched barn providing a highlight on the bridleway.</li> <li>4. The existing route is well defined and the proposed replacement is not and would become muddy and potentially hazardous.</li> <li>5. To move the path would set a bad precedent – there are several nearby places where paths pass through working farms and to relocate such paths would deprive the user of a fascinating insight into the countryside. Speaks with some knowledge of this as walkers pass just five yards from the front of his house at Totteridge Farm. There have been very few, if any problems as a result of this and there is minimal invasion of our privacy.</li> <li>6. If West Wick were a working farm there may be grounds for concern for the health and safety of walkers but if even then it would be incumbent on the owners to ensure safe passage for the public.</li> <li>7. The path passes to the rear of the house and provides very little intrusion into the privacy of West Wick House. The front of the house is not visible from close proximity.</li> </ol>	These points have been addressed in earlier comments to objections.

No.	Name	Objection	Officer's Comment
Late	Ffinlo Costain	<ol style="list-style-type: none"> <li>1. Footpaths are part of our heritage and history each path describing a route that is often centuries old from one specific place to another. By diverting this route its essential purpose and heritage would be undermined. As such, a major aspect of the character of this path would be lost which would impair the use and enjoyment of those who use it now and who would use it in the future.</li> <li>2. It seems clear that the proposed diversion is far less convenient than the current route.</li> <li>3. Footpaths add character to the surrounding countryside and also to individual properties. I've lived in homes which have footpaths running through and alongside them and it's always been a pleasure to greet people who share my enjoyment of the countryside.</li> </ol>	<ol style="list-style-type: none"> <li>2. The new route would need to be constructed to an acceptable standard whereby it was wide, dry and with limited gradients.</li> </ol>

## REPRESENTATIONS

No.	Name	Objection	Officer's Comment
R1	Mr. and Mrs. Good Pewsey	<ol style="list-style-type: none"> <li>1. Has had a path moved at their farm and thinks that perhaps the owners of West Wick may not want young children playing close to strangers walking past as this was the reason for their diversion.</li> <li>2. Has walked, ridden and cycled Pewsey 62 for the past 15 years because it is good hard standing ground.</li> <li>3. Suggests a compromise. Perhaps the path could be moved on the corner by the large thatched barn and head north and round the back of the farm buildings to join up on the west side.</li> </ol>	<ol style="list-style-type: none"> <li>3. Officers acted on the route applied for. However, in the event that this application fails it is possible for the owners to apply for another diversion over a different route.</li> </ol>
R2	F. Haskell Thomas	<ol style="list-style-type: none"> <li>1. Doesn't think the proposed route is unreasonable but has concerns that the new route will become a deep shoe and tendon pulling bog precluding its use for many months of the year.</li> <li>2. The existing route is not ideal as a combination of concrete and tarmac but it can be used all year.</li> <li>3. Other paths close by have become difficult or impossible to use (bridle path between Pains Bridge and Knowle, Pewsey 33, Wilcot 8 and path over Bacon Copse Field to Draycot). And it is therefore essential that this one is fit for purpose.</li> </ol>	

No.	Name	Objection	Officer's Comment
R3	Jenny Lund Ramblers	<ol style="list-style-type: none"> <li>1. This is not an area known well to her and she can see that local people who know the area have objected.</li> <li>2. Whilst her original response recognised that landowners were perfectly entitled to apply to divert routes she does not want her response to override the opinions of local people who know the situation better than her. She would defer to their opinion.</li> </ol>	<ol style="list-style-type: none"> <li>2. The Ramblers were consulted by the applicant and Wiltshire Council at the initial consultation stage as is usual practice.</li> </ol>

Compiled by Sally Madgwick from original responses 31 January 2013

Updated by Sally Madgwick 21 May 2013

Original responses available for public viewing at Newbury House, Aintree Avenue, White Horse Business Park, Trowbridge, BA14 0XB