

**HIGHWAYS ACT 1980 SECTION 119
THE WILTSHIRE COUNCIL BRATTON 42 DIVERSION
AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2021**

65 Supporting Representations

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highwat Act 1980, Section 119 Proposed Diversion Bratton Footpath 42 (Part)
Date: 13 March 2021 19:28:44

Dear Ali Roberts

I am writing to you in support of the diversion bratton footpath 42.

Mr Pelly has made many improvements to the diversion since the beginning of lockdown. The new route has certainly enabled me, my mum and others to enjoy our outdoor activities aswell as enjoying the continued loop around Danes' Ley.

I'm also respectfully aware of the owners need for privacy and so I see it to be a fair deal.

Your Sincerely

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Date: 08 March 2021 18:45:29

High ways act 1980,,section 119,Bratton foot path 42,,,,,,,,,,,,, to Mrs Roberts, I am a local resident who walks my dog across Mr Pellys land, and I think he has gone out of his way to improve the foot path, he has put in new kissing gates improved the paths altogether making it a very nice and pleasant walk,, Well done Mr pelly and thank you,,,
[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 15 March 2021 17:53:21

Dear Ms Roberts,

I am writing to add my support to the footpath diversion above.

I walk the footpaths regularly and it is clear that the landowner has taken great care in establishing the newly proposed route.

The route is virtually identical to the old and provides good access through newly constructed gates with the added benefit of nice wide open views of the countryside through the field.

Best Regards

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: The Proposed Diversion of Footpath BRATTON 42 Section 119 Luccombe Mill.
Date: 01 April 2021 20:23:16

Dear Miss Roberts,

I would like to submit this email as a way of our full unequivocal support for Mr H Pelly's application of re-routing the footpath.

My Husband and myself have lived in the village for 6 years and are keen outdoor people who loves the unique landscape of Bratton and it's surrounding area.

During Mr Pelly's time in Bratton, he has undoubtedly invested so much time, thought and no doubt money into making the walk to the water cress beds a beautiful, safe and easily accessible experience for all concerned. Unfortunately, I have witnessed unauthorised personnel encroaching on his lawn in front of his house allowing their dogs to run a mock over his land, leaving litter and dog mess behind them! Totally unacceptable behaviour.

Mr Pelly has made an alternative route for walkers which in our opinion is a much improved footpath across the field to the water cress beds. My husband and I would not dream of walking on the lower foot path, adjacent to his property. We find that far too intrusive on Mr Pelly's privacy. So, let's do the right thing here please and allow common sense to prevail and allow Mr Pelly to have his right of privacy,

Kind regards

[REDACTED]

[Sent from the all-new AOL app for iOS](#)

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Re: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 06 March 2021 09:43:26
Attachments: [image004.gif](#)
[image003.png](#)
[image006.png](#)
[image005.jpg](#)

Dear Ali

I can confirm I would like my comments to be forwarded to the next stage of the process. The diversion has my full support.

Please keep me up to date with progress.

Best wishes

[REDACTED]

[REDACTED] Luccombe Terrace | Bratton | Wiltshire | BA13 [REDACTED] | [REDACTED]

On Thursday, 25 February 2021, 13:49:07 GMT, Roberts, Ali <ali.roberts@wiltshire.gov.uk> wrote:

Highways Act 1980 Section 119

The Proposed Diversion of Footpath BRATTON 42

Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

Kindest regards,

Ali

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

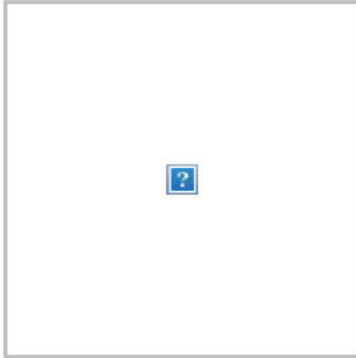
Ali Roberts (Miss)

Definitive Map Officer

Rights of Way and Countryside
Wiltshire Council

County Hall
Trowbridge

BA14 8JN



Tel: 01225 756178

Email: ali.roberts@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

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From: [REDACTED]
To: [Roberts, Ali](mailto:ali.roberts@wiltshire.gov.uk)
Subject: Re: Highways Act 1980 – Section 119 The Proposed Diversion of Footpath Bratton no.42 (part)
Date: 03 September 2020 12:22:26
Attachments: [image002.png](#)

Hi Ali

I see no problem with this diversion and happy for it to go ahead.

Best wishes

[REDACTED]

[REDACTED] | Luccombe Terrace | Bratton | Wiltshire | BA13 [REDACTED] | [REDACTED]

On Tuesday, 1 September 2020, 15:14:28 BST, Roberts, Ali <ali.roberts@wiltshire.gov.uk> wrote:

Highways Act 1980 – Section 119

The Proposed Diversion of Footpath Bratton no.42 (part)

Wiltshire Council are in receipt of an application, dated 5 November 2018, to divert Footpath Bratton no.42 (part), under Section 119 of the Highways Act 1980. The proposal is to divert the right of way as shown on the enclosed plan with a bold line from points A to B to the dashed line from points C to B, having a recorded width of 2 metres. The current recorded footpath is situated along the southern boundary edge of Luccombe Mill garden; the proposed route runs along the northern boundary of the pasture field to the south of the garden.

The landowner has stated the reasons for the application are as follows:

“1. Privacy.

2. Protecting the birds which nest all along the edge of the lake from dogs.

3. Better level access.

4. Health and safety:

(a) the existing route is steep and banked and often slippery.

(b) there are many trip hazards from large tree roots.

(c) the avenue of mature trees frequently drop heavy branches.

(d) the path at this section runs close to deep water.”

If you would like to make any observations or representations regarding the proposal, I would be very grateful if you could forward them to me via email or in writing to the contact details below, before Wednesday 30 September 2020.

Please note that any responses to this letter 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>

Kind regards,

Ali

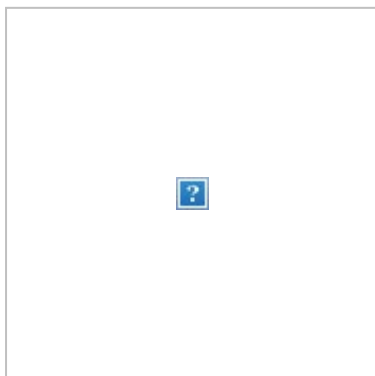
Ali Roberts (Miss)

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]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42 - Lucombe Mill - Henry Pelly Esq
Date: 15 March 2021 12:09:48

Dear Ms Roberts

I write in connection to the above application from Mr Henry Pelly of Lucombe Mill, Bratton.

I am a resident of Stradbroom the road leading to Lucombe Lane and Imber Road in Bratton. I would like to register my support of the proposed Bratton footpath.

It is a great shame that Mr Pelly has had to contend with such negative and hostile reactions in the past. Throughout the process, he has acted with integrity unlike people who have exploited the situation to gawp, snoop and behave antagonistically without need or reason.

The owners have gone above and beyond to create excellent alternative access for all residents, visitors and walkers - it is a vast improvement, creates a beautiful walk that will continue for generations because the owner has invested in landscaping and use of natural materials and respected the site.

The way Mr Pelly and his partner have gone about painstakingly and sympathetically making changes to their land and committing significant funds to do this to such a high standard, should be appreciated and applauded. It is through their carefully considered approach, that the entire village community and all residents benefit.

I feel most fortunate to have neighbours, who go the extra mile to ensure that our beautiful local landscape is well-maintained without compromise. It is as a direct consequence of such diligent ownership, that this land and countryside can be enjoyed by so many, bringing much-needed pleasure, joy and solace.

This application has my full support and I hope others will unite in confirming their support for the good of our village and the Wiltshire landscape.

Kind regards

[REDACTED]

--

[REDACTED]

From: [Nicola Duke](#)
To: [Roberts, Ali](#)
Subject: RE: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 10 March 2021 12:24:01
Attachments: [image001.png](#)
[image003.png](#)
[image004.gif](#)
[image005.jpg](#)
[image006.png](#)

Yes, that's right Ali. Thank you.

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

From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 10 March 2021 12:16
To: Nicola Duke <nicola.duke@bratton-parish.co.uk>
Subject: RE: Highways Act 1980 Section 119 Bratton Footpath 42

Hi Nicola,

Thank you for getting back to me. Can I just confirm if your response means that you wish the parish council's supporting email be taken forward as your response to the formal consultation?

Thanks

Ali

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: Nicola Duke <nicola.duke@bratton-parish.co.uk>
Sent: 10 March 2021 10:16
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Subject: RE: Highways Act 1980 Section 119 Bratton Footpath 42

Dear Ali

Thank you for your email, the contents of which were considered at last night's meeting of the PC. I can confirm that the PC has no further comments to make.

Kind regards,

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

From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 25 February 2021 13:49
Subject: Highways Act 1980 Section 119 Bratton Footpath 42

Highways Act 1980 Section 119
The Proposed Diversion of Footpath BRATTON 42

Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

Kindest regards,

Ali

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

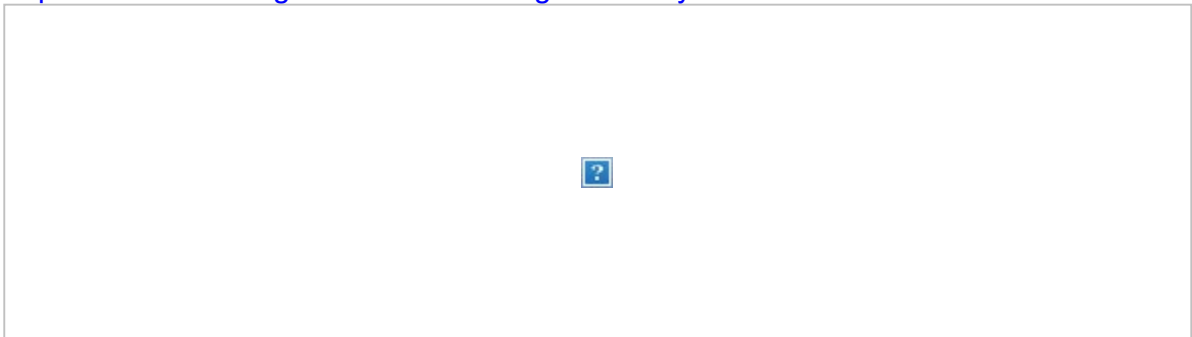
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From: [Nicola Duke](#)
To: [Roberts, Ali](#)
Subject: RE: Highways Act 1980 - Section 119 The Proposed Diversion of Footpath Bratton no.42 (part)
Date: 10 September 2020 09:46:14
Attachments: [image001.png](#)

Dear Ali

Thank you for this information, which was considered at a meeting of the Parish Council held on 8th September.

I am directed to inform you that the Parish Council has No Objection to the proposal.

Kind regards,

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

From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 01 September 2020 15:14
Subject: Highways Act 1980 – Section 119 The Proposed Diversion of Footpath Bratton no.42 (part)

Highways Act 1980 – Section 119
The Proposed Diversion of Footpath Bratton no.42 (part)

-

-

Wiltshire Council are in receipt of an application, dated 5 November 2018, to divert Footpath Bratton no.42 (part), under Section 119 of the Highways Act 1980. The proposal is to divert the right of way as shown on the enclosed plan with a bold line from points A to B to the dashed line from points C to B, having a recorded width of 2 metres. The current recorded footpath is situated along the southern boundary edge of Luccombe Mill garden; the proposed route runs along the northern boundary of the pasture field to the south of the garden.

The landowner has stated the reasons for the application are as follows:

- “1. *Privacy.*
2. *Protecting the birds which nest all along the edge of the lake from dogs.*
3. *Better level access.*
4. *Health and safety:*
 - (a) *the existing route is steep and banked and often slippery.*
 - (b) *there are many trip hazards from large tree roots.*
 - (c) *the avenue of mature trees frequently drop heavy branches.*
 - (d) *the path at this section runs close to deep water.”*

If you would like to make any observations or representations regarding the proposal, I would be very grateful if you could forward them to me via email or in

writing to the contact details below, before Wednesday 30 September 2020.

Please note that any responses to this letter 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>

Kind regards,

Ali

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]
To: [Roberts, Ali](mailto:Ali.Roberts@wiltshire.gov.uk)
Subject: Re: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 10 March 2021 17:51:31
Attachments: [image006.png](#)
[image003.png](#)
[image004.gif](#)
[image005.jpg](#)

Dear Ms Roberts,

We are very pleased to see that the Council approved the Order on 16th February subject to a final consultation period expiring 9th April.

Whilst we have very recently moved away from Bratton, we were resident in Imber Road for over 31 years, and always thought the previous line of the footpath was very intrusive as far as the occupants of Luccombe Mill were concerned.

The quality of the new footpath is also a great improvement, being certainly no less commodious than the previous route, and we sincerely hope the Council will give it their final approval following this consultation period.

Yours sincerely

[REDACTED] (late of [REDACTED] Imber Road, Bratton)

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

From: "Roberts, Ali" <Ali.Roberts@wiltshire.gov.uk>

To:

Sent: Thursday, 25 Feb, 2021 At 13:49

Subject: Highways Act 1980 Section 119 Bratton Footpath 42

Highways Act 1980 Section 119

The Proposed Diversion of Footpath BRATTON 42

Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

Kindest regards,

Ali

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Ali Roberts (Miss)

Definitive Map Officer

Rights of Way and Countryside
Wiltshire Council

County Hall
Trowbridge

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Tel: 01225 756178

Email: ali.roberts@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

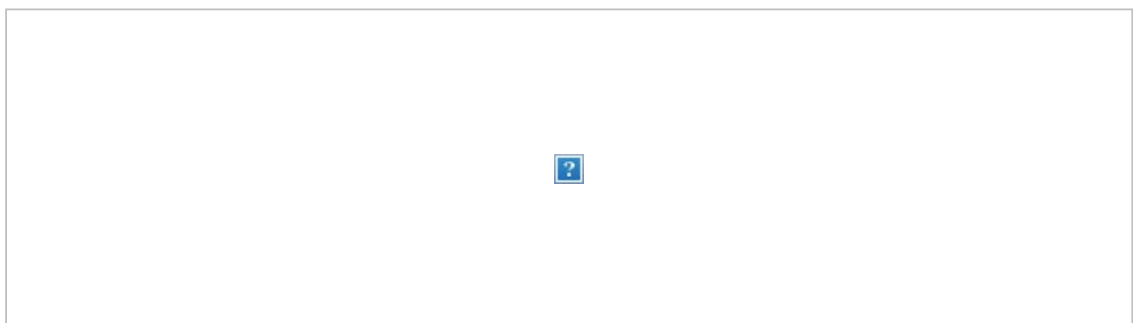
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From: [REDACTED]
To: [Roberts, Ali](#)
Subject: The proposed diversion of footpath Bratton no.42 (part)
Date: 28 February 2021 17:35:48

Dear Ali Roberts,

I am writing to you in response to the new pathway.

I am happy to say that Mr Pelly has my FULL SUPPORT for the new diversion plan.

I have been living in Bratton since 2018 and since covid I have been taking the opportunity to walk alot more.

The new path is a very acceptable and pleasing access route for myself and many others that have adopted it.

Mr Pelly has made many improvements to the new pathway i.e. several kissing gates, easy access for dogs, hardcore on the ground and has introduced new levelled steps (great for the elderly) reaching towards the end of the footpath near the wooden footbridge.

Please consider my response for Mr Pelly, so that he can get the privacy he deserves.

Yours sincerely,

[REDACTED]

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From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 27 March 2021 15:27:33

We have lived in Bratton since July 2016 and fully support the diversion of the Watercress Walk footpath to reach Paradise Pool. The alternative route provided not only affords Henry and Cameron the privacy that they deserve in their own home and grounds, but is also a far better and more accessible route. We use it regularly with our dog, and our parents who are in their 80s can now access and enjoy the walk.

We have found Henry and Cameron to be very considerate neighbours, going to great effort and expense to make the alternative route safe and pleasurable.

Kind regards

[REDACTED]
[REDACTED], Stradbrook, Bratton

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Proposed Diversion of Footpath Bratton 42
Date: 07 March 2021 15:53:38

Dear Ali Roberts,

Re: Highways Act 1980 Section 119 Proposed Diversion of Footpath Bratton 42.

I was pleased to see the Wiltshire County Council's proposal to initiate the proposed diversion of footpath Bratton 42. As a regular user of the path and dog walker, I support the proposed diversion in effort for the landowner, Mr Pelly. I see no reason why the access route onto the division shouldn't be allowed. The diversion has allowed me to enjoy easier strolls with my dog in an open field as there are fewer if not seldom other parks to do so in the village. Please consider my support.

Your Sincerely,

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 The Proposed Diversion of Footpath BRATTON 42
Date: 06 March 2021 15:52:54

Dear Ali Roberts,

I would like to register my support for the proposed new footpath at Luccombe Mill.

I feel that this is a viable and practical solution to the ongoing discussion around access to the Paradise Pool circular walk.

Best Regards,

[REDACTED]
[REDACTED] Luccombe Terrace, Bratton. BA13 [REDACTED]
[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: New footpath at Luccombe mill.
Date: 02 April 2021 20:29:23

I use the footpath from the front of Luccombe mill accross the watercress beds to Paradise pool on a daily basis to walk my dogs.
Subsequent to the recent changes,although following a slightly different route, the path is easily traversed and has been well laid out.
New kissing gates have been installed at either end of the field and recently far more useful steps laid out down to the bridge.
I support these changes.
Yours, [REDACTED].

Sent from my Galaxy

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Footpath in Bratton no.42
Date: 08 April 2021 16:37:29

Dear Ms Roberts,

I am writing regarding the proposed diversion of the footpath in Bratton (no.42).

I wholeheartedly support the owner, Mr Pelly, of Luccombe Mill with his request that the footpath be moved to the other side of the fence line, so giving his property more privacy. I have been at the house when people have been walking on the existing path and it feels like they are walking right into Mr Pelly's private garden.

The new route will still give full access down to the 'Paradise Pool' and Mr Pelly has even improved the ground and steps therefore making it safer and more accessible in the winter months.

Mr Pelly is being very fair in providing the alternative route through his field and I really see no problem in this minor diversion.

Yours sincerely,

Katherine

[REDACTED]
[REDACTED]

[REDACTED], Old Down Road
Badminton
GL9 [REDACTED]

Sent in haste from my iPhone!

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Footpath at Bratton
Date: 09 April 2021 14:07:10

Dear Ms Roberts,

I am writing to add my support for Mr H Pelly's proposed diversion of the footpath at Bratton.

We are a local family and I often take my children down to play near the water at Paradise Pool. The new route through the paddock is much easier and safer for small unsteady feet, and we much prefer the open field, avoiding uneven ground, tree roots and low branches. Our children also love the kissing gates, and take great pride and pleasure in recounting how the gates got their name.

We believe Mr Pelly's new route is a big improvement, and we would also like to support his plea for more privacy. Why should our family walk so close to his home to get to the pool, when there is another more accessible option? Although we have always been respectful of Mr Pelly's property, I am aware of many others who have not been.

We urge Wiltshire Council to pass this amendment.

Kind Regards,

[REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 The Proposed Diversion of Bratton Footpath 42
Date: 24 March 2021 13:45:49

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

Dear Miss Ali Roberts,

Reference: The Proposed Diversion of Bratton Footpath 42.

I am writing to you in response to the new pathway to the watercress beds to the East of Luccombe Mill to which, I notice, Mr Pelly has made a number of improvements, such as laying hardcore on the path, the installation of some gates, and the laying of new steps.

I think that the new path is now very acceptable. We, that is the residents of Bratton, should welcome the new path and accept that Mr Pelly should be allowed some privacy which the new path allows and which was absent with the old path.

Hence, please record my full support for the new diversion plan and include my comments on to the next stage of the process.

Yours sincerely,

[REDACTED]
Melbourne Street
Bratton, BA13 [REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Bratton footpath 42
Date: 26 March 2021 10:46:21

Dear Ali Roberts,

I am writing to you to express my full support for the diversion of the footpath made by Mr Pelly. Myself and my family have been using the new diversion and find the access a great improvement over the old pathway. Therefore I see no reason to object to it.

Regards,

[REDACTED]

[REDACTED]

Bratton Road
Westbury
Wiltshire
BA13 [REDACTED]

Sent from my iPhone

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: The proposed diversion of footpath Bratton no.42 (Part)
Date: 02 March 2021 18:14:02

Dear Ali Roberts,

I am writing to you regarding the proposed diversion of the path that I occasionally use for leisure.

In my personal opinion, I would prefer the new path, because you can still access the pool and enjoy a walk. Also, the current path makes me feel like I am invading someone else's space, you can see the residence and the tenants when they are using their garden, which makes me feel like I am in their garden.

With all this in mind, I am happy to support the new diversion.

Kind regards,

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 The Proposed Diversion of Footpath BRATTON 42
Date: 04 March 2021 16:16:39

From [REDACTED] (Regular footpath users)

The footpath provides a popular short circular walk and also access to open access lands to Picquet Hill. Previously the path was a narrow path through the property which took a lot of work to maintain in a safe condition. The current owner has offered excellent access through the paddock which provides a much better route and the advantage of more open area for dog exercising. I can see no logic as to why anyone would object to this much improved access to the circular route.

We support the Order for the revised route through the paddock.

[REDACTED]
[REDACTED]
Imber Rd
Bratton
BA13 [REDACTED]
[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 30 March 2021 09:23:25

Hello

I believe you are kindly handling comments for the above pathway proposal.

As we have visited the site on several occasions, & have seen both the existing & proposed pathways, we fully support the proposal to alter the route as requested by Mr Pelly, & feel that this new route positively enhances the communal benefits to all involved.

Therefore we very much hope this plan will be implemented as soon as possible

With thanks,

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Date: 01 April 2021 16:16:28

Dear Ms Roberts,

I wish to register my support for the diversion of the footpath at Luccombe Mill.

I am acutely aware of the lack of privacy that the current footpath gives to the owner. The Mill has always attracted interest from people in the village who I know like to go and have a look at it as it is rather impressive and beautiful. I have witnessed people, including people well known to me, using the existing path, standing, and staring across to the house and garden.

The proposed new route is almost the same in length but with easier, more level access across the paddock. This change in my view, is a fair compromise. It allows full access to the old watercress beds, 'paradise pool' and the circular route back to Imber Road whilst affording the owner of Luccombe Mill the privacy any of us would like in our own homes.

In the interest of fairness I would encourage Wiltshire Council to pass this amendment at the earliest opportunity.

Yours sincerely, [REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 15 March 2021 14:43:31

Dear Ms Roberts

I am aware of the proposed new footpath crossing the paddock, skirting the garden at Luccombe Mill and wish to register my full support for this proposal.

As a former hotelier at nearby Bishopstrow House I have for many years been supportive of local and county walks and have myself walked the new path many times.

The proposed diversion is a significant improvement on the old pathway by providing easier access all round and in my opinion will very much benefit walkers in the area and without any loss of amenity.

I fully support the scheme and am very grateful for the efforts made by the owner.

Yours sincerely

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: The proposed diversion of footpath Bratton no.42 (Part)
Date: 04 March 2021 16:32:35

Dear Ali Roberts,

My partner and I have been visiting Bratton for sometime as we both enjoy the opportunity to walk and to see what is locally known as paradise pool. Ian and I want to express our full support for the diversion.

In 2016, we used to walk the old pathway when the previous owner Mrs Seymour was alive and knowing that it was given with permission at the time. Since then, we've begun to use the diversion route only because we have spoken to the landowner and understand his need for privacy.

When we last spoke, I was pleased to hear that we can still visit paradise pool as normal, providing that we are mindful of the landowners wishes for privacy. We both agree that there is no problem with the diversion and we would like to offer our support to the landowner of Lucombe Mill.

Yours sincerely,

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Proposed footpath diversion at Luccombe Mill
Date: 06 March 2021 10:05:34

Dear Ali,

I can see no reason as to why the proposed new footpath that runs parallel to the old one shouldn't be adopted. We are fortunate to have people in the village like Mr Pelly who are in a position to contribute to village life and improving the environment.

I look forward to using the new route for years to come. Best wishes, [REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 15 March 2021 09:10:46
Attachments: [image001.jpg](#)

Dear Ali Roberts,

I have been a regular visitor to Luccombe Mill over the last few years and enjoyed walking the grounds on both the private and public footpaths.

I would like to add my support to the proposed changes to the footpath as these both make perfect sense to keep the private and public domains well defined and quite frankly the new route offers far better views of the Luccombe Bottom and Edington Hill beyond.

Regards,

[REDACTED]

[REDACTED]

This e-mail is for the use of the intended recipient(s) only. If you have received this e-mail in error, please notify the sender immediately and then delete it. If you are not the intended recipient, you must not use, disclose or distribute this e-mail without the author's prior permission. We have taken precautions to minimize the risk of transmitting software viruses, but we advise you to carry out your own virus checks on any attachment to this message. We cannot accept liability for any loss or damage caused by software viruses.

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Footpath Bratton no.42 (part)
Date: 15 March 2021 09:33:45

Dear Ms. Roberts,

I am writing in response to the new pathway.

Mr.Pelly has my support in his plan to divert the walkway down to the watercress beds from Imber Road.

I feel that he has developed a very pleasant alternative pathway and he has made a real effort to make the rest of the walk a really enjoyable experience.

Yours sincerely

[REDACTED].

From: [REDACTED]
To: [Roberts, Ali](mailto:ali.roberts@wiltshire.gov.uk)
Subject: Fwd: Ref: Highways Act 1980. Section 119 Bratton footpath 42
Date: 08 March 2021 13:02:21

[REDACTED]
Ardington
Wantage
OX12 [REDACTED]

Begin forwarded message:

From: [REDACTED]
Date: 8 March 2021 at 12:52:35 GMT
To: ali.roberts@wiltshire.gov.uk
Subject: Ref: Highways Act 1980. Section 119 Bratton footpath 42

Dear Ms Roberts

I wish to register my support for the diversion of the footpath at Luccombe Mill

I have visited Henry Pelly on several occasions, in his lovely house and garden..all reflected in the stunning water flowing by..and can't help feeling that it's humanly understandable that he should wish to have some privacy, in his own property, to enjoy it all...however he has done everything possible to enhance a new footpath/access route putting in attractive gates with easy access for dogs, hardcore on the ground with new levelled steps for older people...I understand that this new route is almost the same length as before but with more level access across the paddock to the old watercress beds, paradise pool and whole way round to Imber road...and would give the owner a bit more peace and privacy.

I hope Wiltshire Council will pass this amendment as soon as is possible

Yours faithfully. [REDACTED]

[REDACTED]
Ardington
Wantage
OX12 [REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton 42
Date: 28 March 2021 16:33:43

To Ali Roberts,

Please register my support for the new diversion path. Since the new path has been laid out, I have found myself using it all the time.

I live not far from Bratton in a village called Edington. I live in a small residence and don't have much of a garden as it's only a few square metres wide and so I like take every opportunity to go out for long a distance walk, to help build my health and strength.

When I walk, I venture onto open access land from Westbury road. I go up towards Piquet hill and down towards Paradise pool. From there, I take the diversion, pass through Stradbrook onto Westbury road and back to Edington.

I thanked the owner only recently when passing his driveway as he was gardening.

I would like to say that I have no problem with the diversion, particularly as the owner has made considerable adjustments to make the walk a lot easier.

Kind Regards,

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Luccombe Mill footpath
Date: 13 March 2021 15:29:16

Dear Ms Roberts,

I'm writing in support of Mr Pelly's new diversion path which replaces the footpath that cuts through the garden of Luccombe Mill.

I've been a resident of Bratton since 2017 and have used the replacement path many times. I consider it a fair and pleasant alternative to the original path and have no problem accessing it as it's well maintained and clearly marked.

Occasionally I've met local villagers who have insisted on using the original path, stating that they have a right to walk through Mr Pelly's land. Although I understand their point of view, I wouldn't do this personally as it feels as if I'm unnecessarily intruding on Mr Pelly's privacy. For me, it's no inconvenience at all to take the diversion path through the paddock, and I view it as a happy compromise which enables walkers to continue to reach the watercress beds.

Yours sincerely,

[REDACTED]

Stradbrook
Bratton

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 26 March 2021 11:24:11

Dear Ali Roberts,

I am a local resident and a keen walker of the many public footpaths in the area.

I have seen the notices that have appeared recently about the diversion.

Since the new route through the paddock has been created, I have been using this instead. Mainly because the signage put up by the landowner encourages it but also because I actually find it easier to use.

I would therefore like to support the new diversion.

Yours sincerely

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Cc: [REDACTED]
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 06 March 2021 21:54:32

Dear Miss Roberts

We are writing in reference to the above footpath diversion.

We have lived at [REDACTED] Lower Road in Bratton since August 2016. We have a dog so walk in the area almost every day. We frequently use the footpath in question.

We would like to express our strong support for the footpath diversion. The new footpath and gates are far superior to how it was before. Mr Pelly has gone to great trouble to ensure that the new path is attractive and high quality, with new steps, easy to use gates, and with good drainage. It is about the same length as the old one, and we can see no appreciable advantage to the old path. Mr Pelly has made additional improvements to the pathways in the watercress beds at the end of the path which add to the general experience of walking through his land.

Yours faithfully

[REDACTED] (email in CC in case you need to confirm his support too)

From: [REDACTED]
To: [Roberts, Ali](#)
Cc: [REDACTED]
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 04 March 2021 14:13:26

Dear Ms Roberts,

My wife and I have lived in Bratton for 17 years and have always enjoyed our walks 'through the watercress beds' in the combe along and below the Imber Road, out of Bratton. The main purpose of these walks is to enjoy the unusual scenery beyond Mr Pelly's millpond, rather than that of his garden itself. The new route for the footpath along the perimeter of the adjacent field is very acceptable, and maintains his privacy while making no substantial change to the highlight of the walk beyond. The rearrangement has also added clarity to the location of the right of way. In addition, the maintenance of the path back up to the Imber Road from the 'watercress beds' has much improved in recent months.

Best wishes, [REDACTED]

[REDACTED]
Lower Road
Bratton
Westbury
Wiltshire
BA13 [REDACTED]

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 16 March 2021 09:55:27

Dear Ali,

I am writing to register my support for the proposed diversion of the Luccombe Mill footpath.

I live nearby & have frequently used this route. On several occasions I have observed other users of the footpath taking photos of the house, gardens & lake. While I'm sure they make lovely instagram photos, I can only imagine the distress it must cause the owner of the house having such blatant intrusions on his privacy.

Having reviewed the proposed new route, I was pleased to see that not only is it of a very similar length (and probably easier under foot), but it still enables walkers to enjoy full access to the old watercress beds, paradise pool, connecting to the circular route back to Imber Road.

I have noticed that the owner has also made several improvements to the new pathway, which I wholeheartedly approve of.

I hope that Wiltshire Council will approve this diversion as soon as possible.

Kind regards,

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways act 1980 section 119: Bratton Footpath 42
Date: 14 March 2021 19:08:16

Dear Ms Roberts

I am writing to you today to voice my support for the the diversion of the footpath (no 42) in Stradbrook, Bratton that runs parallel to the lake by Locombe Mill.

The new footpath is a well thought out alternative to the existing path that will be just as enjoyable and provides a safer route to walk along. The ground is much firmer and the new steps make it much less likely to slip down in the mud. It will also mean that the landowner is not overlooked.

I would be most grateful if you could make a formal note of my support.

Many thanks

[REDACTED]

Reference: Highways Act 1980 119 Bratton Footpath 42, Luccombe Mill

FAO: Ali Roberts ali.roberts@wiltshire.gov.uk


I write in regards to the official order for the diversion of the footpath at Luccombe Mill, Bratton. I have enjoyed the pleasure of this footpath for over 40 years.

Mr. Pelly has invested considerable resources to improve this well loved footpath. These improvements have been done with much consideration and the result is an enhanced and safer footpath for all to enjoy.

I fully support the proposed diversion for these reasons:-

- The diverted footpath runs adjacent and close to the original footpath.
- The diversion is easily accessible and provides a level open area with no trip hazards for walkers. Tree roots visible on the original footpath are a trip hazard.
- Steps have been provided making it easier to negotiate gradients.
- Hardcore has been provided in muddy, waterlogged areas.
- The footpath has been cleared of overgrown vegetation.
- Accessible gates have been provided replacing difficult to negotiate stiles.
- The water pool has been cleared and dredged and what a delight.
- The entire footpath is maintained to a high standard.

The diversion is only a short segment of much longer footpath. Given that the diversion runs adjacent and in close proximity to the original footpath, the experience for users remains the same but with a now safer and improved footpath. I am grateful for this improved footpath.


Bratton Resident

From: [REDACTED]
To: [Roberts, Ali](#)
Cc: [REDACTED]
Subject: Highways Act 1980 119 Bratton Footpath 42, Luccumbe Mill
Date: 09 March 2021 10:10:52
Attachments: [Highways Act 1980 119 Bratton Footpath 42.docx](#)

Dear Ms. Roberts,

Please find attached my submission supporting the diverted footpath (119 Bratton Footpath).

Regards,

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 The Proposed Diversion of Footpath BRATTON 42
Date: 24 March 2021 19:38:28

Dear Ms Roberts

I'm contacting you to give support to the proposed amendment to the footpath in Bratton.

I know this area well, from an earlier time of life, and have enjoyed many walks in the surrounding countryside. I'm aware of the publicity the topic of the footpath has created.

I do sympathise with the owner of the property - the current path does go right through his garden and must really infringe on his privacy of being at home.

The new proposed route is great, in my opinion no-one can legitimately complain about it.

With kind regards

[REDACTED]

Sent from my iPad

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 The Proposed Diversion of Footpath BRATTON 42
Date: 18 March 2021 10:20:02

Application No: 2018/14

Dear Ms Roberts,

I wish to register my support for the diversion of the footpath at Luccombe Mill.

As I am sure you are now aware, the current footpath is not able to provide Mr Pelly with privacy whilst in his house or garden. This matter is then not helped by those that might have little or no respect for his privacy, by peering in.

The proposed new route is almost exactly the same in length but with easier more level access across the paddocks. Along with this Mr Pelly has put considerable effort to provide the ramblers preferred kissing gates, therefore making access much easier for humans and dogs.

I do hope that Wiltshire Council can see that this is a much more improved route and pass this amendment.

Many thanks

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: The Proposed Diversion of Footpath Bratton 42
Date: 03 March 2021 18:01:25

Dear Ms Roberts,

I just wanted to write and register my support for the new pathway at Bratton.

This proposal clearly affords the privacy desired by the owners of Luccombe Mill without compromising the convenience in any respect whatsoever for users of the new proposed pathway.

This would seem to be an eminently sensible solution for all concerned.

Yours sincerely,

[REDACTED]

Sent from my iPad

From: [REDACTED]
To: [Roberts, Ali](#)
Cc: [REDACTED]
Subject: Diversion of footpath at Luccombe Mill
Date: 08 March 2021 12:57:45

Dear Ali Roberts

I am writing to you in support of Mr Pelly's diversion of the footpath at Luccombe Mill.

I have lived in Bratton for the last 17 years at No [REDACTED] Imber Road, which is opposite the start of this footpath. In the past my wife and I used to walk the original path with our dogs. We stopped using the path when we realised that our dogs were venturing into the lake/mill pond and disturbing the nesting birds and those on the surface of the pond. Since Mr Pelly has owned Luccombe Mill he has worked tirelessly to improve and refurbish the Mill and its environs. I can fully understand and support Mr Pelly's concerns and right to his privacy and the obvious solution to divert the route of the existing footpath.

Mr Pelly has carried out a great deal of works to ensure that the new route is safe for walkers and indeed introduced much easier access via kissing gates either end of the path. Mr Pelly is obviously well aware of his obligations as a land owner concerning the health and safety of all who wish to walk this path.

My wife and I support Mr Pelly 100 per cent and urge you to support the footpath diversion as soon as possible.

Yours sincerely

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Britton Footpath 42
Date: 04 March 2021 10:48:05

Dear Ms Roberts,
Highways Act 1980 Section 119
Bratton Footpath 42

I am writing to say that we fully support Mr.Pelly and the proposed new diversion of the Footpath at Luccombe Mill.

My husband & I are keen walkers and think the new route with kissing gates and very helpful new steps is a huge improvement on the old path. So much easier for both of us and our dogs to manage. It is a very attractive route and still gives us the circular walk we much enjoy.

We feel there is no reason that Wiltshire Council should not support this excellent diversion.

Yours sincerely

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 08 April 2021 22:21:05

Dear Miss Roberts,

I am writing to give my full support for the diversion of the footpath through the paddock at Luccombe Mill.

I have lived in the village for over 40 years and believe this is a great improvement on the previously used path. The kissing gates make access really easy, especially with children and dogs, and the ground underfoot is level and firm. In addition the views are open and spectacular.

In particular I have enjoyed being able to walk through to the watercress beds and beyond without feeling like I am intruding on the owner's privacy, something I would not wish to do and I am sure there are many others who feel the same.

Kind regards,

[REDACTED]

[REDACTED]

Emms Lane
Bratton
BA13 [REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Proposed diversion of footpath 42 in Bratton
Date: 05 March 2021 13:55:41

To whom it may concern,

I would like to write in support of the diversion of the footpath adjacent to Lucombe Mill in Bratton. Footpath no.42.

The revised location is a welcomed resolution to the current footpath as it will afford the landowner his privacy while maintaining a similar enjoyable route for walkers and ramblers.

Kind regards

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 The Proposed Diversion of Footpath BRATTON 42
Date: 09 March 2021 10:51:17

Fao Ali Roberts,

I am writing to register my support for the alterations to the footpath at Locombe Mmill, Bratton. The walk is such short simple one, and the 'diversion' of the new path is so minor that I cannot see any reasons to object. The land owner has taken many measures to ensure a safe and easily accessible walk. He has our full support.

[REDACTED]
Residents, Imber Rd, Bratton.

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 section 119 Bratton Footpath 42
Date: 22 March 2021 23:44:06

Dear Ali Roberts

I am writing to give my support to the diversion of footpath (Bratton 42).

I have lived in the village for over 60 years and as children we often used the old footpath knowing full well it was not a public right of way.

The new footpath is a good compromise allowing all (including my 83 year old mother) to access the old watercress beds. A lot more people seem to use the path now, which is good to see.

Yours Sincerely

[REDACTED]

Sent from [Mail](#) for Windows 10

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Bratton Footpath 42
Date: 13 March 2021 08:31:36

[REDACTED]
[REDACTED] West Ashton Road.
Trowbridge.
BA14 [REDACTED]
[REDACTED]
13 March 2021.

The Proposed Diversion of Footpath BRATTON 42.

Dear Miss Roberts,

I would just like to add my support to the above proposed footpath diversion.

Although I do not live in the village, myself and my partner have used the paths at Luccombe Mill for many years in order to visit Paradise Pool and the old watercress beds.

The old permissive path is very uneven and sloping towards the mill pond in places and in the winter becomes very slippery. The exposed roots of the large trees create another hazard for walkers.

Mr Pelly has gone to great lengths to provide a much safer and easier route through the paddock, placing kissing gates at each end, instead of the old stiles and constructing a sloping walkway and steps with a stone base down to the original pathway.

He has also replaced the very high and awkward stile at the upper end of the footpath to Imber Road with a kissing gate making the whole route more user friendly and a vast improvement on the old path.

Yours sincerely

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways act 1980 section 119 the proposed diversion of footpath Bratton 42
Date: 08 April 2021 17:24:02

To Ali Roberts,

I was out on a walk with my two children and my dog to see Paradise pool and I noticed on the way back the details of the consultation regarding the diversion footpath and would like to share my views.

I wish to support the new diversion on Luccombe Mill. I have walked along the new path many other times and I am happy with the new alternative that has been created.

Many thanks,

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Cc: [REDACTED]
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 10 March 2021 21:48:48

Dear Miss Roberts

I would like to take this opportunity to declare my unequivocal support for the proposed diversion of footpath Bratton 42.

The reasons for my position, based on using the new route many times, are as follows:

- The diversion will result in little to no disruption for any member of the general public as seen on the plan
- The new route, is well marked, the ground has been improved and maintained by Mr Pelly, and includes entry and exit points that provide ease of access and egress
- The new route is considerably more sympathetic to individuals less physically able with reduced risk of injury or harm from terrain in poor condition
- The new route provides greater opportunity for walking dogs off the lead and reduces any threat to birds or other animals within the Luccombe Mill grounds or on the lake
- The diversion will afford privacy and security to Mr Pelly that should be a simple and basic societal requirement, particularly in a relatively remote setting

I would like to add that Mr Pelly has been a generous and considerate landowner who has worked hard to improve the routes on his land to the benefit of all users. I regard the proposal as fair and reasonable and I recommend it to you.

Yours sincerely

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: RE: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 01 March 2021 14:39:16
Attachments: [image003.png](#)
[image004.gif](#)
[image005.jpg](#)
[image002.png](#)

Dear Ali

Many thanks for this. Please forward my comments to the next stage.

I would like to add that Mr Pelly has made a number of welcome improvements along the path, including steps on a steep section down to the foot-bridge, gravel infills on several very muddy sections, repair to the concrete near the foot-bridge, a kissing gate at the southern end of the path where it joins Imber Road, and (in conjunction with neighbouring land-owner, Mr Gale) a new metal gate leading up into Luccombe. He has also trimmed some of the overhanging branches through the watercress beds. All in all, his commitment to improving access is to be applauded.

Yours sincerely

[REDACTED]

World Heritage Trails
Imber Road, Bratton BA13 4 [REDACTED]
[REDACTED]
www.worldheritagetrails.co.uk

From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 25 February 2021 13:49
To: Undisclosed recipients:
Subject: Highways Act 1980 Section 119 Bratton Footpath 42

Highways Act 1980 Section 119
The Proposed Diversion of Footpath BRATTON 42

-
Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

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:

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



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From: [REDACTED]
To: [REDACTED]; [Roberts, Ali](#)
Subject: Highways Act 1980 - Section 119 The Proposed Diversion of Footpath Bratton no.42 (part)
Date: 07 September 2020 12:44:13

As a resident of Bratton Parish, and of Imber Road, I wish to register my support for the proposed diversion. It offers permanent access to the former cress beds and the spring, known locally as 'Paradise Pool', and maintains the whole of the right of way which emerges further up Imber Road. It also affords Mr Pelly the privacy he desires. As a frequent user of the route though the field I notice that the majority of walkers actually prefer to use this, rather than the current Right of Way route through Mr Pelly's garden.

The recent lock-down due to Covid-19, and the unfortunate effects of social media, saw a considerable increase in the number of people going to the springs. I suggest that the use of the path has increased beyond the intention of past owners to allow local people to cross their garden, and beyond what any current or future owner of Luccombe Mill should be asked to tolerate. The proposed diversion is a very reasonable and practical solution, and it has my whole-hearted support.

I shall attend the Parish Council meeting on Tuesday and would be pleased to address the committee should they deem it appropriate.

[REDACTED]

World Heritage Trails
Imber Road, Bratton BA13 4 [REDACTED]
[REDACTED]
www.worldheritagetrails.co.uk

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 11 March 2021 18:54:02

WCC,

I am a regular walker in and around Bratton. I am happy to support the application for diversion by Mr Pelly as I think there are mutual benefits. Currently the path gives the owner little privacy and the proposed route has no detrimental impact on walkers.

Yours sincerely,

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: The Proposed Diversion Of Footpath Bratton - 42 Part.
Date: 02 March 2021 21:15:21

Dear Ms Roberts,

I hope this finds you well. I live locally and a frequent visitor to the Mill pond on Imber road. I've read the notice that has gone up over the weekend and I would like to give my support.

The landowner is unknown to me, however, I do understand that if the diversion does not go ahead then there will be a two-metre high fence that will be erected and no access to a view which will spoil the walking experience. So, I do not object to the proposed diversion as the new route is no bother and I and the community will still be able to enjoy the views.

Kind Regards,

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Bratton 42 Footpath Diversion
Date: 30 March 2021 21:14:58

HIGHWAYS ACT 1980 – SECTION 119
PROPOSED DIVERSION OF FOOTPATH BRATTON 42
AND SECTION 53A OF THE WILDLIFE AND COUNTRYSIDE ACT 1981 – FOOTPATH BRATTON 42

Dear Miss Roberts

I write in support of the footpath Bratton No 42 diversion. The land owner, Mr Pelly has done a great deal of environmental work to enhance the proposed new section of the footpath installing kissing gates and steps on one sloping section. The new route is also far safer in wet weather as the terrain is mostly level and well away from deep water. The diversion will also keep the public and dogs from disturbing nesting birds and wildfowl on the lake.

The proposed diversion has my full support.

Yours Sincerely, [REDACTED]

[REDACTED] BA13 [REDACTED]



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From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Re: Bratton footpath No 42 (Luccombe Mill residence of Mr Henry Pelly)
Date: 05 March 2021 21:17:24

Dear Ms Roberts

Re: Application 2018/14 Bratton footpath No 42 Luccombe Mill residence of Mr Henry Pelly

As residence of Bratton Village since 2014, both my wife and I, are in FULL SUPPORT and favour of the above application regarding the footpath to the side of Luccombe Mill on the grounds of privacy, animal and wildlife welfare and health and safety of the public.

I hope Wiltshire planning depth will take into account our support and favour towards the new footpath proposed by Mr Pelly.

Yours sincerely

[REDACTED]
[REDACTED] Spring Gardens, Stradbrook Lane Bratton Wilts BA13 [REDACTED]
[REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: [REDACTED]
Date: 17/06/2023 11:18:43

Dear A. Robb

I hope to be there on the footpath at Luccombe. I think it's a great way to see people who have seen me and see me at the house on many occasions.

My hope is to see you on the footpath at Luccombe. I think it's a great way to see people who have seen me and see me at the house on many occasions.

He sent me a message just a few days ago. I think it's a great way to see people who have seen me and see me at the house on many occasions.

My hope is to see you on the footpath at Luccombe. I think it's a great way to see people who have seen me and see me at the house on many occasions.

Thank you very much for asking me and for the fact that I hope to be made.

[REDACTED]

I hope to be there on the footpath at Luccombe. I think it's a great way to see people who have seen me and see me at the house on many occasions.
My hope is to see you on the footpath at Luccombe. I think it's a great way to see people who have seen me and see me at the house on many occasions.
He sent me a message just a few days ago. I think it's a great way to see people who have seen me and see me at the house on many occasions.
My hope is to see you on the footpath at Luccombe. I think it's a great way to see people who have seen me and see me at the house on many occasions.
Thank you very much for asking me and for the fact that I hope to be made.

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Footpath Bratton 42
Date: 15 March 2021 12:41:44

Dear Miss Roberts,

Highways Act 1980 Section 119
The Proposed Diversion of Footpath BRATTON 42

I am writing to support the proposal for the diversion of the above footpath which to my mind is a perfect compromise for both the landowner and us walkers! We still get full reach to the areas we wish to visit with new levelled steps for the youth challenged among us and easier access for our dogs. This is a sensible proposal which will make everyone happy and should be approved.

Thank you for your attention.

Yours sincerely,

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980. Section119. Bratton Footpath 42.
Date: 21 March 2021 15:06:43

I am writing on the matter of the above proposed footpath change at Luccombe Mill.
Normally I do not approve of changes or new routes to existing historical Footpaths.
However, in the case of the above, I see no reason not to accept the proposed alternative Path as it has the same desired effect of enabling walkers to reach the same destination.
Indeed it has the positive advantage of improving the walk for the more elderly walkers and those with dogs.
The new 'kissing gate' provides easier access and the path itself has been well constructed and provides an overall improvement.
I see no reason not to accept this plan which will provide a sound alternative for the long term.

Kind regards

[REDACTED]

Sent from my iPad

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Luccombe Mill
Date: 10 March 2021 15:33:30

Dear Ms Roberts,

As a near neighbour of Henry Pelly, I wish to state that I have no objection to the proposed alternative footpath. I live just opposite, as I have done for the last 48 years, and have never seen it so used as during this pandemic, allowing families to get out and explore our beautiful countryside. On my walks, and talking to locals, it would seem the new route meets with general approval.

Yours Sincerely

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 11 March 2021 09:19:51

Dear Ms Roberts

Re: Highways Act 1980 Section 119 The Proposed Diversion of Footpath BRATTON 42

Further to above Proposed footpath diversion, I am in support this makes total sense given that the current footpath dose does not offer any levels of privacy to the current occupiers.

For us as family with dog and two young children the new route will be far easier to negotiate. In our view the improvements that have already been installed to the alternative route make a positive difference to access and overall safety.

We are in full support of the new diversion route.

Kind regards

[REDACTED]

[REDACTED] Long

Director

Mobile: [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 24 March 2021 11:03:46

Dear Ms Roberts,

I am writing to add my support to the footpath diversion.

Having walked both footpaths regularly I see no real hardship in taking the new proposed route.

There is a slight loss of a view of the water, mainly in summer when the leaves are on the trees but the new route provides lovely wide open spaces and good access.

I have two dogs and one of them is pretty old and doesn't like stiles. So the kissing gate alternative is actually much preferred.

Regards

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: New Message 1.
Date: 26 February 2021 21:22:20

Dear Miss Ali Roberts,

Thank you for the 'new info + maps' providing insight into the 'footpath' process and adjustments.

Please go ahead and use my 'earlier correspondence' to continue to help 'Henry' in his efforts to find a solution for 'his footpath on his estate'.

Sincerely, [REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Fw: Highways Act 1980-Section 119 The Proposed Diversion of Footpath Bratton no. 42 (part)
Date: 12 September 2020 00:32:59

From: [REDACTED]
Sent: 07 September 2020 19:29
To: [REDACTED]
Subject: Highways Act 1980-Section 119 The Proposed Diversion of Footpath Bratton no. 42 (part)

My name is [REDACTED], apart from some 'travel' I have lived in the Village of Bratton 46 years.

Previously I committed myself in support for Henry Pelly regarding his wish to 'close off' that particular route to the natural springs at 'Danes Wood'. My support to him carries me back further to years of 'late Mr Seymour' whom was very 'specific' who he gave permission to walk the path, and during what times, for example, bird nesting / special flowers....

It was the 'rightful owners' wish, to ether control, alter, or deny access to the property, I respected that.

this 'conditional use' sadly was breached on many occasions, and, Hugh Seymour was irritated about the fact that 'people he had not met' were accessing the land during the wrong times and without any kind of permission.

I continue with the 'theme' of this document to support Henry in his wish to retain the path, but re-locate it in accordance with his 'private garden'. I'am very sure that many people in the future will always be able to enjoy these beautiful natural surrounds and at the same time respecting the wishes of the rightfull landowner 'Henry'.

Regards, [REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119, Bratton Footpath
Date: 24 March 2021 13:14:30

To whom this may concern,

We would like to express our utmost support in relation to the proposed diversion path on Luccombe Hill.

We fully support the owners right to privacy and we're satisfied with the adjustments they have made to make it more accessible and safer to use, including the addition of steps and gravel.

We have become regular users of the diversion pathway and enjoy its idyllic views of the countryside and fields, which we believe many dog lovers and walkers will continue to enjoy. Therefore, we would be grateful if you could pass on our support in relation to this proposal.

Yours sincerely, [REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 15 March 2021 16:10:42

Dear Ali Roberts,

REF Highways Act 1980 Section 119 Bratton Footpath 42

I am writing to you in response to the new pathway.

I am happy to say that Mr Pelly has my FULL SUPPORT for the new diversion plan.

I have been living in Bratton since 2005 and myself and my family walk daily in the village and surrounding area including along the footpath in question. The footpath diversion, in my view, is a very fair compromise as it still allows full access to the old watercress beds, 'paradise pool' and the circular route back to Imber Road whilst affording the owner of Luccombe Mill his privacy. Mr Pelly has made many improvements to the new pathway i.e. several kissing gates, easy access for dogs, hardcore on the ground and has introduced new levelled steps reaching towards the end of the footpath near the wooden footbridge.

The proposed new route is almost exactly the same in length but with easier more level access across the paddock.

I see no reason why Wiltshire Council shouldn't pass this amendment at the earliest opportunity.

Yours sincerely,

[REDACTED]
Westbury, Wiltshire. BA13 [REDACTED]

[REDACTED] White Horse Cottages, Bratton,

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath
Date: 10 March 2021 15:22:55

Dear Miss Robert's,

I am writing to give my full support to the proposed new footpath at Bratton and urge the Planning Officers to agree to this.

The new footpath is very well laid out and gives easier access for walkers, especially the elderly with a new kissing gate.

This is a very acceptable new footpath.

Yours sincerely,

[REDACTED]

[REDACTED]

Sent from my iPad

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Re: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 09 March 2021 15:50:36
Attachments: [image003.png](#)
[image004.gif](#)
[image005.jpg](#)
[image006.png](#)

Hi Ali,

Thank you for the update. My comments still stand and I would like them forwarded to the next stage.

Many thanks

[REDACTED]

From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 25 February 2021 13:49
Subject: Highways Act 1980 Section 119 Bratton Footpath 42

Highways Act 1980 Section 119
The Proposed Diversion of Footpath BRATTON 42

Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

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



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Email: ali.roberts@wiltshire.gov.uk
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From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 - section 119 The Proposed Diversion of Footpath Bratton no 42 (Part)
Date: 22 September 2020 18:13:43

Dear Ali,

I wish to register my support for the proposed diversion of the footpath at Luccombe Mill, Imber Road.

I am acutely aware of the lack of privacy that the current footpath gives to the owner of Luccombe Mill. I have personally witnessed people, using the existing path, standing and staring across to the house and garden with little or no respect to those living there.

The proposed new route is almost exactly the same in length, but with easier, more level access across the paddock. This change, in my view, is a very fair compromise as it still allows full access to the old watercress beds, "paradise pool", and the circular route back to Imber Road whilst affording the owner of Luccombe Mill his privacy

I see no reason why Wiltshire council shouldn't pass this amendment at the earliest opportunity.

Kind regards

[REDACTED]
Melbourne Street
Bratton
BA13 [REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Watercress walk Bratton
Date: 11 March 2021 15:28:27

Hi Ali,

Thank you, I will sleep better tonight knowing it has been withdrawn

I met him one day and had a chat. I found Mr.Pelly a totally different person to what I imagined.

I mentioned the horrible iron bars I had great difficulty getting over and said it would be nice to have a gate

or style because it's hard when you get old.

When I was over there again and a nice gate was there I did go down and thank him personally.

What a shame, he aproached it the wrong way when he moved there first.

Regards [REDACTED]

[Sent from Yahoo Mail on Android](#)

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Watercress walk
Date: 11 March 2021 05:06:07

Dear Ali.

I don't know if one of the emails I sent objecting about this path still stands.

I would like it withdrawn as I will NOT be objecting.

He has done good work on the paths

Thank you. Regards

[REDACTED]

[Sent from Yahoo Mail on Android](#)

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Proposed Diversion of Footpath Bratton 42
Date: 04 March 2021 17:56:53

Dear Ms Roberts

I am writing to support the Order for the diversion of this footpath.

It is clear that the existing route of the footpath adversely impinges on the privacy and enjoyment of Lucombe Mill and its gardens and grounds. The new route provides an attractive alternative through unspoiled agricultural land. It is more level and easier under foot, especially for the elderly (I am aged 75), and the attractive new wooden kissing gates make it a more dog-friendly walk.

I therefore support the Order for the footpath diversion.

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 The Proposed Diversion of Footpath BRATTON 42
Date: 07 April 2021 15:48:32

Dear Miss Roberts

I am writing in wholehearted support of the footpath diversion past Lucombe Mill, Bratton. We live nearby and we're never at ease walking so obviously through someone's garden. The new route is so much better and gives easy access to "Paradise Pool" and beyond.

The new gates are a pleasure to use and we no longer worry that our dog will disturb the wildlife in and around the lake which is still visible from the diverted path.

We hope it is approved.

Yours sincerely

[REDACTED]

**HIGHWAYS ACT 1980 SECTION 119
THE WILTSHIRE COUNCIL BRATTON 42 DIVERSION
AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2021**

3 Withdrawn Representations

From: [Roberts, Ali](#)
To: [Roberts, Ali](#)
Subject: FW: Path alongside Luccombe Mill Pond
Date: 16 April 2021 15:47:41
Attachments: [image004.png](#)
[image005.gif](#)
[image006.jpg](#)
[image002.png](#)

Good morning [REDACTED],

Thank you for your email I acknowledge your withdrawal of the West Wilts Ramblers objection and submission to the diversion of Bratton Footpath 42 (part)

Kind regards,

Ali

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

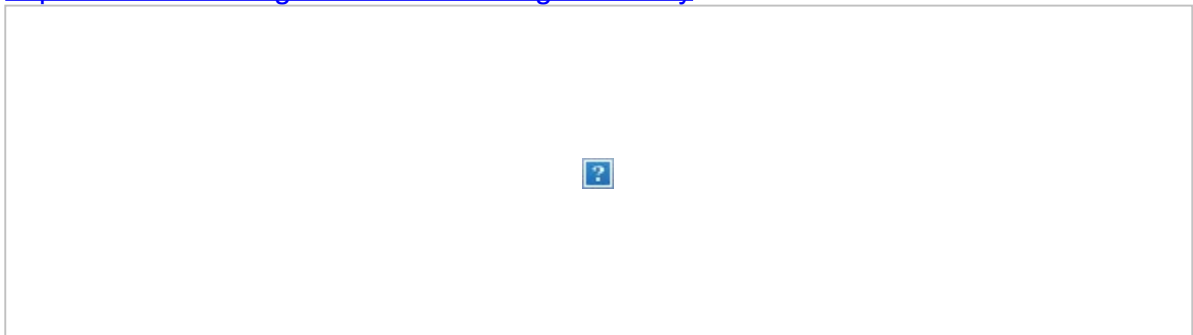
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From: [REDACTED] >

Sent: 10 March 2021 17:50

To: [REDACTED]
[REDACTED]

Subject: RE: Path alongside Luccombe Mill Pond

Hi Henry,

Many thanks.

Provided your required diversion to Footpath Bratton 42 is finally confirmed it is understood that the two additional paths (as per image) will in due course become Rights of Way.

I am hoping that The Ramblers decision (Tim Lewis and myself) to withdraw our objections and submission will help to speed the process of your required diversion to Footpath Bratton 42.

Hi Ali

On behalf of West Wilts Ramblers, I confirm that, I withdraw my objection and submissions made regarding the diversion of Footpath Bratton 42. I understand Tim Lewis of Wiltshire and Swindon Ramblers has said the same.

If there are individuals who claim to speak of behalf of The Ramblers (or Open Space Society) would it be possible for either you or myself to let them know of Mr Pelly's commitment to assist in the creation of additional Rights of Way near 'Paradise Pond'.

I will let current membership of West Wilts Ramblers know of Mr Pelly's generous commitment.

The YouTube video 'Walking with Viv and Friend The Bratton Watercress Walk' is now not available. It might be re-edited or just deleted.

Hi Both,

Hope this make sense!

Once again,

Many thanks
[REDACTED]

Sent: 10 March 2021 15:45

Cc: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>; [REDACTED] Millard, Paul
<Paul.Millard@wiltshire.gov.uk>

Subject: Re: Path alongside Luccombe Mill Pond

Hi [REDACTED]

Thanks for your email.

Just so i understand this correctly, you are suggesting that The Ramblers will not object and the submission made in September 2020 will be withdrawn **IF** i dedicate the two paths you have highlighted below are to be made Public Rights of Way?

And any objections received by members of the Ramblers Society would be made personally and not on behalf of The Ramblers?

As you aware i have substantially improved the path that goes past the pumping station with approximately 20 tons of hardcore to raise it out of the surrounding marshy land and installed a hinged gate (in consultation with the local farmer who owns the open access field beyond) to make it easier for walkers to navigate this route. The additional path you have marked has been defined much more recently, with the increase in walkers due to lockdown and from the person (whom i know) in the village that formed the stile at the top, which allows walkers to get over the sturdy wire fence that exists.

My position is that i am happy for both these paths to be made Public Rights of Way provided that **A.** The Ramblers do not object to my proposed route. **B.** That the proposed route does get confirmed.

I trust you find the above acceptable.

Best regards

Henry

[REDACTED]

From: [Roberts, Ali](#)
To: [Roberts, Ali](#)
Subject: FW: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 16 April 2021 15:41:52

From: [REDACTED]
Sent: 09 March 2021 12:16
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
[REDACTED]
Subject: Re: Highways Act 1980 Section 119 Bratton Footpath 42

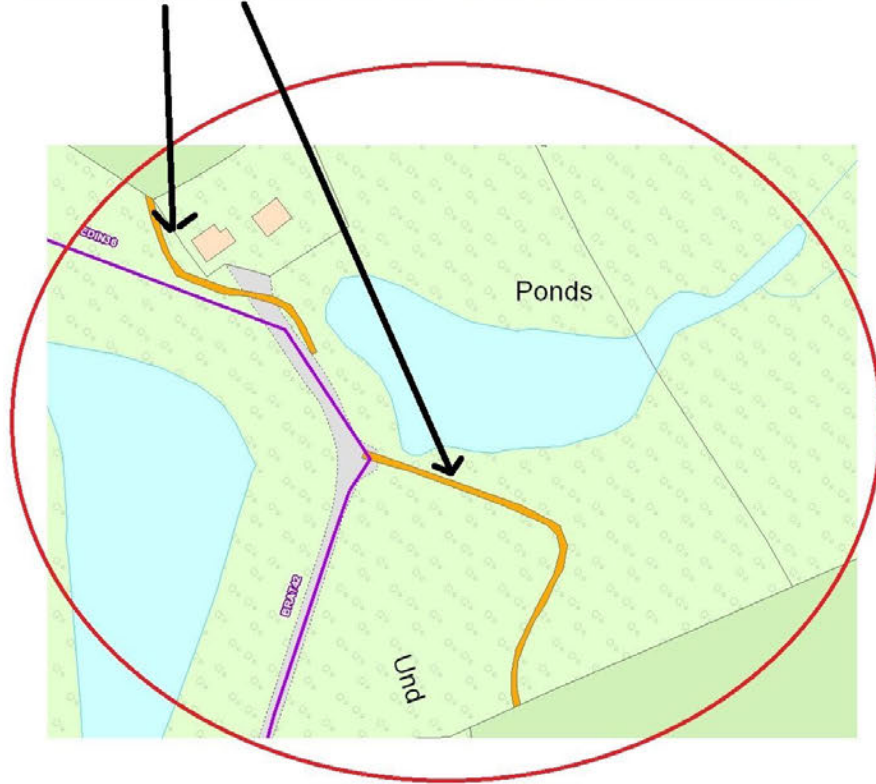
Hi Ali,

I would like to withdraw my objection to the order for Bratton 42.

Best wishes,

[REDACTED]

These additional paths, if dedicated by Mr Pelly would allow better access to Access Land and more off-road routes both shorter and for longer distance walkers. And such dedication would avoid future confusion.



From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Watercress walk
Date: 11 March 2021 05:06:07

Dear Ali.

I don't know if one of the emails I sent objecting about this path still stands.

I would like it withdrawn as I will NOT be objecting.

He has done good work on the paths

Thank you. Regards

[REDACTED]

[Sent from Yahoo Mail on Android](#)

**HIGHWAYS ACT 1980 SECTION 119
THE WILTSHIRE COUNCIL BRATTON 42 DIVERSION
AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2021**

20 Objection Representations







From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Watercress walk : Luccombe Mill, Imber Lane, Bratton.
Date: 14 September 2020 12:09:30

Dear Ms Roberts,

I am writing in response to Wiltshire Council's notification that there has been an application to divert the public footpath as shown on Footpath modification Bratton Path No. 42.

I do not wish to burden you with a lot of irrelevant personal opinion, but if I may I should like to comment on Mr Pelly's reasons for making this application.

Mr Pelly states that his reasons are : 1) Privacy. 2) Protecting birds. 3) Better level access. 4) Health and Safety.

Following this format I should like to comment as follows: 1) Privacy. This seems to be the only real reason for this campaign. Mr Pelly's house is however 78 yards from the footpath at its closest, or approximately three and a half cricket pitches. Few people have such a degree of privacy along their boundaries. In any event Mr Pelly bought Luccombe Mill in full knowledge that there was a well established footpath, which after a long and costly enquiry became the public footpath which he seeks to divert.

2) Protecting birds. So far as I am aware there are no records of unruly dogs harassing birds. The comprehensive clearance of scrub along the lakeshore which he has carried out has had a far more damaging effect on nesting birds, Similarly the dredging of the lake to a reported depth of 2 1/2 metres will of course mean that dabbling ducks (Mallard, Teal etc) cannot feed anywhere except along the shallow margins. (They do not dive for food and can only reach edible weed as far as their necks can reach). In addition it should be borne in mind perhaps that as Mr Pelly has refused to include the customary dog access in the stile at the lower Imber Lane access point, only a few dogs which are young enough or fit enough, or have owners capable of lifting them over the stile, can access the path.

3) Better level access. This is demonstrably incorrect. The watercress walk is level. In contrast the permissive path which Mr Pelly has created has a steep slope between points C and B on the plan.

I have personally spoken to one resident who was using the permissive path. He told me that he had difficulty in navigating the steep slope I refer to, as he was awaiting a hip replacement. When I enquired as to why he did not use the public footpath he drew my attention to his elderly dog. The dog couldn't jump over the stile, and the gentleman concerned could not lift the dog over.

It seems to me that if the criteria for the modification of a footpath is that it is of benefit to the public at least as much as the landowner, the application should fail on the matter of reasonable access for users.

4) Health and Safety. Much of the cited reasoning here seems to me to be of little or no merit. The path does not run near to deep water. If one goes off the path (which is of course trespass), then hazards can be encountered. I know a footpath on National Trust land along the Jurassic coast near Kimmeridge where the path runs within 5 metres of the edge of the cliff. One may assume a certain level of common sense in footpath users, I think. The Watercress walk is no more slippery than any footpath, and less so than many. Tree roots are a feature of most footpaths in wooded areas, Generally speaking people look where they are walking. Similarly trees do shed branches. This is not a new phenomenon.

I expect that you are aware of the lengths to which Mr Pelly has gone to try to prevent people using the public footpath. These include misleading signage, intimidating cctv surveillance, and dumping a heap of mud at the end of the public footpath. I actually emailed him and offered to remove the mud. I had no reply.

I am aware that the Bratton Parish Council has resolved to agree to the modification. I believe that partisan interests within the Council may have contributed to this.

If Mr Pelly is really concerned about unruly dogs disturbing wildlife, it would be a relatively small matter to erect a 1 metre high fence with standard sheep netting along the lake side of the path. This would effectively deter those few dogs which are able to access the path from leaving the path, and would be entirely reasonable.

The proposed diversion passes through land which is leased for farming activities. In the event that the diversion were to be confirmed, I would worry about unruly dogs worrying sheep and lambs, and also in the event that cattle with young were grazed, the danger posed to walkers from cattle protecting their young.

For the above reasons I object to the footpath modification.

Kind regards,

██████████.

Bratton.

From: [REDACTED]
Subject: Fwd:
Date: 18 March 2021 21:59:01
Attachments: [IMG_20210314_153054.jpg](#)
[IMG_20210314_153622.jpg](#)
[IMG_20210310_140810.jpg](#)

Dear Ali,

Please accept this as my objection to the diversion of Bratton Watercress Walk.

The attached pics show the Watercress walk and the proposed diversion.

It would be a stretch of credulity to suggest that the public amenity of the walk through the field along the proposed diversion compares with the beauty of the Watercress Walk.

Regards,

[REDACTED]

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

From: [REDACTED] >
Date: Sun, 14 Mar 2021, 16:55
Subject:
To: [REDACTED]

From: [REDACTED]
To: [Roberts, Ali](mailto:Ali.Roberts@wiltshire.gov.uk)
Subject: Re: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 01 March 2021 11:15:47

Hello Ali

Yes please to forwarding my comments and photographs to the next stage of the process.

All the best

[REDACTED]

On 25 Feb 2021, at 13:49, Roberts, Ali <Ali.Roberts@wiltshire.gov.uk> wrote:

Highways Act 1980 Section 119
The Proposed Diversion of Footpath BRATTON 42

-
Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

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
<image006.png>
Tel: 01225 756178
Email: ali.roberts@wiltshire.gov.uk
Web: www.wiltshire.gov.uk

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

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<image003.png> <image004.gif>

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<image005.jpg>

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<notice of making an order - BRAT42.docx><Sealed and signed made Order BRAT42.pdf><Bratton 42 plan.pdf>

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Footpath at Watercress Beds, Bratton
Date: 07 September 2020 10:21:30

Hello Ali

I am a Bratton resident and I have been given your email address in order to object to the diversion to the footpath at Bratton watercress beds, as proposed by Mr Pelly. The part of the walk which Mr Pelly is attempting to divert is in fact the most interesting part of the walk, as it has views over the watermill pond and passes beneath some beautiful beech trees.

The arguments that he puts forward for this diversion are not valid, especially considering that people from the village have been using this part of the route safely for over 40 years.

The arguments are as follows:

- 1) Privacy. Mr Pelly must have been aware when he bought this property that the footpath had been used for many years by villagers. It is very sad that he wants to block the view of this most beautiful part of the village from the eyes of the people who live here.
- 2) Protecting birds There have been no reports of birds being disturbed by dogs or walkers during the long history of this footpath usage. This argument, if valid, would apply to both the original footpath and the proposed diversion, as trees line the route. The field with the proposed diversion often has lambs in spring, so disturbance of livestock is likely to be a bigger problem.
- 3) Better level access The original footpath is level. The access to the proposed diverted path has a steep slope where it joins the bridge.
- 4) Path runs close to deep water The path runs close to water which is very shallow, which is why water cress grows in it.
- 5) Most walkers use the permissive path I always use the original path. The path is worn, which indicates that it is used. I object strongly to the sign which encourages walkers to follow the permissive path in preference to the original path.

I hope you take my views into account.

Many thanks

[REDACTED]

From: [REDACTED]
Subject: Fwd: Footpath at Watercress Beds, Bratton
Date: 04 October 2020 14:15:46
Attachments: [fullsizeoutput_5f68.jpeg](#)
[fullsizeoutput_5f69.jpeg](#)
[fullsizeoutput_5f6b.jpeg](#)
[fullsizeoutput_5f6c.jpeg](#)
[fullsizeoutput_5f6d.jpeg](#)

Hello Ali

I am emailing again about the diversion of the Bratton footpath at Luccombe Mill. As I stated in my previous email (see below), the diversion of the footpath will result in the removal of the most interesting part of the walk. I am attaching photos of the section in question which were taken on the 27th September, and which indicate what villagers stand to lose by accepting a diversion. Views over this beautiful mill pond and stream will be replaced by a hedge which will block out these views. I feel very strongly that the original footpath must be maintained for the benefit of villagers who have enjoyed these views for over 40 years.

Many thanks

[REDACTED]



Begin forwarded message:

From: [REDACTED]
Subject: Footpath at Watercress Beds, Bratton
Date: 7 September 2020 at 10:21:27 BST
To: ali.roberts@wiltshire.gov.uk

Hello Ali

I am a Bratton resident and I have been given your email address in order to object to the diversion to the footpath at Bratton watercress beds, as proposed by Mr Pelly. The part of the walk which Mr Pelly is attempting to divert is in fact the most interesting part of the walk, as it has views over the watermill pond and passes beneath some beautiful beech trees.

The arguments that he puts forward for this diversion are not valid, especially considering that people from the village have been using this part of the route safely for over 40 years.

The arguments are as follows:

1) Privacy. Mr Pelly must have been aware when he bought this property that the footpath had been used for many years by villagers. It is very sad that he wants to block the view of this most beautiful part of the village from the eyes of the people who live here.

2) Protecting birds There have been no reports of birds being disturbed by dogs or walkers during the long history of this footpath usage. This argument, if valid, would apply to both the original footpath and the proposed diversion, as trees line the route. The field with the proposed diversion often has lambs in spring, so disturbance of livestock is likely to be a bigger problem.

3) Better level access The original footpath is level. The access to the proposed diverted path has a steep slope where it joins the bridge.

4) Path runs close to deep water The path runs close to water which is very shallow, which is why water cress grows in it.

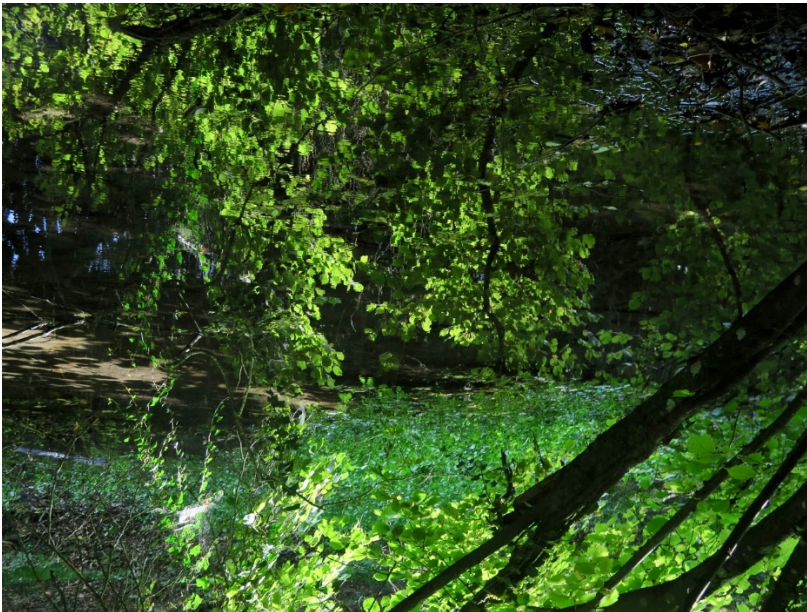
5) Most walkers use the permissive path I always use the original path. The path is worn, which indicates that it is used. I object strongly to the sign which encourages walkers to follow the permissive path in preference to the original path.

I hope you take my views into account.

Many thanks

██████████





From: [REDACTED]
To: [Roberts, Ali](mailto:Ali.Roberts@wiltshire.gov.uk)
Subject: Re: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 09 March 2021 16:00:10
Attachments: [image003.png](#)
[image004.gif](#)
[image005.jpg](#)
[image006.png](#)

Good afternoon,

Thank you for your email.

I confirm that I wish the comments detailed in my email to be forwarded on to the next stage of the process now that the order has been made.

Kind regards

[REDACTED]

On Thu, Feb 25, 2021 at 1:49 PM Roberts, Ali <Ali.Roberts@wiltshire.gov.uk> wrote:

Highways Act 1980 Section 119

The Proposed Diversion of Footpath BRATTON 42

Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

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]
To: [Roberts, Ali](#)
Subject: Re: Footpath diversion
Date: 19 September 2020 20:17:40
Attachments: [image002.png](#)
[image003.gif](#)
[image004.png](#)
[Luccombe mill 6.docx](#)

Dear Ali Roberts.

I have sent you an amended letter because I have just discovered I have spelt the name Pelly incorrectly.

I remember reading that these letters will be available for people to read on request therefore I need to correct the spelling of Mr Pelly's name.

Please delete my first letter and substitute it with this one.

Thank You
[REDACTED]

On Thu, Sep 17, 2020 at 11:22 AM [REDACTED]

wrote:

Dear Ali Roberts,

Thank you for your immediate reply.

I thought you may require my address which I had not included.

[REDACTED]
Church Lane
Bratton
Westbury
Wiltshire
BA13 [REDACTED]

On Thu, Sep 17, 2020 at 7:18 AM Roberts, Ali <Ali.Roberts@wiltshire.gov.uk> wrote:

Dear [REDACTED],

Thank you very much for taking the time to respond to the consultation. Your comments will be included and considered in my decision report on this application.

Kind regards,

Ali

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: 16 September 2020 19:52
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Subject: Footpath diversion

Dear Ali,

Please find attached my letter stating reasons why the Right Of Way at Luccombe Mill should not be diverted.

Many thanks

[REDACTED]

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Highways Act 1980-Section119

Application for The Proposed Diversion of Public Footpath Bratton no 42(part)

Application dated 5th November 2018.

Dear Ali Roberts,

With reference to the above application I would like to make the following observations against the proposed diversion.

I am sure you are fully aware of the Public enquiry held in September 2018 resulting in the footpath at Luccombe Mill becoming a Right of Way.

I would like to address individually the reasons Mr Pelly is now giving for diverting this Right of Way.

- **PRIVACY**

The Right of Way begins at a point far away from the house as can be seen on the map. The Right of Way does not run through Mr Pelly's garden it runs through a woodland area under an avenue of mature trees alongside the boundary with the field. Mr Pelly acknowledges that he purchased the house with full knowledge that there was a well established footpath in that position.

- **PROTECTING THE BIRDS**

I have never heard of any accounts of dogs harassing birds. When replacing the stile at the Lower Imber road access point Mr Pelly did so without any dog access (as was his right) which means many dogs are unable to use the stile(unless assisted by their owner) resulting in the dog owner unable to access the Right of Way. I would also like to point out that this stile causes difficulties for people with mobility problems and young families although it received the approval of Wiltshire Council

Mr Pelly has stated a reason for his proposed diversion is to protect nesting birds I am sorry to say he had no regard for any wildlife when he drained the lake last August/September without any warning to our village filling the stream with slime and sludge which took several months to clear and would have killed so much wild life. On receiving written and verbal complaints there were no apologies just the

comment it had not been dredged for two hundred years. Mr Pelly's actions were reported to the Environment Agency because a long stretch of the 'Stradbroom' or 'Milbourne' stream were so badly affected.

He has also removed a very long stretch of a well-established Beech hedge running along the boundary of his land and Imber Road which offered huge wildlife value with the foliage making shelter for nesting birds and small mammals such as hedgehogs. This was replaced by Laurel.

- BETTER LEVEL ACCESS

This is simply not true. The Right of Way footpath is very level, running parallel to the boundary of the property with the field, following the line of the hedge. Whereas the permissive footpath at the Lower Imber Road access passes through the field until you reach a gate leading to a very steep downward slope with a surface composed of loose stones, a hazard for the older and less able walker and parents with young children with a pushchair, who wish to access the bridge to continue their walk through the watercress beds. We have a disabled grandson age 7 years who has a specially designed push chair and we are unable to negotiate this slope.

- HEALTH AND SAFETY

I have walked this path for forty-five years in all weathers and have never considered it to be steep and slippery. As a walker you are aware of trip hazards from tree roots and the occasional fallen branch wherever you are walking, there have never been any more on this Right of Way than anywhere else! The lake is not very deep, and this was highlighted during the recent dredging process last year. The Right of Way does not go anywhere near the lake.

Last year it was necessary to close for several months the Right of Way whilst the dredging took place. During the dredging process a very large mound of mud was deposited at the end of the Right of Way blocking the path and this

remained there for a very long while .The closure would have obviously explained the percentage increase of people using the permissive path that Mr Pelly claims he has proof of.

Another contributing factor for using the permissive footpath and not the Right of Way is the misleading signage Mr Pelly has erected directing walkers through his gate and across his field at the Lower Imber Road access. When walking the other way in order to return to Lower Imber Road the signage directs people to use his permissive path and not the Right of Way.

The permissive path takes you through the field that is leased for farming. In Springtime sheep with lambs and cows with calves can be seen. This could deter people using the field if cattle with their young were grazing there.

These are my objections to the proposed diversion of the Public Footpath Bratton no 42(part)

Kind regards

A solid black rectangular box used to redact the sender's name and contact information.

20th September 2020

Dear Ms Roberts,

I am writing in response to Wiltshire Council's notification that there has been an application to divert the public footpath as shown on Footpath modification Bratton Path No. 42.

Bratton Path 42 is path I have walked since childhood. I grew up in the village in the 1970's and I am the daughter of parents who used this footpath before me.

It is fair to say that the current landowner has led an aggressive campaign to remove this path; beginning with the destruction of the bridge and stiles to prevent access and more recently, installing a stile that the elderly and dogs find it hard to access and providing misleading signage. The photo below, shows the official sign has been removed and the misleading signs directing people to the permissive path.

Whilst I regret to include evidence from a social media site, I cannot ignore that the landowner has been recorded as turning people away from the official footpath and telling people they must use his permissive path. This evidence can be found on the Facebook group, 'Spotted Bratton, Westbury, Edington, Erlestoke', on the 29th June. The landowner was well aware of this post and was more than happy to engage. The 'Watercress Beds' is a beautiful walk and requires no alteration and never has done. If this application is passed, a precedent will be set for other like-minded landowners.



Photo 1:
The removal of the
official sign

Photo2:
Landowners
misleading signage

Whilst I aim to be concise and to the point, I hope to demonstrate the importance of responding to the landowner's points with the detail they deserve. I will address each point in the order set out by the landowner.

1. Privacy:

There are a few valid points that can be raised to address this.

- In the first instance, the landowner will have been aware that a path was present prior to buying the property. It is an assumption that a property is fully investigated before contracts are signed and that any conditions are in full acceptance of the buyer.
- Speaking for myself, I have no interest in the going's on of the buyer. I purely want to walk the path I have always known.
- The house is barely visible from the path.

2. Protecting of Birds:

- It is lovely to think that the landowner is interested in protecting wildlife. However, suggestion that wildlife is under threat from walkers is ridiculous. Has he provided evidence?
- There is however evidence that the landowner showed little regard for wildlife when he opened his sluice gate, allowing debris from the mill pond to silt up the stream for an extended period of time.
- In addition to this, the landowner has provided very limited access to dogs.

3. Better level access.

To be honest, the 'permissive path' that the landowner has created is steeper than any section of Path 42, which is largely flat in comparison.

4. Health and Safety.

Whilst I will address each of the points raised, the underlying theme here is that this is the countryside and should any of these points be taken seriously, who knows what this would mean for paths across the UK.

(a) the existing route is steep and banked and often slippery.

Quite simply- the path is flat. Paths get wet, walkers cope

(b) there are many trip hazards from large tree roots.

It's a path- there are tree roots, like many paths. People just watch where they are going. I have never tripped on a tree root here.

(c) the avenue of mature trees frequently drops heavy branches.

I have never felt threatened by tree branches here. If the trees are well maintained, this is not an issue. I have never known a branch here to fall and block the path. National statistics show that incidents where branches pose a threat are very rare and if we were to start worry about all of the above, we would never go out.

(d) the path at this section runs close to deep water.

The path really does not run close to deep water and I am yet to hear of an incident regarding this.

In conclusion, I object to the proposal of a diversion. There is evidently no need for this.

Yours sincerely,

██████████

From: [REDACTED]
To: [Roberts, Ali](mailto:Ali.Roberts@wiltshire.gov.uk)
Subject: Re: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 14 March 2021 13:32:49
Attachments: [image003.png](#)
[image004.gif](#)
[image005.jpg](#)
[image006.png](#)

Dear Ms Roberts,

I would like to confirm that I would like my comments to proceed to the next stage of the process.

I think you will find that in my comments, I have made a point regarding each of the issues set out by the landowner.

I would like to reiterate that the landowner would have been in full knowledge of the path on his land, prior to purchase. They have chosen to pay no regard to this, demonstrated by the ripping out of stiles and bridges and subsequently making the replacement stiles unpassable to elderly and dogs and limiting access to members of the public with disability. If the belligerent approach taken to this order succeeds, it will set a worrying precedent for future rights of way.

Kind regards,

[REDACTED]

From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 25 February 2021 13:49
Subject: Highways Act 1980 Section 119 Bratton Footpath 42

Highways Act 1980 Section 119
The Proposed Diversion of Footpath BRATTON 42

Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

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



Tel: 01225 756178

Email: ali.roberts@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

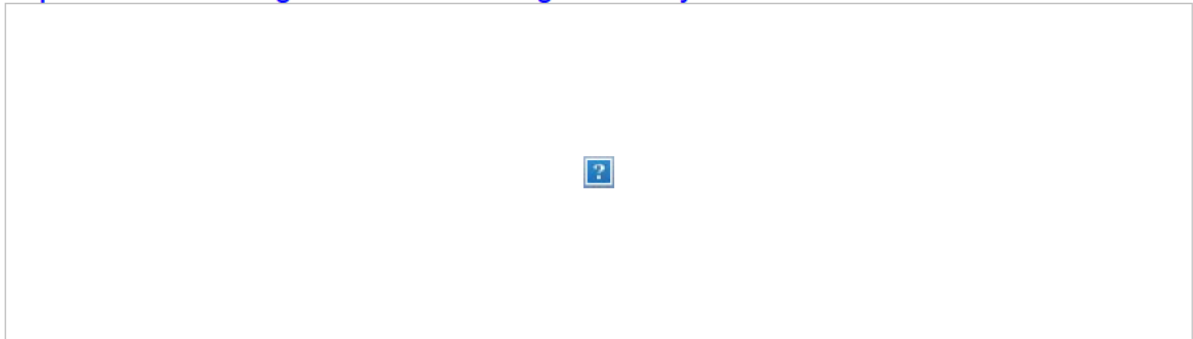
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From: [REDACTED]
To: [Roberts, Ali](#)
Subject: re Highways Act 1980 – Section 119 The Proposed Diversion of Footpath Bratton no.42 (part)
Date: 22 September 2020 17:05:33
Attachments: [letter to WCC Ms Roberts.docx](#)

Dear Miss Roberts,

Please find attached my observations outlining my reasons for objection of **Highways Act 1980 – Section 119**
The Proposed Diversion of Footpath Bratton no.42 (part).

Many thanks,
[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](mailto:Ali.Roberts@wiltshire.gov.uk)
Subject: Re: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 08 March 2021 20:51:12

Dear Miss Roberts,

Thanks for your email. I confirm that I wish the comments detailed in my email of 24/09/2020 to be forwarded on to the next stage of the process.

Kind regards,

[REDACTED]

On 25 Feb 2021, at 13:49, Roberts, Ali <Ali.Roberts@wiltshire.gov.uk> wrote:

Highways Act 1980 Section 119
The Proposed Diversion of Footpath BRATTON 42

-
Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

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
<image006.png>
Tel: 01225 756178
Email: ali.roberts@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

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<notice of making an order - BRAT42.docx><Sealed and signed made Order BRAT42.pdf><Bratton 42 plan.pdf>

LUCCOMBE MILL PUBLIC FOOTPATH / PERMITTED PATH - NUMBER OF WALKERS

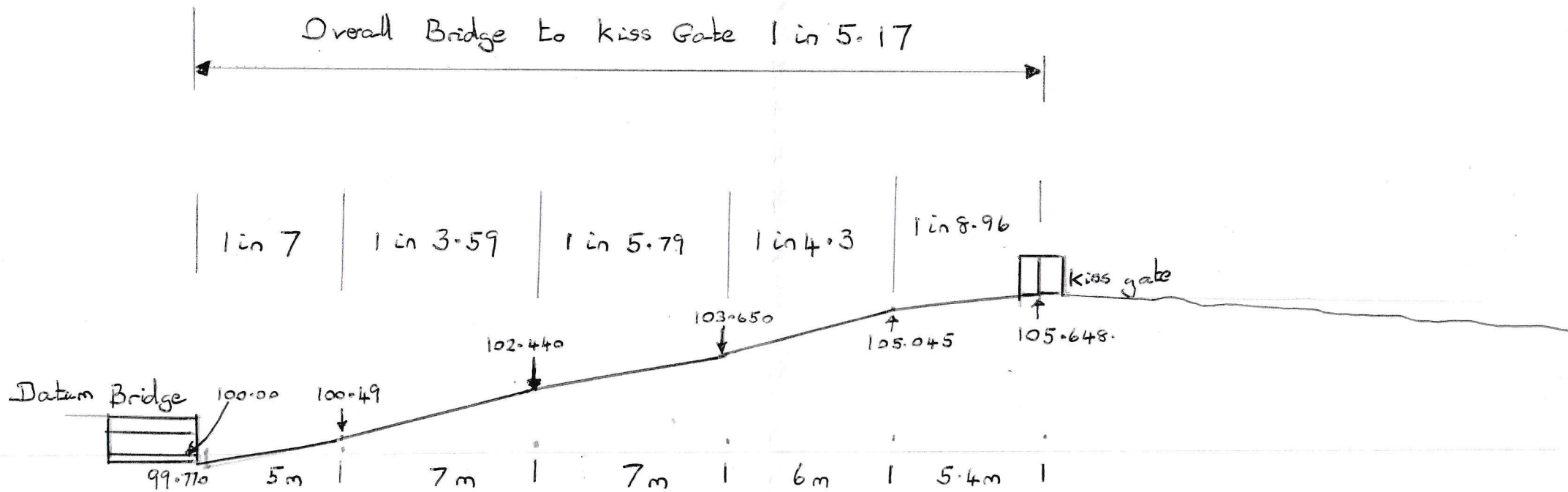
	WEDNESDAY 16/09/2020	THURSDAY 17/09/2020	FRIDAY 18/09/2020	SATURDAY 19/09/2020	SUNDAY 20/09/2020	MONDAY 21/09/2020	TUESDAY 22/09/2020	TOTAL
7 am	1						1	2
8 am					1		1	2
9 am					1 + 2 pp			1 + 2 pp
10 am		2					1	3
11 am	1	2		1				4
12 noon						1	1	2
1 pm				1				1
2 pm			1	1				2
3 pm					2	1 + 3 pp		3 + 3 pp
4 pm				2	2			4
5 pm		3	3				1	7
6 pm				1	1			2
7 pm			1 + 1 pp			1		2 + 1 pp
TOTAL	2	7	5 + 1 pp	6	7 + 2 pp	3 + 3 pp	5	35 + 6 pp
KEY	pp = walkers on permitted path							

Table 1

The original footpath is within 1 in 12 for its entire length.

Mr. Pelly's footpath is within 1 in 12 from the road to the kiss gate however the last 30m from the kiss gate to the bridge is very steep at 1 in 5.17 with some sections at 1 in 3.59 and 1 in 4.3

(NB 1 in 12 is max recommended gradient for Urban footpath i.e Blacktop, so doesn't apply here but does show that this is a very steep path in the section highlighted below)



[REDACTED]
Church Lane
Bratton
BA13 [REDACTED]
[REDACTED]
[REDACTED]

16th September 2020

Miss Ali Roberts
Definitive Map Officer
Wiltshire Council
Trowbridge

Dear Miss Roberts,

Highways Act 1980 - Section 119
The Proposed Diversion of Footpath Bratton no. 42 [part]

I write regarding the application to divert this footpath and notify you of my objection to the modification.

You have provided details of the landowner's reasons for the application, which I comment upon as follows.

Privacy.

The footpath, running along the southern boundary edge of this property, is not in the immediate vicinity of Luccombe Mill, but at its closest is at least 70 metres from the house and its outbuildings. There is consequently little impact upon the privacy of the house and its immediate garden surroundings, which are situated on the far side of the lake.

The landowner will have been aware of the existence of the publicly used path at the time of purchase through a normal due diligence search.

Protecting birds which nest all along the edge of the lake from dogs.

Having used the footpath regularly since 1975, I cannot recall any season in which birds were "nesting all along the edge of the lake". Walkers will currently encounter one or two swans and a number of ducks, but there has never been a proliferation of nests in this vicinity. Recent removal of the foliage between footpath and lake will actually discourage nest building for some time to come.

My experience is of responsible dog owners, who respected the privilege of being in such beautiful surroundings and acted accordingly. Despite repeated and sometimes hostile questioning at the Public Enquiry, the landowner's QC was unable to convince the Inspector that dogs or humans were a threat to nesting birds on the original footpath, which was one of the major contentions of his case.

The landowner's stile, in conjunction with a mesh fence, effectively prevents public footpath access for dogs, unless their owners are able to lift them over the stile.

Better level access

Both the public footpath and the landowners alternative route were surveyed in September by a qualified Civil Engineer, using industry standard equipment and methods.

Whilst the public footpath was found to be within 1 in 12 along its entire length [Imber Road stile to bridge], in line with Urban footpath recommendations, the alternative route provided by the landowner [Imber Road kissing gate to bridge] has an average gradient of 1 in 5.17, with the steepest sections being 1 in 3.59 and 1 in 4.30. The survey details are attached.

Health and Safety

[a] the existing route is steep and banked and often slippery.

The public footpath's steepness suggestion is completely unfounded, see evidence above.

Both paths are alongside each other, at the foot of a sloping field, separated by a hedge and bank. Each has a transverse camber [banked], which is not challenging to the walker. The permissive path was originally grass, but now is trodden earth along the major part of its length. As it is completely exposed there is a higher slip potential when wet, compared to the sheltered public footpath.

The public footpath runs along the property boundary beneath a steep bank, with established bushes and a canopy of trees. It is well sheltered from the elements and therefore rarely slippery. Loose chippings on the 1 in 3.59 / 1 in 4.30 sections of the permissive path constitute an ever present slip hazard, particularly when descending, an accident waiting to happen!

[b] there are many trip hazards from large tree roots.

Whilst there are a number of exposed tree roots on the footpath, they are a normal occurrence in any woodland, and walkers take appropriate care. Locally, the National Trust lakeside path at Stourhead has similar root exposed paths and welcomes the public to safely walk them.

[c] the avenue of trees frequently drop heavy branches.

I have no knowledge of this alleged regular happening. There certainly was a tree problem, when the landowner first took over the property. A large Beech tree, adjacent to Imber Road, split in a severe storm and was felled. Apart from this, I can recall no major dangerous branch dropping episodes during my years of footpath use. As can be expected in any woodland, one encounters occasional fallen branches. An examination of the trees along the public footpath indicates that breakages have occurred towards the end of low level dead tree limbs. Proper tree conservation practise calls for inspection and removal of this dead wood, which is the natural result of the growing process. Appropriate action by the landowner will greatly mitigate the chance of fallen branches.

[d] the path at this section runs close to deep water.

Following extensive dredging in 2019, the lake area adjacent to Luccombe Mill house, hopefully, now has deeper water. As can be clearly seen from the Ordnance Survey map enclosed with your 1st September email, the footpath enters the property at a considerable distance beyond this area. From this point, to the footbridge, the lake is shallow and its surface is covered with "wild watercress" [my terminology for these plants, that also choke the stream adjacent to my house]. They do not thrive in deep water. In several areas the bed of the lake can be clearly seen from the footpath.

The course of the public footpath is some distance from the lake shore, this varies from 5 metres to 13 metres [approximately] along its length, except in the footbridge area. As the footpath has a 1.50 metre width, walkers could not approach the lake shore without trespassing on the landowner's property.

On 19th August the landowner emailed Bratton Parish Council Chairman Jeff Ligo, with information that "He has carefully observed the use of the paths, and he believes that 99% of walkers use his permissive path."

As the statement appeared, at best, rather questionable a controlled study was recently carried out, to validate this important assertion.

During the study, village residents used the paths at specific times over a 7 day period, walking from the Imber Road stile, along the public footpath to the junction with the landowner's permissive path, turning right along this path to the Imber Road kissing gate.

The results are summarised below -

Number of walkers along the public footpath route	35
Total number of walkers seen on landowners permissive path	6

Refer to the attached chart for details

Conclusion : Had just 1 person walked the public footpath, they should have encountered 99 others on the permissive path!

Collective village experience, dating back over 50 years, of footpath use indicates that there has not been ongoing -

- Problems with dogs disturbing nesting birds.
- Difficulties regarding level access, steepness, camber, slipperiness or large tree roots.
- Injuries due to heavy branches dropping.

In addition there are no records or local history of drowning, or people in difficulty, due to the proximity of footpath and lake.

It is, however, pertinent to observe that the landowner's views and assertions are based upon two years of part time residence, between 2016 when the property was purchased and 5th November 2018, when the diversion application was made.

The manipulative actions of the landowner, in a search for complete privacy, continue to impact most unreasonably upon on villagers, visitors and the immediate habitat. Misleading signage, daunting cctv surveillance of the footpath and spurious claims regarding permissive path use, call into doubt the probity of the landowner's case, and I similarly believe that the diversion application reasons have little substance.

I would respectfully urge those charged with making this important decision, not to rely solely on the claims and counterclaims in the paperwork submitted, but to visit Bratton, walk the paths and use this first hand experience when determining the application's outcome.

Yours sincerely,



From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 - Section 119. The Proposed Diversion of Footpath Bratton no. 42 [part]
Date: 24 September 2020 19:57:59
Attachments: [Luccombe Mill Footpath Diversion Letter.pdf](#)
[Luccombe Mill footpaths - levels.pdf](#)
[LUCCOMBE MILL PUBLIC FOOTPATH WALK - NUMBER OF WALKERS.pdf](#)

Dear Miss Roberts,

Here is my letter [3 pages and 2 attachments] in response to your email of 1st September.
Please be good enough to confirm its safe receipt and legibility.

Thank you,

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: BRAT 42 NOTICE OF MAKING AN ORDER
Date: 26 March 2021 07:01:45

Good Morning

I'm very disappointed and upset to hear and read about the proposed change to the footpath change in Bratton known locally as the watercress walk. I strongly object to this change to the footpaths rerouting. This has been a beautiful local walk enjoyed by local residences for at least 60 years if not more. Please reject this unnecessary change.

An upset walker.

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](mailto:Ali.Roberts@wiltshire.gov.uk)
Subject: Re: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 25 February 2021 14:49:08

Dear Ali

Yes please, I most certainly do want my comments to be forwarded onto the next stage.

Many thanks

[REDACTED]

Sent from my iPad

On 25 Feb 2021, at 13:49, Roberts, Ali <Ali.Roberts@wiltshire.gov.uk> wrote:

Highways Act 1980 Section 119
The Proposed Diversion of Footpath BRATTON 42

-
Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

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
<image006.png>

Tel: 01225 756178

Email: ali.roberts@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

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[<Bratton 42 plan.pdf>](#)

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Footpath at Luccombe Mill
Date: 03 September 2020 16:43:13

Dear Ali

I am most concerned to read that Mr Pelly of Luccombe Mill,wishes to divert the footpath from its original route.

I have lived in Bratton for nearly forty years and have ,like many others enjoyed the walk along the footpath in question,up to the watercress beds,and paradise pool.

I would like to make the following remarks.

1. Privacy

Mr Pelly was fully aware of the situation before he bought the house,and he knew that many villagers and walkers used this path every day.

2.Birds

We live in a rural area where birds nest in all manner of places,in hedges,banks and trees.Mr Pelly showed less concern about nesting birds,when he uprooted the original beech hedge along the road side.

3.Access

Walkers in rural areas do not expect “ level access”,when they are rambling.

This is part of the natural charm found in the countryside.

4. Health and Safety

All countryside has rugged areas,slippery places,tree roots etc.That is the difference between City life and living in the countryside. We are surrounded with these situations and embrace them as part of our rural life.

I totally object ,yet again to the original footpath being redirected,and remain very disappointed to hear that Mr Pelly has been misleading walkers,sending them away from the official footpath onto his preferred alternative.

Yours sincerely

[REDACTED]

Sent from my iPad

From: [REDACTED]
To: Roberts, Ali
Subject: Re: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 26 February 2021 10:08:02
Attachments: [image003.png](#)
[image004.gif](#)
[image005.jpg](#)
[image006.png](#)

Dear Ali Roberts:

Please do forward the objection notice I sent you last year, regarding the then proposed diversion of the Watercress footpath. I have said all I have to say regarding Pelly's 'arguments'. I still find the proposed diversion unsafe for the more elderly or slightly infirm, and in contradiction to keeping the original and historic route open for future generations of villagers to enjoy. I cannot understand how, after such a long and costly legal process, and the great public opposition, the ruling is now being overturned.

Sincerely,

[REDACTED]

On Thu, 25 Feb 2021 at 13:49, Roberts, Ali <Ali.Roberts@wiltshire.gov.uk> wrote:

Highways Act 1980 Section 119

The Proposed Diversion of Footpath BRATTON 42

Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

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

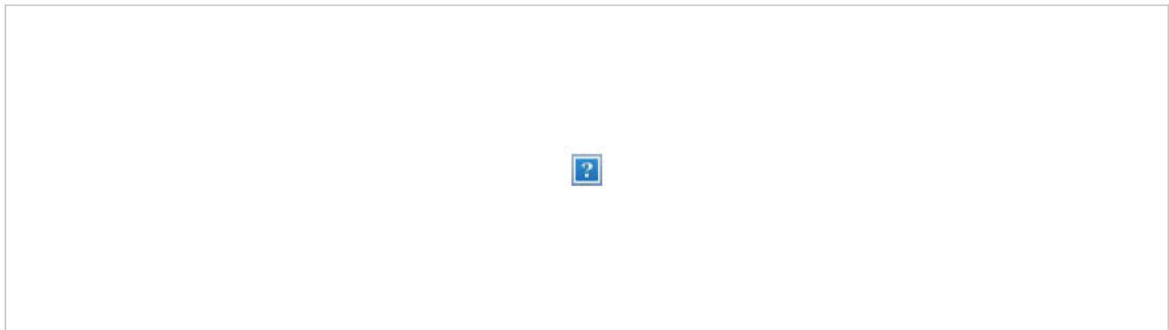
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In love and light



From: [REDACTED]
To: [Roberts, Ali](#)
Subject: The Proposed Diversion of Footpath Bratton no. 42
Date: 27 September 2020 16:24:45

Dear Ali Roberts:

Henry Pelly's Application to the Wiltshire Council Wiltshire Council to divert the public footpath as shown on Footpath modification Bratton Path No. 42.

I am writing to you to express my concerns regarding Mr Pelly's application seeking to divert the 'Watercress Walk' Public Footpath. I am deeply saddened that after the lengthy and costly legal process (begun in 2016) to create this Public Right of Way, Bratton villagers and other interested parties are once again faced with having to contest the right to access this historic footpath.

Ultimately, it is neither a matter of the public seeking access to Mr Pelly's land nor wishing to intrude on his privacy, but to be able to walk *this specific* path, which runs alongside the Luccombe Millpond, through the Watercress Beds – and on to Paradise Pool. The reason so many members of the public objected, when the path was closed following the purchase of Luccombe Mill by Mr Pelly), was because of the matchless and historic features of this footpath: The Watercress Walk has been an important part of Bratton village for at least a 100 years, not only as a recreational walk but as a historic site where locals once worked the Watercress beds. Moreover it is an area of archaeological interest with its connection to the Battle of Ethundun, as well as being an ancient Romano-British burial place (as cited in The Wiltshire Archaeological and Natural History Magazine Vol. 99 2006). Moreover, it is a magical area full of unusual flora and fauna, a unique walk which cannot be compared to other local footpaths. This isn't simply a footpath which can be moved into an adjoining field.

My observations regarding the reasons Mr Pelly's gave for wishing to divert the existing PROW:

1) **Privacy.**

- a) The footpath and its popular use were evident at the time of purchase. The Seymour family (the previous owners for many years) were aware of the public's use of the footpath and never sought to prevent this. Mr Pelly's lawyer would have known this from his search.
- b) The relatively dense growth of shrubs and undergrowth alongside the first part of the footpath, by the Millpond, was extensively cleared upon Mr Pelly instructions, thus opening up to a more unobstructed view of the house and grounds – thereby losing a considerable amount of the desired privacy.
- c) The PROW is some 70 + meters from the house at its nearest point. Indeed, it is not in Mr Pelly's 'garden' as stated, but in a section of woodland the other side of the lake from Luccombe

Mill's front garden. It is an unobtrusive pathway largely meandering through woodland.

2. Protecting birds.

a) Again, Mr Pelly showed little concern for wildlife when he cleared away the undergrowth and shrubs and trimmed back trees alongside the millpond.

b) Birds were not considered when Mr Pelly had the Millpond spontaneously emptied. Rather than gradually releasing water through a filter of straw bales (or having it dredged) and thereby causing minimum disruption to birds, fish and plant-life; the complete and sudden emptying of the millpond caused undue damage to the Stradbrook stream with years of the Luccombe Millpond's accumulated silt; this caused blockages and points of overflow to gardens/properties adjoining the stream. The resident Kingfisher left, and the mallard population has been greatly reduced in consequence.

3. Better and level access

a) The existing PROW is considerably more level than the proposed alternative route. The Watercress Walk has been used for decades by older members of our village and beyond, because of its ease of access. Likewise, mothers with young children and pushchairs were able to easily access the footpath. Schoolchildren went on organised field trips along what was considered a safe path.

b) The proposed alternative route runs through a field where there are numerous potholes; potholes caused by sheep and cattle and obscured by long grass. I have managed to trip a couple of times when I sampled the viability of this alternative route – spraining my ankle on one occasion. It is not a suitable route for the elderly or infirm.

c) Better access, yes indeed, as Mr Pelly has had a kissing gate installed at his suggested entrance. Signage (in the form of large green arrows and instructions) has also encouraged the public to use the alternative route. Moreover, the PROW official disc at the stile entrance has been removed; and coming across the bridge, back towards Luccombe Mill, walkers are confronted with signs that direct them to the 'field' path – with no mention of the official PROW route.

d) Unfortunately, the PROW access is no longer as accessible as it was before the closure. The stile is quite high and difficult for us older and arthritic members of the public to negotiate. A kissing gate would have ensured easy and level access there! There is a gate as part of the PROW entrance point, but that is kept locked, thus preventing the infirm from gaining access. Access to dogs has also been prevented, as their previous points of entry at this stile entrance have been shored up or blocked.

4. Health and Safety

- a) The steep descent and ascent from the proposed 'field' route, before it re-joins the PROW footpath, is hazardous year-round. It is covered with large loose stones that have caused me to slip and lose my footing; I have heard of other villagers finding it a challenging task to negotiate its gradient in *both* directions.
- b) In terms of safety, dogs being made to use the alternative footpath through the field, where sheep and cattle frequently graze, is unwise: Mr Pelly had given this as a positive reason to use the walk through the field because dogs could run and play there! Moreover, in terms of health, sheep and cattle manure can contain pathogens such as E. coli and Listeria, antibiotics, Cryptosporidium and are proven to be poisonous to dogs – not to mention children who walk through the field.
- c) There is a potential danger from the cattle in the field, should they take offense to dogs passing through. As dogs might pose a threat to sheep.
- d) Falling tree limbs, deep water, and prominent roots cited as dangers to the public, have not caused a problem thus far, to the best of my knowledge. Locals with decades of stories to tell about the Watercress Walk have never mentioned drownings or concussions. Indeed, Mr Pelly has taken care to keep his trees well-trimmed.

It seems to me, that desire for privacy may be a valid reason for Mr Pelly to seek the PROW to be altered in favour of the alternative route he has set out. However, there are several methods that could be used to achieve this without going to the proposed extremes: whether he plants another mature laurel hedge at the most 'open' section of the PROW: something Mr Pelly was willing enough to do along the roadside edge of his property – removing a long-established healthy beech in favour of laurel. Another option, a willow screen or fence – though a fence would be less attractive from a natural point of view.

The other arguments stated in favour of an alternative route don't really stand up to close scrutiny - which I assume is why the original footpath was given the go-ahead to obtain its PROW status in 2018 by the HM Planning Inspectorate.

Thank you for listening.

Warm regards,

[REDACTED]

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](mailto:Ali.Roberts@wiltshire.gov.uk)
Subject: Re: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 25 February 2021 14:24:07
Attachments: [image003.png](#)
[image004.gif](#)
[image005.jpg](#)
[image006.png](#)

Please forward my comments on to the next stage of consultation. It is a disgrace that well established historic land rights would be trampled on by private interests in this fashion.

On Thu, Feb 25, 2021 at 1:49 PM Roberts, Ali <Ali.Roberts@wiltshire.gov.uk> wrote:

Highways Act 1980 Section 119

The Proposed Diversion of Footpath BRATTON 42

Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

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

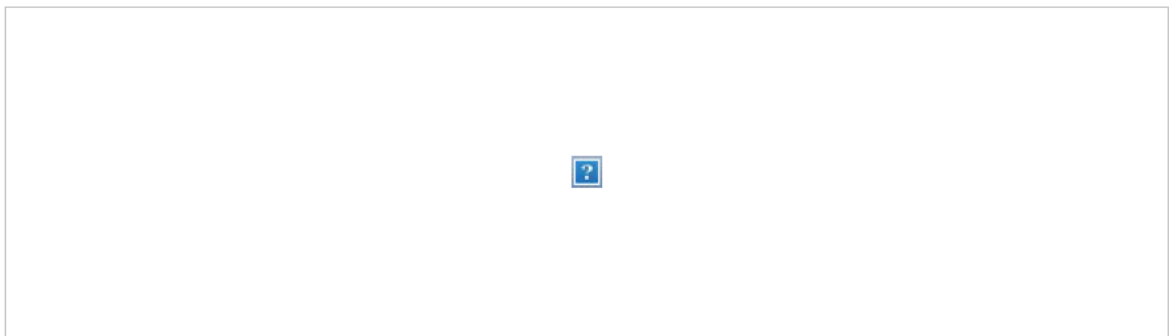
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Roberts, Ali

From: [REDACTED] >
Sent: 11 September 2020 01:14
To: Roberts, Ali
Subject: Watercress Walk

Hello

My grandparents ([REDACTED]) owned and lived in [REDACTED] imba road for the entirety of my life, before passing away a few years ago. My fondest memories with them are taking the dogs for the walk known as 'Watercress Walk' just down the road from them.

The landowner purchased the property knowing it had a historic public walk going through it and attempted to disrupt it heavily and forced locals to take legal action.

Now he wants to reroute it over an adjacent farm, completely destroying the beauty of the original historic walk.

Wealthy landowners should not be disrupting the public's right of way to walk the beautiful historic walks of this country.

Please do not let this man destroy the area of Wiltshire I am fondest of from the walks of my childhood and young-adulthood. I have pictures of myself and my grandparents on that walk 20 years ago. It is not private property, it is a historic path that a greedy man is trying to destroy to increase his property value.

[REDACTED]

 CHURCH STREET, STEEPLE ASHTON, WILTSHIRE

Ali Roberts
Rights of Way and Countryside
Waste and Environment
Wiltshire Council
County Hall, Bythesea Road
Trowbridge, Wiltshire BA14 8JN

5/3/2021

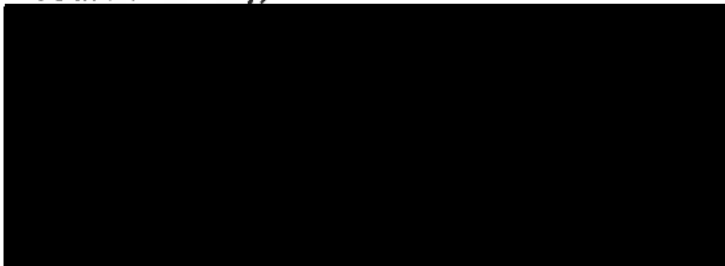
Dear Ms Roberts,

I am writing today to make my objection to the closure of the footpath that currently crosses the land adjacent to Luccombe Mill, Bratton (OS Grid References:ST 9205-5204 - ST 9222-5207).

My family and I have used this footpath for many years and have got great pleasure from walking alongside the lake. My objection to the diversion of the path is aesthetic. The attraction of a walk which encompasses this short stretch is much enhanced by the beautiful views one has of the lake and the old mill.

The general public would suffer a great loss if this footpath was to be closed for public use. It would be a terrible shame if the property interests of one owner were to encroach on the well being of the many.

Yours sincerely,



████████ ROAD
BRATTON
NR. WESTBURY
WILTSHIRE
BA13 ██████

5th April 2021

Dear Miss Roberts,

Please accept my formal objection to the proposed diversion of Footpath Bratton no.42 (part). I do not wish to withdraw it.

The original path has been in use for thousands of years. If you walk this particular path it is not hard to imagine that you are re-tracing the ancient footsteps of the monks from Edington Priory or even further back the Bronze Age settlers who farmed the terraces of the nearby valley. To connect to the past through the simple act of walking an historic route is important and should not be lost. These paths that traverse Great Britain are living history, many cross land that has changed hands over the centuries, it is a privilege to own a beautiful piece of land, but we are in truth the caretakers for many future generations who will come after us.

With kind regards,

████████

Formal objection - originally sent 29th Sept 2020 in relation to:

Highways Act 1980 – Section 119
The Proposed Diversion of Footpath Bratton no.42 (part) - Objection

Wiltshire Council are in receipt of an application, dated 5 November 2018, to divert Footpath Bratton no.42 (part), under Section 119 of the Highways Act 1980. The proposal is to divert the right of way as shown on the enclosed plan with a bold line from points A to B to the dashed line from points C to B, having a recorded width of 2 metres. The current recorded footpath is situated along the southern boundary edge of Luccombe Mill garden; the proposed route runs along the northern boundary of the pasture field to the south of the garden.

The landowner has stated the reasons for the application are as follows:

- “1. *Privacy.*
2. *Protecting the birds which nest all along the edge of the lake from dogs.*
3. *Better level access.*
4. *Health and safety:*
 - (a) *the existing route is steep and banked and often slippery.*
 - (b) *there are many trip hazards from large tree roots.*
 - (c) *the avenue of mature trees frequently drop heavy branches.*
 - (d) *the path at this section runs close to deep water.”*

IMBER ROAD
BRATTON
NR. WESTBURY
WILTSHIRE
BA13

My name is [REDACTED], I have lived at [REDACTED] Imber Road, Bratton since 1956. My grandfather, [REDACTED] bought the land on Imber Road and had built a house at [REDACTED] Imber Road by 1924. He also built the house that lies at No. [REDACTED] Imber Road by the 1930's. My father [REDACTED] and his brother [REDACTED] lived in both properties. No [REDACTED] Imber Road was sold in 1954. By then my father had married and was living at [REDACTED] Imber Road.

Including my sons, we have lived here for four generations. At no time (until September 2016) had access to the Watercress Beds been blocked, interrupted or denied for any members of our family or the public.

I have personal memories of walking along the path with my father when the beds were still laid out and growing watercress. The trees had not encroached the head of the path and the area was not overgrown. The watercress beds fell into disrepair from the 1960's onward. My father and his brother also talked of having free access to the path and the hills beyond in the 1920's.

The Water Board replaced the railway sleepers that formed the central path with a gravel path sometime in the 1970's. There was a small wooden bridge that was replaced in the 1970's by the metal bridge that was removed by Mr Pelly's builders in the autumn of 2016.

I have lived at [REDACTED] Imber Road all my life. Access to and along the path was free and unrestricted at any time of day, any day of the year until Mr Pelly purchased Luccombe Mill.

When Mr Pelly purchased Luccombe Mill in 2016 he would have had full knowledge that there was a path with historical usage running from Imber Road through to the surrounding 'Open Access' land. In fact the path was one of the reasons why a buyer before him withdrew their offer. This would have been known by the Estate agent and his solicitor.

As has been documented, soon after purchasing the property Mr Pelly cut off the path. After an enquiry, An Order Decision (Order Ref: ROW/3191558) was made by Heidi Cruickshank BSc (Hons), MSc, MIPROW, that a Right of Way be confirmed.

IMBER ROAD
BRATTON
NR. WESTBURY
WILTSHIRE
BA13

Mr Pelly has employed many devices to dissuade people from using this ancient right of way:



1. At the entrance to the Right of Way at Imber Road there is an arrow pointing into the adjoining field.



2. The first 15 yards of the path have been turfed over, obscuring it. The house is screened by trees here when walking towards Imber Road.

IMBER ROAD
BRATTON
NR. WESTBURY
WILTSHIRE
BA13



3. Before the path reaches the bridge crossing the watercress beds, a fence has recently been erected either side of the path.



4. Near the bridge, Mr Pelly has erected a sign directing walkers away from the Right of Way.

IMBER ROAD
BRATTON
NR. WESTBURY
WILTSHIRE
BA13

To conclude, my observations in reply to Mr. Pelly's reasons are;

1. *Privacy* Mr Pelly knew there was a path in existence when he purchased the property. When I recently walked at a modest pace down the path it took only 2 minutes and 30 seconds from Imber Road to the bridge at the old watercress beds. You can partially see the house when you cross the stile heading towards the Watercress Beds. Subtle planting would screen the house in the brief 20 odd seconds that a walker is on that specific part of path.
2. *Protecting the birds which nest all along the edge of the lake from dogs.*
There is a high probability that there are one or more bird's nest near the path but birds do not nest 'all along the edge of the lake', like an avian Centre Parks. I personally believe dogs should be on leads on Rights of Way after my son was once knocked over by a spaniel near Longleat.
3. *Better level access*
There is no problem with the access. Stiles have been used for centuries without misshap.
4. *Health and safety:*
 - (a) *the existing route is steep and banked and often slippery.*
The Right of Way is neither steep or slippery. I walked there recently in the rain and encountered no problems. The path is sheltered by the trees.
 - (b) *there are many trip hazards from large tree roots.*
There are some tree roots, but not concealed and at the most 1 to 2 inches high. They do not constitute a hazard.
 - (c) *the avenue of mature trees frequently drop heavy branches.*
I have walked the path for over 50 years. Only once, after the massive storm of 1987 did a large tree branch block the path.
 - (d) *the path at this section runs close to deep water .*
The water is not deep, greensand silt sits a few inches below the surface. I have never heard of anyone falling or slipping into the lake from the path, a good 15 metres away.

29th September 2020
5th April 2021

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 – Section 119 The Proposed Diversion of Footpath Bratton no.42 (part) - Upholding of original objection
Date: 05 April 2021 16:05:28
Attachments: [Watercress Footpath 2020 April 2021.pdf](#)

Dear Miss Roberts,

Please find attached the document that I wish to present in reference to - The Proposed Diversion of Footpath Bratton no. 42 (part). I do not wish to withdraw my objection.

With kind regards,

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 – Section 119 The Proposed Diversion of Footpath Bratton no.42 (part) - Objection
Date: 30 September 2020 19:46:54
Attachments: [Watercress Footpath 2020.pdf](#)

Dear Miss Roberts,

I am a Bratton resident and have lived opposite Lucombe Mill at 3 Imber Road since birth. Please find attached my objection to the diversion of the Right of Way, Footpath Bratton no. 42 (part).

With kind regards,
[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](mailto:Ali.Roberts@wiltshire.gov.uk)
Date: 26 February 2021 11:15:28

Hi Ali,

Yes please include my comments in the next stage of the process and forward on the decision report to me. I am flabbergasted that the right to walk a beautiful path in the village is being taken away from us all. It's been used for generations. Anyone who's not lived in the village for most of their lives wouldn't understand how important it is. So much for right to roam, so many children will now miss out on a magical walk with trees either side and birds singing all around. Especially in these current times when exercise, imagination and fresh air are more important than ever. What happens when sheep are in the paddock by the proposed new route and walkers have dogs with them?

Kind regards,

[REDACTED]

Sent from my iPhone

On 25 Feb 2021, at 13:49, Roberts, Ali <Ali.Roberts@wiltshire.gov.uk> wrote:

Highways Act 1980 Section 119
The Proposed Diversion of Footpath BRATTON 42

-
Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

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
<image006.png>

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

Web: www.wiltshire.gov.uk

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

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[<image003.png>](#)

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<image005.jpg>

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<notice of making an order - BRAT42.docx>
<Sealed and signed made Order BRAT42.pdf>

<Bratton 42 plan.pdf>

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Re: Highways Act 1980 – Section 119 The Proposed Diversion of Footpath Bratton no.42 (part)
Date: 03 September 2020 19:03:59

Hi Ali,

I would like to add my objection / observation to the proposed footpath diversion. The current footpath which has been in use by 4 generations of my family over the past approximately 70+ years has always worked well for everyone and been regularly used by villagers and walkers / dog walkers alike. Until Mr Pelly purchased Lucombe Mill there has never been an issue with access to the current route.

Most people have some form of intrusion by the public near their property, even if it's only someone walking close to their house on a pavement. Perhaps if Mr Pelly wanted complete privacy he should have researched the village, village life, how often the footpath was being used, and maybe he should have purchased a house in the middle of nowhere with no neighbours or chance of anyone going within 200m of his property. The water acts as a boundary in any case, and as you enter the current footpath, the house and a lot of the grounds are behind you anyway.

To say that he wants the footpath closed to protect birds from dogs, seems a viable reason, yet how come birds nest they have been under threat by dogs? Dog walkers have used this route for as long as I can remember, so don't understand the basis of this. I highly doubt they nest all along the edge of the lake either. If this was the case, the footpath would have birds everywhere on it, and there was no evidence of such the last time I walked the path. Only a careless dog owner would let dogs go anywhere near nesting birds, and a simple sign to request dogs are kept on a lead until last a certain point at the start of the route would certainly help with Mr Pelly's concerns.

Mr Pelly wishes to have the paddock route used instead, yet at times there are sheep in here. So if this was made the route, how would people walk there with dogs (unless on a lead) which of course is a solution to the area where the birds nest also as mentioned before. Also, would the new footpath be roped off from the paddock so sheep could not enter the new path and possible damage it / poo all over it? If a dog attacked a sheep (god forbid) there would be huge consequences for the dog owner. In fact I'm sure dog owners would have no objection to keeping their dog(s) on a lead for the first 100m of the current walk if birds were nesting nearby.

Let's face it, this is a rural walk and as such walkers expect the ground to be uneven, have tree roots under foot and branches on the floor. It's all part of the countryside and gives children the chance to use their imagination, making this a magical walk as the path is followed along and down towards Paradise Pool. All that's needed is correct footwear and an able body.

The water has always been there and to my knowledge there has never been an issue with this. If the walk was changed to go through the paddock, it would be boring with very little to look at, the whole point of this walk is to enjoy walking under the canopy of the large trees with the water just to one side of you. The only comment I have about the current path is that the current stile does not allow access for dogs, whereas the old stile did. Which also begs the question why do birds need protecting from dogs when there's not an easy access for them to go though anymore?

Thank you for your time !

Kind regards,



Sent from my iPhone

On 1 Sep 2020, at 15:14, Roberts, Ali <Ali.Roberts@wiltshire.gov.uk> wrote:

Highways Act 1980 – Section 119
The Proposed Diversion of Footpath Bratton no.42 (part)

-
-

Wiltshire Council are in receipt of an application, dated 5 November 2018, to divert Footpath Bratton no.42 (part), under Section 119 of the Highways Act 1980. The proposal is to divert the right of way as shown on the enclosed plan with a bold line from points A to B to the dashed line from points C to B, having a recorded width of 2 metres. The current recorded footpath is situated along the southern boundary edge of Luccombe Mill garden; the proposed route runs along the northern boundary of the pasture field to the south of the garden.

The landowner has stated the reasons for the application are as follows:

- “1. *Privacy.*
2. *Protecting the birds which nest all along the edge of the lake from dogs.*
3. *Better level access.*
4. *Health and safety:*
 - (a) *the existing route is steep and banked and often slippery.*
 - (b) *there are many trip hazards from large tree roots.*
 - (c) *the avenue of mature trees frequently drop heavy branches.*
 - (d) *the path at this section runs close to deep water.”*

If you would like to make any observations or representations regarding the proposal, I would be very grateful if you could forward them to me via email or in writing to the contact details below, before Wednesday 30 September 2020.

Please note that any responses to this letter 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>

Kind regards,

Ali

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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<Bratton 42 plan.pdf>

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 The Proposed Diversion of Footpath BRATTON 42
Date: 08 April 2021 18:21:20

To whom ever it may concern,

I am writing in opposition of the proposed diversion to footpath 42, Bratton. This picturesque and historical path has been enjoyed by the Bratton community for decades and the opportunity to enjoy the delights of this path would be a big loss. I do hope the landowner might rethink this and focus on the pleasure this brings so many.

Many thanks for your consideration,

[REDACTED]

_Sent from my iPhone

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 17 March 2021 09:55:07

Dear Sirs,

I have just heard that a long established and very popular and scenically attractive footpath is being diverted merely to appease a wealthy new landowner from out of the area. This is very disappointing and it is evident that the Council is disregarding the wishes of most of the Bratton residents and other walkers from out of the immediate area. Although due to lockdown I am not currently allowed to visit Bratton, I know the area well and have walked the path many times over the years.

I do hope the Council will now listen to the voices of the local residents and walkers, and prevent this historic and popular route being blocked off and diverted onto what will be a more boring, muddy and probably badly maintained new route.

[REDACTED]
[REDACTED],
Frome
BA11 [REDACTED]

From: [Roberts, Ali](#)
To: [REDACTED]
Subject: RE: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 26 March 2021 14:57:00
Attachments: [image003.png](#)
[image004.gif](#)
[image005.jpg](#)
[image006.png](#)

Dear [REDACTED],

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

Just to clarify during this formal consultation for the made Order the vast majority of responses to date have been in support many of whom are local residents. 54 responses are in support of the made Order. 2 objectors at the initial consultation phase confirmed that they would not be objecting to the made Order, these include the Ramblers and the West Wilts Ramblers. There have been 16 responses objecting to the made Order, 10 of these were objectors at the initial consultation of the proposal who requested that their comments were taken forward to the made Order.

Kind regards,

Ali

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

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From: [REDACTED]
Sent: 26 March 2021 13:00
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Subject: Re: Highways Act 1980 Section 119 Bratton Footpath 42

Dear Ali

Further to your email of 1 March.

Wiltshire Council have received thirty sincere and strongly held opinions against the proposed diversion, on the grounds of 'loss of public enjoyment' which have been considered, and in my opinion, unreasonably dismissed in apparent favour of the applicant's desire for greater privacy (greater than when he purchased the property). I, therefore, would like my submission to be forwarded to the next stage so that there may be deeper scrutiny of that decision.

Thank you

Your sincerely

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 – Section 119 The Proposed Diversion of Footpath Bratton no.42 (part)
Date: 30 September 2020 16:35:56

Dear Ms Roberts,

Re Application to divert the Public Footpath Bratton Path No. 42 (part).

Avoiding personal opinion, I wish to comment on the landowner's reasons for making this application.

The landowner states that his reasons are : 1) Privacy. 2) Protecting birds. 3) Better level access. 4) Health and Safety.

1) Privacy. Prior to the purchase of Luccombe Mill by the present landowner, the footpath through the grounds was well established; it was well away from the house on the other side of the lake, under trees and through substantial undergrowth. The new landowner's initial closure of the footpath was strongly objected to, and a decision was made (and upheld by Public Inquiry) to make it a Public Right Of Way. Meanwhile, however, the landowner cleared much of the undergrowth resulting in some loss of his own privacy. In practice, this has only affected the first 50m of the path (the application is to divert almost 200m of path); privacy-wise, this leaves the further 150m of the path almost unaffected.

2) Protecting birds. As the landowner has not included dog access in the stile at Point A in Imber Road, very few dogs are capable of accessing the path. Over very many years I am unaware of issues where birds or any animal has been harassed or frightened by a dog (this point was raised and at the Public Inquiry, and rejected).

3) Better level access. Incorrect. The Watercress Walk is actually very level; this is in contrast to the Permissive Path the landowner has created, as it has a steep slope on gravel of 1 in 3.

4) Health and Safety. People do not go off the path (trespass!). The Watercress Walk (as it has always been known) is no more slippery than any country footpath, and less so than many. Tree roots can be a feature of many footpaths in wooded areas and people look where they are walking. The steep slope on the Permissive Path is a Health and Safety risk.

Additional points.

The Council will be aware of the steps that the landowner has taken try to dissuade people using the public footpath since it was re-opened following the Public Inquiry. These include misleading signage and signs referring to CCTV surveillance.

Additionally, for most of 2020, there has no Public Right Of Way marker on the stile at Point A (this has been brought to the attention of the Rights of Way Section at the Council).

I understand that the landowner claims that only 1% of people use the Public Right

Of Way (99% using his permissive path). This claim should be ignored unless he brings forward demonstrable/verifiable evidence. Even my own use of the PROW, and that of my family, would probably add up to 1%, let alone the many others that I know who use it.

The Watercress Walk has always been known as a unique and special footpath at any time of the year and through all seasons. The loss of the first section of the footpath would be a significant loss of public enjoyment of the footpath as a whole.

Before any conclusion is made regarding the Application, I would ask that those involved in the process do acquaint themselves, and walk, both the whole of Footpath Brat 42, and also the proposed Diversion Path, in order to observe the evidence on the ground.

Thank you





Photo 1 View of house from stile July 19



Photo 2 View from near stile towards the house July 19



Photo 3 View of lake from path July 19



Photo 4 Footpath EDIN 6 at Old Mill lower Rd

Photos for [REDACTED] Objection to Diversion 13/2018



Photo 5a Mud dumped on PROW 7 Dec 2018



Photo 5b Mud Dumped on PROW 10 Dec 2018: Planks removed by Who?



Photo 6 Pelly signs on the PROW by Bridge July 19



Photo 7 - Alternative route steep path July 19



Photo 8 - view along PROW



Photo 9 Outlook from Alternative path gate - July 19

Roberts, Ali

From: [REDACTED]
Sent: 28 March 2021 16:08
To: Roberts, Ali
Subject: PROPOSED DIVERSION OF FOOTPATH BRATTON 42: APPLICATION 2018/14

OBJECTION

Dear Ali,

Thanks for a copy of the decision report and the appendices. We confirm that we uphold our objection to the above application and want it to be included in any submission to the Secretary of State should the Council confirm the Order.

Decision Report

We would like to make some comments on the decision report particularly around the decision to make the order based the evidence presented by Mr Pelly and his supporting letters in Appendix A.

The evidence presented by Mr Pelly in his application, as we have said in our objection, is spurious and has no merit to support his application. The key issue for Mr Pelly is his privacy and other issues can be disregarded. The key point of our objection is the reduction in enjoyment of the path if the application is granted. We feel that the Council have given disproportionate weight to the "opinions" of Mr Pelly and Jeff Ligo over the reduction in enjoyment of the path. The 8 remaining supporter submissions do not contain any evidence to support the opinions and therefore cannot add to the application. In contrast the 30 objections clearly indicate the weight of user evidence that the diversion will make a material change to the enjoyment of the route. The Council say in the report that the diversion will make a difference to current users but this appears to be outweighed by the point that as the part of the path in contention is only a say 1/4 of the whole then this will not make much difference to the overall enjoyment. The objectors arguments clearly contradict this. We also contend that as the alterative path has access for dog walkers and as Mr Pelly refuses access by unlocking the gate to the PROW therefore making to order will reward him for his actions. On the matter of privacy we couldn't begin to count the number of gardens which can be viewed from a PROW up and down the country.

Your report indicates that there will be a reduction on the enjoyment for walkers if the application is granted but you rule this is not sufficient to outweigh Mr Pelly's threat to construct a barrier along the path the prevent a view of his house and lake.(We point out you can get a much better view of the house from the gate entrance but this appears not to invade Mr Pelly's privacy). As we said in our objection Mr Pelly cut down most if not all plants that obscured the view of the house (to enable CCTV coverage) and could easily put natural barriers to obscure the view.

Conclusion

We maintain our objection and recommend that the Council do not confirm the Order.

Regards

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: PROW DIVERSION ORDER 13/2018: BRATTON FOOTPATH 42. – "THE WATERCRESS"
Date: 19 September 2020 14:19:45
Attachments: [Obj letter photos.docx](#)

Dear Ali Roberts,

Thanks for the email you sent me on the legal issues around the above diversion order application by Henry Pelly of Luccombe Mill and Mr Pelly's application.

Objection

This objection is from my wife, [REDACTED]. We will set out below the reasons why we consider **the diversion application should be rejected** in terms of a) the legal tests and b) Mr Pelly's reasons for the diversion set out in his application.

Legal Tests

S.119 sets out the legal tests any diversion order has to satisfy. Although it is the prerogative of the Council to decide on legal tests we would, nonetheless, like to make the comments below on relevant paragraphs per your email.

For a), the application may be in the interests of the landowner but is not in the interests of those members of the public who have walked that path for decades (before it was recorded as a PROW after the Public Inquiry in September 2018). The PROW, in our view, does not impinge materially on Mr Pelly's privacy as he claims. I note that privacy was not an issue in the public Inquiry and I cannot see how the Council can approve a diversion when it spent considerable resources in recording the PROW. (See Privacy paragraph below and **photos 1-4** below).

Some users, such as some dog walkers and people less mobile may find the alternative route provided as easier to use (excepting c) below) but this is because Mr Pelly has deliberately made it difficult for some people to use the PROW and he has done the legal minimum in replacing the old stile with a similar one and deliberately blocking up gaps which allow dogs to go through. He has provided a gate next to the stile but this is kept permanently locked therefore blocking easy access to less mobile users and dog owners. By contrast he has provided a kissing gate for the alternative route, all the almost 'force' walkers to use it who cannot use the stile.

We should not need to point out that the aim of all Councils is to provide better access to all PROWs and encourage landowners to provide easier access. Mr Pelly has not done this, deliberately in our view.

Misleading Signage (Photo 6) and Mud (Photos 5a) and 5b))

There is also the matter of the misleading signage in white on a bright green background, placed on the stile and on the bridge itself which, attempting to divert people off the PROW I understand the bridge is Council furniture and therefore is this action illegal? It should also be remembered that when the path was opened Mr. Pelly was preparing his alternative route and the contractor dumped a huge amount of mud across the PROW by the bridge. Despite being asked to move it he did not. It is interesting to note that photo 5a) was taken on 7 December 2018 and 5b) on 10 December 2018. I can but wonder who removed the planks to make it even more difficult to access the legal PROW?

c) The alternative route Mr Pelly is proposing has a steep bank which in icy or wet weather can be difficult and poses a risk to the elderly and less mobile. The section of Footpath 42 in dispute is level for its entire course, (Photo 7). On one occasion we were by the bridge, in good weather, we saw walkers slipping and sliding down the slope.

d) Public enjoyment: This is the key objection as far as we are concerned. The PROW was recorded as such following a Public Inquiry in September 2018 (following a 2 year campaign). The path has to be viewed in its entirety and in our opinion, in what is ultimately a subjective judgement for all parties; the alternative route will materially affect the public's enjoyment of the path. **Photo 8** shows the disputed section on the PROW through the woodland which is entirely different aspect to the field view along the proposed diversion (**Photo 9**). The PROW is an integral part of the total walk and the alternative is a totally different aspect. Some walkers may view the PROW as getting from A to B, as it were, but for walkers who have used the path for decades and for those who appreciate woodland and lake views this is much more preferable.

Mr Pelly's Application: reasons

Privacy: This can be Mr Pelly's only serious reason for the diversion and he has admitted as much on Facebook. From what I understand no one under English Law has the legal right to **absolute** privacy. Mr Pelly seems to be obsessed with it, for instance, replacing the 200 year beech hedge at the front of his property with a laurel one so no one can have the smallest view of his house from the roadside. The House is some 75 to 100 metres from the Imber Road Stile and as Photos 1 -3 show the House and lake are mostly masked by trees and shrubs along the course of the path until it reaches the bridge. It is Mr Pelly's choice to clear shrubs and cover from near the stile, to ensure he can spy on people using the path with his CCTV. Whether he constructs fencing to hide the house if he were to lose this application is a matter for him, but there are alternatives available for him such as planting mature shrubs to obscure the view of his house. I note he had no trouble about planting mature laurel hedge!

As privacy is the only real issue for him issue then a greater claim could be made of the owners of the Old Mill, Lower Road Bratton (**Photo 4**) where a footpath passes within 3 metres of their front door! There is no doubt many more examples on PROWS up and down the country.

In his submission to Bratton Parish Council Mr Pelly makes the entirely spurious claim that 99% of people use his alternative route. The Council cannot let this go unchallenged and must ask Mr Pelly to produce documented independently verified data on this or dismiss it as an obvious ploy to bolster his application.

Mr Pelly claims that the current PROW runs through his garden. This is clearly not the case as the path runs through woodland along a field division. Any site visit will verify this.

Protecting Birds: This recalls the nesting ducks argument in the original Public Inquiry, where claims were made by objectors about signage advising walkers of nesting birds along this part of the path. Mr Pelly has cleared a lot of shrubs from the lake edge and dredged the lake which will affect the ability of birds to nest in any case. Nesting birds along lake and riversides is a common feature of public footpaths so I don't recall any paths being diverted for that reason!

Better Level access: This cannot be considered a serious reason as the PROW is mostly level along its course down to the bridge. We contend that a lot of PROWs would have to be diverted if such a spurious reason were accepted. As already pointed out the steep

gravel path on the alternative route is far more a health and safety risk in which case, using Mr Pelly's logic, the alternative path should disqualify itself.

Health and Safety: Our understanding is that a landowner has no liability for the public using the right of way except to keep the path free of obstacles or blockages of any kind. If he considers the health and safety of the route so concerning we suggest he takes a walk along some coastal paths where there are often sheer drops within a few feet of a PROW. There are usually warning signs up in such areas and the public are expected to show some common sense. This also applies to any PROW alongside a potential hazard, such as a river etc. Also there would not be many PROWs going through woodland if there the smallest risk of a branch falling. Again signs can be put up warning people of the potential danger in high winds and stormy weather. The lake is not that deep and again this is not a serious reason as most paths by river banks would be closed if that were the case.

There is also a health and Safety issue in the paddock used by the proposed diversion which is leased out to graze sheep, where dogs will be able to run freely.

Summary

We assert that the application to divert the relevant section of footpath 42 **should be rejected** as it is not in the interests of the users of the path who will suffer a material change in the nature of, and enjoyment of, the path. We would point out the path does not run through Mr Pelly's garden as claimed, but along a woodland field boundary, and his privacy would not be materially affected due to the distance of path from the house. The house is mostly shielded from view by trees and shrubs and Mr Pelly has compromised his own privacy by clearing shrubs in order to use a CCTV.

An alternative for Mr Pelly is to withdraw his diversion application, plant a natural screen of shrubs, cease using a CCTV and keep the alternative path open as a 'permissive' path. This would satisfy all concerned (excepting him of course).

Regards

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Objection to change of usage for Watercress Walk, Bratton
Date: 08 April 2021 10:10:46

Dear Ali

Please accept the below as our objection:

My young family and I love the Watercress Walk. The surroundings are so distinctive and my three children love the surrounding wildlife.
It would be so sad if members of the public were re-routed away from this pretty path.

With thanks

[REDACTED]

Roberts, Ali

From: [REDACTED]
Sent: 17 March 2021 10:12
To: Roberts, Ali
Cc: [REDACTED]
Subject: The Proposed Diversion of Footpath BRATTON 42

Dear Ali

I'm writing to add my support to the campaign to challenge the order to divert the footpath (Bratton 42) from its current position.

The public enjoyment and indeed our own family's enjoyment of the stunning views over the valley and Paradise Pool would be severely impacted by the proposed new route. The Council has a duty to consider the effect on public enjoyment of the path, not just as an access route. This consideration is all the more important given the known benefits of the enjoyment of the countryside to health and wellbeing. Whilst the Council also has a duty to consider the impact on the privacy of the landowner, I cannot see that this is significant in this instance given the distance of the house (c75-80 metres) from the path. The proposed new route would result in a considerable loss of amenity and public enjoyment of it.

With best wishes

[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](mailto:Ali.Roberts@wiltshire.gov.uk)
Subject: Re: Highways Act 1980 Section 119 Bratton Footpath 42
Date: 25 February 2021 16:41:26
Attachments: [image003.png](#)
[image004.gif](#)
[image005.jpg](#)
[image006.png](#)
[image006.png](#)

My comment is that it is unfortunate that the amenity of a rich and privileged individual should deprive the public of the visual and spiritual amenity long enjoyed by the public. I hope a more reasoned and dispassionate review will restore the public's long enjoyed rights of access, myself included.

[REDACTED]

On Thu, 25 Feb 2021, 13:49 Roberts, Ali, <Ali.Roberts@wiltshire.gov.uk> wrote:

Highways Act 1980 Section 119

The Proposed Diversion of Footpath BRATTON 42

Wiltshire Council has made the above Order on 16 February 2021. Please find attached a copy of the Order, the Order Plan and the Notice of making the Order.

You have responded to the initial consultation. I am therefore contacting you to ask if you wish your comments to be forwarded on to the next stage of the process now that the Order has been made and if you have further comments you would like to make.

Please also let me know if you wish to see the decision report recommending an Order is made.

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



Tel: 01225 756178

Email: ali.roberts@wiltshire.gov.uk

Web: www.wiltshire.gov.uk

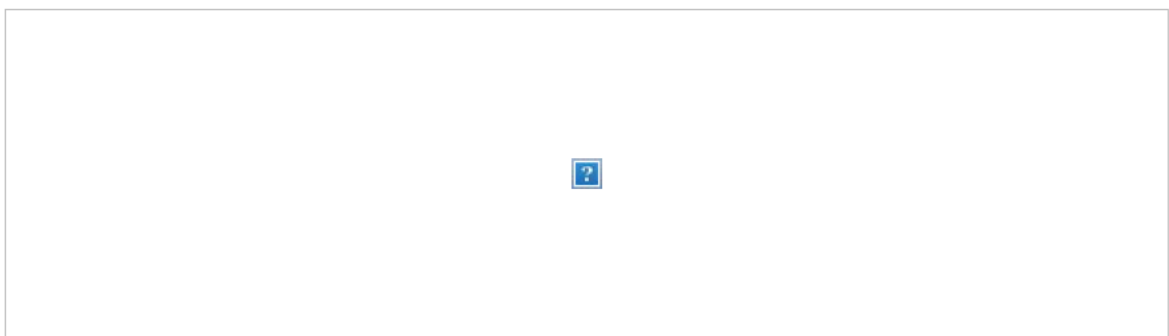
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Roberts, Ali

From: [REDACTED]
Sent: 07 September 2020 18:13
To: Roberts, Ali
Subject: The proposed diversion of footpath bratton no 42 (prt).

With regards to the above I wish to lodge an objection.

My reasons are as follows:

Amenity - the alternative route is behind a high fence with no view of the pools. It is in no manner equivalent. This is about the right of the public to enjoy a route and views going back not decades, not centuries but millenia. This is without a doubt a neolithic landscape no one has the right to claim it as their sole preserve. This an iconic landscape without compare in Europe.

I have walked this route frequently over the last 30 years and to be excluded now would leave me feeling that authority has completely capitulated to purchased privilege. It is a magical route and belongs to all not someone who has purchased privilege and entitlement.

The birds can manage very well without the faux security offered by this wholly spurious proposal.

The level access argument is patronising and self serving. I am 65 and if I wanted a level path I would walk in the city. This the argument of someone who clearly has no feel for rural living and walking.

I can manage my own health and safety. We can close all footpaths and be very safe and what a sad world that would be!

I should say I live in a rural setting and a footpath runs past my back gate and my garden is overlooked. No one has an absolute right to privacy, we live in a crowded country and should have the confidence to share our precious landscape.

As an aside the threat to close off the path with a high fence if he does not get his way should be seen for what it is, the act of a narcissistic self entitled bully. I hope your planning department is on the case. The protection of this path was recently fought for and should not be easily relinquished.

[REDACTED]

[REDACTED] brimhill rise chapmanslade Wiltshire ba13 [REDACTED]

[REDACTED]

Roberts, Ali

From: [REDACTED]
Sent: 15 March 2021 20:00
To: rightsofway
Subject: Luccombe (Near Bratton, Westbury Wilts) Proposed RoW change (Objection deadline 9 April 2021)

Hello,

I hope I have the correct email address to register my objection to the proposed change of route.

Whilst I use the Permissive route when the path is in good condition and to give the family privacy, I reserve the right to use the actual RoW. I do this rarely, but when the permissive path is not suitable. This seems to fall into 2 distinct categories. The first is on wet days when the permissive route just does not have the quality foundations and the route becomes much more a mud bog. If it is too slippery then the use of the RoW is advantageous. This is in far better condition. Therefore I object on the grounds that the quality of the path is not up to the standard on many days in the year. My second reason is that the proposed route runs through an open field. This field could be populated by livestock, whether Horse, Cow or Sheep. Some of these animals can be tricky to pass when out walking (ie Cows and some Horses) and in addition their wear will further degrade the path of the proposed Right of Way rerouting.

Yours sincerely

[REDACTED]
Westbury, Wiltshire. BA13 [REDACTED]