

Damian Bettles,  
Lower Colham Mill,  
Castle Combe,  
Chippenham,  
SN14 7HZ.

Craig Harlow MIPROW  
Definitive Map Officer  
Definitive Map and Highway Records  
Wiltshire Council  
County Hall  
Trowbridge  
BA14 8JN

1<sup>st</sup> October 2024

Dear Mr Harlow,

**Statement in Support of Application for Public Path Order Ref: P/2020/015**

I am writing this letter as the landowner, farmer and the impacted homeowner for application ref: P/2020/015. I recognise that altering a footpath needs careful consideration both by the applicant and Wiltshire Council, giving due assessment of the potential impacts to users of the existing path.

Prior to making the application, we met with our local Countryside Access Officer to discuss the proposed change and how to mitigate any foreseen negative impacts. We also had a pre-application with Castle Combe Parish Council who at the time indicate they had no concerns with the diversion.

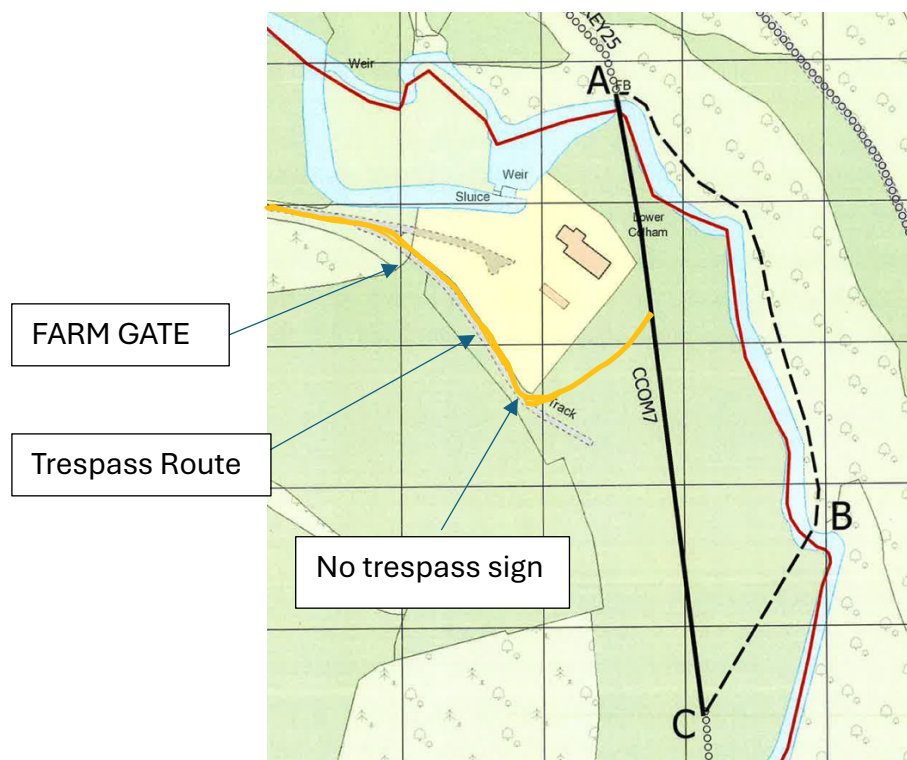
The resultant application is for a minimal change that, as the Decision Report confirms, does not add any material distance to the path, does not alter its gradient or change the surface condition walked over. The report also notes that is no negative impact in respect of views and enjoyment of the path by the proposed change, nor is it less convenient.

We strive to be a careful and considerate landowner, with a long and constructive relationship with both the Countryside Access team and Cotswold Voluntary Wardens in maintaining and upkeeping access across the land in question.

Whilst the core of the change proposed is simply to the move the crossing point of the river approximately 150m downstream, there is a considerable cost associated with moving the bridge (estimated to be £19,000) and the required tree work identified in the Arboricultural Defect Survey, primarily as a result of ash die back (estimated to be £11,000). As the applicant, we acknowledge this and commit to covering the cost of the works. It is a considerable sum and we would not be proceeding with the application if we did not believe the benefits warranted the change, both to us as the landowner but also the consequential benefits to users of the footpath. We also note that the ash tree work will be needed sooner or later, in any case, since the trees are mostly within falling distance of the river and could cause obstruction.

The reasons and associated benefits of the proposed path alteration were summarised in the application, but for reference and to provide additional information, they are included again below:

1. Prevention of Trespass – We acknowledge that the vast majority of local users of the footpath do so responsibly and without issue. Castle Combe does attract a large number of tourists throughout the year and we recognise the importance to local businesses, however many set off along the footpath either ill-equipped, without appropriate footwear or underestimating the time to walk the route. Particularly in the wetter months, in order to avoid the ground conditions in Lower Colham, many turn back and try to take the short cut climbing over our gate and up our track back to the road, usually guided by Google Maps. We have put appropriate signs up and the existing footpath is well sign posted, but these have been ignored and have little affect. We have had as many as 8 to 10 people in a single day trying to do this. By moving the crossing point slightly further downstream, this will be discouraged and the shortcut less obvious as shown below.



2. Privacy – Prior to our ownership, Lower Colham Mill was a second home that was only used occasionally. As a family home, the level of intrusion is more obvious as a result of tourist use of the footpath. Lower Colham Mill is a typical “chocolate box” cottage and often tourists will lean over the hedge or climb on our wall to get a better picture of the house, regardless of the fact we are enjoying our garden or with kids in the paddling pool. We have allowed the hedges to grow which helps, but it takes away from our own enjoyment of the land and views of the valley.

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3. Grazing and Lambing – Lower Colham fields have been part of our family farming partnership Colham Farm Partners, later Colham Valley Partners with SBI 200620607 for several decades. The fields were grazed under licence for many years and were ideal because of the direct access to the river and stream sections and for lambing because of the shelter in the valley. Unfortunately, due to an increasing number of dog attacks, particularly during lambing season and despite increased signage, the grazier did not renew their licence. The increase in local “dog day care” and professional dog walking services has certainly contributed to the increase. We tried to rebuild our own stock but with limited ground available and the field not safe for lambing, this too proved unviable. Subsequently, we did attempt to license cattle grazing on the land but there were again challenges with the footpath use and we were unable to reach reasonable commercial terms for this to continue. By moving the footpath, a suitably large area of the field with shallow water access behind the house, could be fenced and protected, hopefully returning it to productive use.
4. Flooding – As noted in the application the footpath crosses the old leat for the mill, which fills with water for most of the winter period. A section of this has been historically filled in to improve the point where the footpath crosses but this has had limited success as the picture below shows. This section will be avoided entirely with the altered route.



5. Erosion – The existing bridge supports have historically suffered from erosion. The Cotswold Volunteer Wardens undertook preventative work some time ago to help with this, but noted in their response to consultation that the retaining stakes are now rotten again and will need replacing and rebuilding. They expressed support for moving the bridge as the new location will be less prone to erosion. The viability of the new location has been positively assessed by Wiltshire Council’s bridge engineer and the Environment Agency.
6. Increased Path Width – not included in our application for the diversion, but noted in the Decision Report, the current width is recorded as 0.6m and the new path would be increased to 2m.

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We acknowledge that there have been some concerns raised about the proposed change, but we would not be making this application if we did not fully believe that the relatively minor alteration would bring considerable benefit with no material impact to users of the path.

A small number of objections have been raised concerning the extension of the path within the SSSI, but Natural England have confirmed in consultation that their review of the plan concluded that it should not cause any adverse effects to the SSSI. As Natural England state in their response, the SSSI is notified for calcareous grassland, whereas this short extension, at less than 2% of the existing length, is entirely within the lower wooded section, not the grassland it is notified for. Further consultation with Natural England would be needed to agree final construction plans and methods, and again we could commit to this.

The Cotswold National Landscape Board have given careful consideration to the proposed diversion and confirmed that they have no objection as proposed, and Wiltshire Ramblers have indicated that they support the change.

The altered route will remain entirely within land owned by us, the cost will be borne by us and with the increased width to 2m, we believe the amendment would in fact add to the enjoyment of its use and certainly be a preferable alternative to users of the path than fencing in the existing 0.6m width, which would also not solve many of the issues.

I appreciate the time taken to consider this application and stand ready to provide any further information as needed.

Yours sincerely,

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