

APPLICANT'S RESPONSE TO OBJECTIONS

Manor House Farm
Great Cheverell
Devizes SN10 5YA

File
Gr-Chev.

Department of Neighbourhood and Planning
County Hall
Bythesea Road
Trowbridge
Wiltshire

12 September 2011

Dear Mr Chinnick

Re: Claimed Footpath at Great Cheverell

Thank you for the opportunity to read the letters of objection to Modification Order 16 2011. I am writing to clarify a particular matter on footpath width and location, and to comment on the objections.

We were surprised that a new list of names had been assembled to convey their objections to the footpath (modification order 16 2011) recently approved by the your department, and note that the objections seem to focus on the width of the path which indicates that the landowner now accepts that a footpath does exist, but wishes to have it confined behind the fence he erected after purchasing the field in 2007.

The fenced-off pathway, intended to replace the original route used for over 40 years, was widened by cutting into the hedge without permission. The aerial photographs show a thicker hedge prior to the fencing being erected.

We have noted that the landowner has recently had his fenced path trimmed to make it walkable but this is the first attempt at clearing his fenced off path in over 2 years. It is our contention that the correct path runs approx 8-10 meters distance from field boundary - as it was, and as shown on the aerial photograph, and is itself about 4 ft wide. The owner appears to think that if the Order is confirmed he will have to move the fence, which, of course, is not the case. All he needs to do is provide an entrance and exit by way of a stile or small opening, maybe in the form of kissing gates.

Throughout this application there have been misunderstandings by both the applicants and the landowners on what constitutes the width. Is it the width of the actual path or is it the width/distance from the field boundary. On the Evidence Form completed by 27 applicants, question 6 asks 'how wide is the way you are claiming.' Many of the applicants appear to have read this as meaning the width of the path itself, not the width from the boundary.

Having walked the path for some years before the new fence was erected I am confident the path's distance from the boundary was 8-10 meters. Sorry to belabour this point but it is very important. Another reference to demonstrate the width/distance from the boundary is the aerial map (photograph 5 dated 2001) which clearly shows a path running down the field.

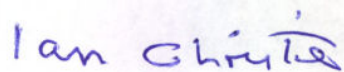
Before the field was purchased by the present owner in 2007 there were no gates and no fencing. The footpath ran from approx the centre of where the new large field gate is now situated at the top of the field, and joined the already designated Cheverell Magna 5 footpath at the bottom, well inside the field from the line of the new fence.

We note that Mr Alexander, the owner of the top field appears to have withdrawn from any objections. The new list of objectors are all from Little Cheverell, not Great Cheverell where the field is situated, all live some considerable distance from the claimed footpath, most are not regular walkers, and would probably not have known that any path existed. Unless the walker in question is a regular dog walker and walks the circuit from Great Cheverell joining up with Cheverall Magna Footpath 5, he or she will have been completely unaware of the existence of the path.

Reading the objections, we also note the wording and phraseology of some of the letters is remarkably similar. We therefore suggest these are frivolous, time-wasting objections.

We trust you will take these comments into account when advising the planning Committee on the matter.

Yours Sincerely

A handwritten signature in blue ink that reads "Ian Christie". The signature is written in a cursive style with a distinct flourish at the end of the name.

Brigadier Ian Alexander Christie