

APPENDIX 1

Representations

1. Caroline Hill
2. Countryside Access Officer (North) Ali Rasey
3. Countryside Access Officer (North) Stephen Leonard
4. Mark Wakefield
5. Philip Newman
6. Ramblers
7. Wiltshire Bridleways Association

Objections

1. Purton Parish Council
2. Ann Miles
3. David Miles
4. John Crawford
5. Neil Miles
6. Nicola Schaps and Christine Brangwin
7. Richard Pagett
8. Robert Miles
9. Thomas Gillingham

Applicant/Landowner

1. Applicant response to objections
2. Incidents of antisocial behaviour and criminal activity and police reports

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Restrop Farm Bridle Path 104
Sent: 08/07/2025 23:22:49

[REDACTED]
Dear Ali,

I am writing to you in support of the proposed diversion of the 104 path at Restrop Farm. I use the permissive path several times a week both on foot and as a horse rider. The permissive path is significantly more convenient in respect of gates, driveway, dogs and cars than the original path and much more comfortable to use, as I do not impose on the privacy of the Farmhouse. In addition, the permissive path is beautifully maintained all through the year.

Please feel free to contact me if needed in respect of supporting the proposed diversion.
Kind regards
Caroline Hill

[REDACTED] Bagbury Lane, Purton

From: [Roberts, Ali](#)
To: [Roberts, Ali](#)
Subject: FW: Highways Act 1980 S.119 - proposed diversion of Purton 104
Sent: 01/08/2025 08:05:11

Hi Ali,

I would support the diversion as it's not substantially less convenient for the public, and it would be in the spirit of the Govt guidance on diversion of PROWs passing through private dwellings/curtilages/farmyards etc.

Kind regards,
Ali Rasey
Countryside Access Officer (North)

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From: [Roberts, Ali](#)
To: [Roberts, Ali](#)
Subject: FW: Highways Act 1980 S.119 - proposed diversion of Purton 104
Sent: 29/07/2025 08:40:22

Hi Ali

I have not problem with the proposal the historical route has lost its appeal with the vegetation adjoining it over the years being removed it was not particularly nice mostly elder and Hazel. The historical route gets over grown and has a few rabbit holes in it so the riders much prefer the diverted route . Also the diversion it takes the route away from the house and garden which long term is a much better arrangement.

Thanks

Stephen

Stephen Leonard
Countryside Access Officer
Highways and Transport
Wiltshire Council
Bath Road Industrial Estate
Chippenham
SN14 0AB

Mob: [07771 721255](#)
Tel: [01249 468567](#)
Fax: 01249 445559
Email stephen.leonard@wiltshire.gov.uk

Sent from [Outlook for Android](#)

From: [mark wakefield](#)
To: [Roberts, Ali](#)
Subject: Diversion of Purton 104 letter of support
Sent: 17/08/2025 18:35:13

[REDACTED] [ns/LearnAboutSenderIdentification](#)]

As a neighbour of Restrop farm, I walk the area daily. I am in support of the diversion, it seems clearly in the interest of the walkers and horse riders and for the house owners.

It's also safer for all parties-and safer for livestock, which are less likely to get out via the garden onto the road.

Regards
Mark Wakefield
[REDACTED]

Sent from my iPhone

From: [Philip Newman](#)
To: [Roberts, Ali](#)
Subject:
Sent: 15/08/2025 11:42:29

[REDACTED]

As a daily user of various Purton ROW, I write in support of the
P/2023/013 application, Purton 104

I prefer using the alternative path - I feel more comfortable using the
new path rather than close to the house

and it's more convenient

Best Regards

Philip Newman

Purton

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: RE: Highways Act 1980 S.119 - proposed diversion of Purton 104
Sent: 20/06/2025 15:16:28

Dear Ali

Thank you for consulting Ramblers about this proposed diversion.

We have no objection to the proposal.

Best wishes

Peter Gallagher
Footpaths and Walking Environment Officer
Swindon and North East Wiltshire Group
The Ramblers
[REDACTED]

The Ramblers' Association is a company limited by guarantee, registered in England and Wales. Company registration number: 4458492. Registered Charity in England and Wales number: 1093577, registered charity in Scotland, number: SC039799. Registered office: First Floor, 10 Queen Street Place, London EC4R 1BE.

From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 12 June 2025 15:37
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Subject: Highways Act 1980 S.119 - proposed diversion of Purton 104

Highways Act 1980

The Proposed Diversion of Bridleway Purton 104 (part)

Wiltshire Council are in receipt of an application, dated 10 July 2023, to divert bridleway Purton 104 (part) (PUR104). The proposal is to divert PUR104 from point A to point B shown on the attached plan with a bold continuous line, a distance of approximately 140 metres with a recorded width between 3.66 and 7.62 metres, to a new route from point C to point B shown with a dashed line, a distance of approximately 255 metres, with a recorded width of 4 metres.

The applicant states the following reasons for applying to divert the right of way are as follows:

"This application is made primarily in the interests of the landowner, to improve both privacy and security of the private residence and operational farm. Issues of concern that have been shown through personal experience to have already occurred include:

- *Intruder used the bridleway to gain access to the property at night and disturbed sleeping guest*
- *People leaving the bridleway to walk around the house and look through windows. Dogs being allowed to jump up at windows. These incidents have occurred during the night as well as in the day.*
- *People parking their cars in the driveway and picnicking in the garden*
- *People with uncontrolled dogs, animals chased in garden and farmyard*
- *People using the bridleway through the garden at night can be startling and frightening*
- *Groups of males using the bridleway for access then roaming the farmyard, clearly not genuine walkers.*
- *Prospect of horses coming through the garden is concerning, but has never happened due to the proposed diversion route being already available as a permissive bridleway*
- *Farm animals have been let out by walkers, e.g., cattle released into the garden*
- *Immediate neighbour burgled via access at the back of the house, near to the bridleway.*
- *Vandalism of property, lighting of fires, drug abuse, fireworks, lamping using firearms, other vermin coursing using dogs, motorcycle riding, raves etc. on surrounding land. Concern that people engaged in such activities have right of access along the bridleway through the garden and so close to the house and farmyard/buildings.*

There will also be some benefits to people using the path, primarily due to concerns over the occupier's privacy and the feeling of intrusion and invasion into what in all other respects appears to be a private space. Also, some users, mainly cyclists, have started to use the route through the garden but have found it unsuitable and turned back. The diversion route avoids this issue arising, and horse-riders likewise have shown a preference for the diversion route. To this extent the diversion may be considered to be in the interests of the public."

Their applicant's statement in full is attached to this email.

Defra government guidance on diversion or extinguishment of public rights of way that pass through private dwellings or their curtilages and gardens, dated August 2023 states in its conclusion *"In making its decision as to whether the existing path should be diverted or extinguished, an authority should consider in particular the impact of the existing path on the property owner and/or occupier against the benefit that having the right of way through the land brings to the public, taking account of this guidance."* Defra government guidance sets out a presumption that if a public right of way that is subject to a diversion application goes through private dwellings or their curtilages and gardens, that an Order making authority should be predisposed to make an Order and a confirming authority will similarly be predisposed to confirm it, should the Order satisfy the relevant legislative tests. The Defra guidance is attached to this email for information.

If you would like to make any observations or representations regarding the proposals, I would be very grateful if you could reply to me via email, no later than 17 July 2025.



Wiltshire Bridleways Association

Campaigning for riders rights since 1970

Please reply to:

Mrs R. Cunningham

[REDACTED] Charlton St Peter, Pewsey, Wilts. SN9 [REDACTED]

Tel: [REDACTED]

14th July 2025

Mrs A Roberts
Definitive Map Officer
Definitive Map & Highway Records
County Hall,
Bythesea Road,
Trowbridge,
Wiltshire
BA14 8JN

Dear Mrs Roberts,

Re – The Proposed Diversion of Bridleway Purton 104 (part)

With reference to the correspondence sent to our Chairperson, Michelle Haley, regarding the above, proposed diversion.

I write to state that the Wiltshire Bridleways Association discussed this proposed diversion at our committee meeting on the 8th July 2025 and after much deliberation decided to support this diversion. It was thought that as a bridleway, the route was more harmonious for riders.

Yours sincerely

[REDACTED]

Rosie Cunningham
WBA Administration Secretary

From: [Clerk](#)
To: [Roberts, Ali](#)
Subject: RE: Highways Act 1980 S.119 - proposed diversion of Purton 104
Sent: 22/07/2025 08:36:31

You don't often get email from clerk@purtonparishcouncil.gov.uk. [Learn why this is important](#)

Good morning Ali

Thank you for extending the response date to allow comment by the Parish Council. I could not find a way to add our comment to the portal, this maybe as the date has closed.

Please can I ask the following comment to be included from the Parish Council.

At their meeting held last night Monday 21 July, the comment made regarding this proposed diversion was :

Purton Parish Council **object** to the diversion of this footpath. This diversion would remove a historical bridleway enjoyed by many. The Parish Council would like to see the reinstallation of the ancient hedgerow removed by the applicant and confirmation that planning permission to change the use of land from agriculture to residential (garden) has been followed.

Regards

Deborah

Deborah Lawrence
Clerk
Purton Parish Council
Council Offices
Station Road
Purton, Wiltshire
SN5 4AJ

01793 771066
www.purtonparishcouncil.gov.uk

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Receipt of this e-mail does not imply consent to use or provide this e-mail address to any third party for any purpose.

From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 12 June 2025 15:37
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Subject: Highways Act 1980 S.119 - proposed diversion of Purton 104

Highways Act 1980

The Proposed Diversion of Bridleway Purton 104 (part)

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- *Intruder used the bridleway to gain access to the property at night and disturbed sleeping guest*
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- *People parking their cars in the driveway and picnicking in the garden*
- *People with uncontrolled dogs, animals chased in garden and farmyard*

From: [annmiles](#)
To: [Roberts, Ali](#)
Subject: Proposed Diversion of Purton 104
Sent: 16/07/2025 15:34:11

[REDACTED]
Dear Ali,
I am writing to object to the proposal to divert Purton 104 right of way.

At the time of purchase the owner was fully aware that this ancient right of way went along the side of the property. The owner made a decision to extend the garden and would be aware that the RoW would be included in the new garden. The owner has removed a significant number of Trees and hedgerow from Mud Lane. Therfore,by their own doing,has made the property more visible.

The alleged activities at The Camp cannot be solely linked to Purt 104 as many RoW,including the permissive path,lead to this area.

As a regular walker in this area I have never witnessed any anti social behaviour.

I have been put off using Purt 104 due to its poor maintenance and this should not be a reason to divert the route.

Regards

Ann Miles

Sent from my Galaxy

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Highways Act 1980 S.119 - proposed diversion of Purton 104
Sent: 17/07/2025 22:50:03

[REDACTED]
Dear Ali,

I would like to object the application to divert Purton 104 right of way.

Firstly, the landowner was fully aware of the existence of this ancient right of way upon purchasing the property, it seems clear that the main reason for trying to get rid of the right of way is simply because they doesn't like its existence. I don't believe that this is cause for diversion.

The landowner has clearly allowed the right of way to become overgrown to attempt to discourage the public from using the route, this coupled with misleading signage of 'dangers' on the path has pushed people to use the permissive path, this is not reason to divert the original right of way.

Moving on to the alleged criminal activity, I personally do not see a correlation between the alleged activities and the right of way in question. I also do not see how the, again, alleged criminal activity at Ringsbury Camp can be attributed to the right of way, there are several other routes to the Camp, so diverting the route as a result of this is a completely irrelevant point.

The landowner made the decision to extend the garden and so the right of way is now in the new 'garden', additionally, by removing hedgerows from the right of way has in turn made the property more visible from the path. The fact that the agricultural land has been turned into someones garden area is not a reason to divert the original right of way.

I request that this application is refused, the so called issues are solely attributed to the landowners doing. To suggest that the issues are caused by the Purton walking community is a poor attempt to grab land and is frankly, entitled. It seems purely for personal gain/greed.

Regards

David Miles

From: [REDACTED]
To: [Roberts, Ali](#)
Cc: [John Crawford](#)
Subject: Mud Lane Application P/2023/013
Sent: 16/07/2025 12:28:59

[REDACTED]
Dear Mr. Roberts,

I object to this application which is identical to an application (PL2023/05363) that was considered and refused by an Inspector in November 2012 following a public Inquiry. I presume that you will have a copy of that decision in your records.

Mud Lane is an ancient sunken right of way. Historical records show that it was in use as a drovers' way as far back as 1200 and that it was probably used by the occupants of the iron- age camp at Ringsbury, which is a scheduled ancient monument. The path was little used for many years because it had not been maintained and became overgrown and unlawfully obstructed. Like many other bridleways in the Parish, it floods in wet weather.

The Inspector considered the arguments from Wiltshire Council, the landowner and other parties in support of the proposed diversion. The objectors included the Parish Council, Purton Historical Society, local environmental groups, the Ramblers Association and many Parish residents.

The Inspector acknowledged that the diversion would bring some benefits to the landowner, but he refused to confirm the order. He said: "The loss of such an historic route as the existing bridleway would have a serious negative effect on the enjoyment of many current and potential users of the right of way". He concluded that Wiltshire Council's proposed order did not meet the criteria set out in the Highways Act 1980.

I submit that the applicant's statements in support of the application are not supported by adequate evidence, and nothing has changed since the Inspector made his decision in 2012. The application should be refused.

Yours sincerely,

John Crawford
[REDACTED]

Pond Lane
Purton Stoke
SNS [REDACTED]

From: [Neil Miles](#)
To: [Roberts, Ali](#)
Subject: Fw: Public path order enquire re P/2023/013
Sent: 16/07/2025 16:17:17

Dear Mr Roberts

Please see below my objection sent in June 2024.

Also could I point out that The Ramblers Association do not support the application as suggested on the document list. They simply state that they do not object.

Additionally I would like to add further comments for consideration.

1. There are no material changes to the facts established at the public enquiry in 2012.
2. The criminal activity alleged by the landowner appears to be hugely exaggerated. The Restrop Road area of Purton is not a hot bed of crime. I walk that area on a regular basis and have not witnessed any such activity. The proposed diversion will not alleviate the potential for many these alleged rural crimes as they are in surrounding fields.
3. The right of way passes to the North of the farmhouse and garden through agricultural land which has been cultivated to appear like garden. The route clearly lies on designated agricultural land not the garden or farm yard. The garden and farmyard are positioned to the South of the bridleway. The right of way was contained within established hedgerows which the landowner has removed.
4. The revised government guidance used to support his application does not, therefore, apply as this is designed to protect gardens and farm yards.
5. The landowner was fully aware of the R.O.W. when he purchased the property and the fact that he doesn't want it is not reason to allow diversion.

I strongly urge Wiltshire Council to refuse this application as any lack of privacy has been caused solely by the landowners actions in removing hedgerows. His redress should be to restore the boundaries and properly maintain the ancient route to improve countryside access and enhance public enjoyment

Regards
Neil Miles

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

From: [REDACTED]
To: "definitivemap@wiltshire.gov.uk" <definitivemap@wiltshire.gov.uk>
Sent: Thursday 27 June 2024 at 09:02:04 BST
Subject: Public path order enquire re P/2023/013

Enquiry regarding the public path order application P/2023/013:

It appears that an application for a public path order has been made for Purt104, known as Mud Lane.

A similar application to divert this bridleway was made by Wiltshire Council some time ago. The application received many objections from local organisations and residents.

A local inquiry was ordered by the Secretary of State in 2012.

The inspector ordered that the historic route of the right of way should remain.

There does not appear to be any material change to the facts established by the inspector at the inquiry in 2012, which surely makes the case that the historic route should be retained.

I wish to register my objection to this diversion order, and request that the application is refused.

Best regards

Neil Miles

College Road, Purton, SN5 [REDACTED]

From: [Nicola Schaps](#)
To: [Roberts, Ali](#)
Subject: Subject: Subject: Highways Act 1980 S.119 – proposed diversion of Purton 104
Sent: 08/07/2025 10:03:58

[REDACTED]

We write to object to the application to divert the bridleway (RoW) at Mud Lane, Purton (PUR104). This bridleway has been existence for many years and it is only since the current landowner bought their property that this has become an issue for them. The landowner would have known, prior to the purchase of the property, that there was a Right of Way in existence adjacent to the house. Furthermore, the landowner has made very little effort to improve the boundary of their own property which would afford them more privacy. The landowner has already land grabbed by extending their own garden across the RoW and has illegally removed the original boundaries that were adjacent to it so it is now not clear to walkers where the exact RoW runs. Furthermore, the RoW does not pass in front of the windows as it passes to the right of the property.

We walk along Mud Lane fairly regularly, at different times, and have never witnessed any of the adverse situations to which the landowner refers. Moreover, there is no access to the driveway of the property so to suggest that people are picnicking in the property's garden is absurd. Finally, there is no record of any complaints that the landowner has made to the police about any of the incidents to which he refers which would suggest that they have been overstated for his sole benefit.

To our knowledge there have not been any reports to the police regarding any of the incidents mentioned by the landowner. It would suggest the landowner is potentially attempting to land grab by trying to take over a public piece of land for their sole benefit.

Yours faithfully

Nicola S Schaps and Christine A Brangwin

The applicant has stated the following reasons for applying to divert the right of way (RoW):

- *Intruder used the bridleway to gain access to the property at night and disturbed sleeping guest;*
- *People leaving the bridleway to walk around the house and look through windows. Dogs being allowed to jump up at windows. These incidents have occurred during the night as well as in the day;*
- *People parking their cars in the driveway and picnicking in the garden;*
- *People with uncontrolled dogs, animals chased in garden and farmyard;*
- *People using the bridleway through the garden at night can be startling and frightening*
- *Groups of males using the bridleway for access then roaming the farmyard, clearly not genuine walkers;*
- *Prospect of horses coming through the garden is concerning, but has never happened due to the proposed diversion route being already available as a permissive bridleway;*
- *Farm animals have been let out by walkers, e.g., cattle released into the garden;*
- *Immediate neighbour burgled via access at the back of the house, near to the bridleway; and*
- *Vandalism of property, lighting of fires, drug abuse, fireworks, lamping using firearms, other vermin coursing using dogs, motorcycle riding, raves, etc. on surrounding land. Concern that people engaged in such activities have the right of access along the bridleway through the garden and so close to the house and farmyard/buildings.*

A lot of scepticism is warranted since much of the above, if these did occur, most, if not all, would be the subject of police reports, of which there is no evidence.

The applicant states, “This application is made primarily in the interests of the landowner, to improve both privacy and security of the private residence and operational farm. **This says it all. The actual benefit will be an increase in property value due to the absence of an RoW adjacent to the house.**

The current Government guidance on diversion or extinguishment of public rights of way that pass through private dwellings or their curtilages and gardens, dated August 2023, states in its conclusion:

“In making its decision as to whether the existing path should be diverted or extinguished, an authority should consider in particular the impact of the existing path on the property owner and/or occupier against the benefit that having the right of way through the land brings to the public, taking account of this guidance.” The Government guidance also sets out a presumption that if a public right of way that is subject to a diversion goes through private dwellings or their curtilages and gardens, that it should be permitted.

Sadly, the justification for this diversion, while grossly overstated, will be seen to meet the Government requirements and so be accepted.

BUT it is important that there are several severe misgivings about this:

- Whilst the proximity of the RoW to the house makes for unlawful access and loss of privacy, this has not been helped by the landowner extending the garden across the

RoW and removing previous boundaries adjacent to it. **In other words, by these actions the landowner encouraged the issues that he now faces;**

- Concerning the so-called “raves” - the legal definition of a rave is “*...a gathering of more than 20 people, often at night time, where loud music is played over several hours*” if that were really the case the police would be called and have ample time to arrive, plus it would be in the *Swindon Advertiser* – **there is no evidence of either;**
- As far as the undesirable activities going on at Ringsbury Camp, **this will not be changed by the diverted RoW since the existing permissive path still allows access;**
- **When the public inquiry dismissed the original attempt to divert Mud Lane, the landowner promptly cut down the hedges and trees, and the wildflowers disappeared in order to encourage walkers to use the permissive route;**
- **Currently, the RoW is an embarrassment and ordinarily very difficult to walk due to the lack of maintenance that the landowner is legally required to do. Currently it has been strimmed (a) because the ROW officer of Wiltshire Council told him to last week; and (b) the landowner obviously thought it would help his application.**

This is a sorry tale, and the landowner and Wiltshire Council should be ashamed of themselves. The presence of the right-of-way had been in existence for more than a hundred years – the landowner knew of it when the property was purchased. This is nothing more than an exercise in increasing property value.

In addition to the above objection, a final comment is that if Wiltshire Council is minded to grant this diversion, to **require legally that the landowner shall uphold his obligation to maintain all the RoW and the diverted part and the remainder of this ancient RoW, such that it is kept in a fit state for walkers at all times.**

Kind regards

Richard Pagett

Resident of Purton

29 June 2025

From: [Robert Miles](#)
To: [Roberts, Ali](#)
Subject: Highways Act 1980 S.119 – proposed diversion of Purton 104
Sent: 16/07/2025 15:55:49

[REDACTED]
Dear Miss Roberts,

I understand the landowner has made an application to divert Purton bridleway 104 (PUR104) away from its route along the ancient highway known as Mud Lane. I would like to object to this application.

The facts established by the inspector at public inquiry in 2012, the previous time the landowner / Wiltshire Council attempted to divert the route, still stand. The inspector's decision was sound then, is still sound now and therefore should not be overruled. For the sake of brevity, I won't repeat the many points in his decision report here.

In addition to the historic importance of the route confirmed by the inspector in 2012, reasons to refuse this new application include:

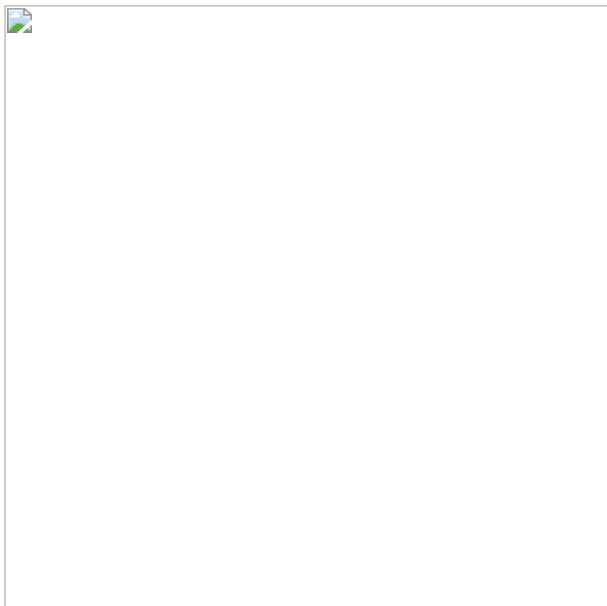
1) In his new submission, the landowner includes a list of alleged criminal activity and other incidents which have apparently occurred over the last 12 years. It should be noted that very few incidents have happened in the last five years. As a frequent walker and cyclist in the area for 30 years, I have never witnessed any antisocial behaviour. Instead, I have noted the landowner's various attempts to put people off using the rights of way in the area – such as the misleading signage and lack of maintenance currently evident along PUR104.

While the landowner has provided some evidence of crime reference numbers, the locations of the alleged activities are not clear. In fact, very few seem to actually be related to the route of PUR104, or have happened on PUR104 itself. Other reports just relate to people legally using the right of way – for example, it is not a crime to walk on a right of way at 9pm. The fact the landowner challenged people who were legally using a right of way is troubling, and unfortunately may have put them off enjoying their rights in the future. None of the issues cited should be used as reasons to divert the right of way.

2) The landowner attributes the alleged criminal activities within the farmyard to the presence of the right of way. This seems a stretch at best, given there is also direct ungated access to the farmyard and buildings from the metalled section of Mud Lane, which would remain a bridleway with public access regardless of whether the route is diverted or not. Therefore, diverting the right of way would probably not reduce the likelihood of these alleged activities recurring in the future, and should not be used as a reason to divert the right of way.

3) The landowner also cites alleged criminal activity at Ringsbury Camp to divert the right of way. Given that other rights of way access Ringsbury Camp, often using more direct routes from Purton, it seems unlikely that diverting PUR104 would prevent these activities from happening again. Indeed, a diverted PUR104 would still end up at Ringsbury Camp. Therefore, this is not an appropriate reason to divert the right of way.

4) The right of way does not really pass through the garden or farmyard of Restrop Farm. Therefore, the revised Government guidance cited by the landowner (2016 and 2023) does not apply. The garden and farmyard lie to the south of the ancient road, with agricultural land to the north. This is clearly shown on the Wiltshire Council planning mapping layers and the former Defra farm payments mapping service. As shown on the map below, Mud Lane and the garden are excluded, the agricultural land to the north of the lane is not:



The fact that the landowner has removed the mature hedgerows and trees which previously contained the lane does not change this fact. In reality, by removing the hedgerows between the garden and Mud Lane, and between Mud Lane and the fields to the north, the landowner has probably exacerbated his feelings of lack of security and privacy. His actions in this regard should not be a reason to approve this diversion. Indeed, it is quite cynical – it's like me removing my garden wall and then complaining that my privacy has been reduced.

5) The right of way has been very poorly maintained until recently. Being overgrown in many places may mean users have needed to seek short alternative routes to bypass the worst areas of overgrowth. The landowner should maintain the right of way properly, and this should be enforced more frequently by Wiltshire Council. Lack of maintenance should not be a reason to divert the route.

6) The gates cited by the landowner as impediments to users of the right of way were installed by the landowner when he removed the ancient lane boundaries. Before the landowner started changing the lane boundaries, the lane was unencumbered by gates. It was in his power to avoid their installation at the time, and it is his power to remove them now if he so wished. This again is not a compelling reason to divert the right of way.

7) The fact remains: the landowner knew of the existence of this ancient right of way passing adjacent to the house when he bought the property. That he does not like its presence is not an appropriate reason to demand its diversion. I was also aware of the fact that a road runs past my house when I bought it, and much like Mud Lane, it would be totally inappropriate for me to request that it be diverted.

Please can I urge Wiltshire Council to refuse this application? To enjoy the sense of privacy and security the landowner feels he is lacking, he should simply restore the ancient boundaries which contained the lane. This would make it an easy-to-use and easy-to-follow route running adjacent to the house and garden, like so many old routes do across the country. It would mean the gates along the route which so concern the landowner could be removed. The landowner should also maintain the right of way more frequently, so that users can easily pass along it.

The perceived issues the landowner faces are entirely of his own making, and it is insulting to local people to blame it on them and request the removal of a route which has been continually used for hundreds, if not thousands, of years. The easy solutions I outline above would address the concerns the landowner has, while maintaining this ancient highway for continued enjoyment by the public.

In 2012, the inspector ruled that “The loss of such an historic route as the existing bridleway would have a serious negative effect on the enjoyment of many current and potential users of the right of way”. The landowner’s actions to date have already had a serious negative effect. Now, as in 2012, the ability of the public to enjoy this historic route – in its entirety – should outweigh the whims, and misguided and damaging actions, of its current owner.

Yours sincerely,

Rob Miles

■ Station Road,
Royal Wootton Bassett,
SN4 ■

From: [Thomas Gillingham](#)
To: [Roberts, Ali](#)
Subject: Highways Act 1980 S.119 - Proposed Diversion of Purton 104
Sent: 12/08/2025 00:15:19

[REDACTED]
Dear Ali,

I reject to the proposed division to Purton 104, a route I regularly walk.

1. This road is an Ancient road road , as shown in Time Team 1994 , Series 2 , Episode 3. This road has been in existence for more than 1000 years. I still wish to walk it.

2. Recently the obstructions shown on the route have made it difficult to walk, a footpath should not be blocked under any circumstances.

3. The applicant refers to Government Guidance dated August 2023 titled "Government guidance on diversion or extinguishment of public rights of way that pass through private dwellings, their curtilages and gardens, farmyards and industrial or commercial premises". Section 8 of this guidance states the guidance ... "does not apply to gardens, dwellings or commercial premises which do not have the necessary permission for the current use of the land (most land and property will have an authorised use, either by way of existence of that use prior to the Town and Country Planning Act 1947 or, post 1947, either by way of an implemented planning permission or an authorised use as a consequence of a relevant period of use)." The land through which PURT104 passes is agricultural land, not domestic (garden). Therefore, as per the section 8 of the guidance, the guidance does not apply in this circumstance and cannot be used as a reason to divert the right of way.

4. I love walking this path, and I wish to continue doing so.

Kind regards
Thomas Gillingham

Thomas Gillingham
[REDACTED]

Roberts, Ali

From: Roberts, Ali
Sent: 13 August 2025 12:54
To: Roberts, Ali
Subject: FW: P/2023/013 - proposed diversion of Purton 104

Good morning Ali,

I would like to comment on the letters and emails submitted regarding P/2023/013 - Proposed diversion of Purton 104

Please see below;

David Miles email - 17/07/2025 22:50:03

I dispute the line below – It should be clear to any user that the Inspector insisted the path be cleared, which it was and since 2011 it has been cleared continuously

“The landowner has clearly allowed the right of way to become overgrown to attempt”...

I dispute the line below – no hedgerows were removed, the foliage was predominantly random (Per Area Countryside Access Officer Stephen Leonard’s comments – it was “mostly elder and Hazel”), which per above, was instructed to be removed

“additionally, by removing hedgerows from the right of way has in turn made “....

I dispute the line below – I did not make the point below, the reality is that the vast majority of path users are impeccably behaved. However, others have used it, not for the purpose of walking but as access for an alternative motive, leading to some of the issues we have raised

“To suggest that the issues are caused by the Purton walking community is a poor attempt”

Neil Miles email - 16/07/2025 16:17:17

I dispute the line below – there are now fewer gates/styles than before I arrived. The gates in place are necessary (and any changes were approved by Wilts Council) for the enclosure of livestock

“The gates referred to as obstructions were installed by the landowner to do just that”....

Richard Pagett letter- 29 June 2025

I dispute the line below. The evidence is clearly listed

“A lot of scepticism is warranted since much of the above, if these did occur, most, if not all, would be the subject of police reports, of which there is no evidence.”

I dispute the line below – Following the inquiry, the inspector mandated the removal of the foliage. Which was conducted by Wiltshire Council

When the public inquiry dismissed the original attempt to divert Mud Lane, the landowner promptly cut down the hedges and trees, and the wildflowers disappeared in order to encourage walkers to use the permissive route;

Ann Miles – email 16/07/2025 15:34:11

I dispute the line below: No viable trees or hedgerows were cut down. Per Area Countryside Access Officer Stephen Leonard’s comments – it was “mostly elder and Hazel”

“The owner has removed a significant number of Trees and hedgerow from Mud Lane”

Nicole Schaps - 08/07/2025 10:03:58

I dispute the line below – Nicole is mistaken - Path 104 runs parallel with the farmhouse and the multiple North-facing windows, and conservatory - the distance from the Path to the windows is <2m
“Furthermore, the RoW does not pass in front of the windows as it passes to the right of the property.”

Purton Parish Council - 22/07/2025 08:36:31

I dispute the line below: No ancient hedgerow was removed. Following the inquiry, the inspector mandated the removal of the foliage. This was conducted by Wiltshire Council . Per Area Countryside Access Officer Stephen Leonard’s comments – it was “mostly elder and Hazel”.

The Parish Council would like to see the reinstallation of the ancient hedgerow removed by the applicant

Richard Moseley
Restrop Farm
Purton, Wilts, SN5 4LW

[REDACTED]

From: [Roberts, Ali](#)
To: [Roberts, Ali](#)
Subject: FW: Highways Act 1980 S.119 - proposed diversion of Purton 104
Sent: 07/07/2025 06:48:47

Ali,

Thanks for the guidance. In response to Richard Pagett's letter, I have copied below the cases we have reported to the Police. There were countless others, but either we didn't report them, or I can't find the details.

And at the base is an example letter to Purton Parish Council regarding night walkers

Monday, 25 November 2024 - Police reference number 54240138964 (Gates intentionally left open by walkers, Cattle let into garden then onto Restrop Road)

14 February 2023 : Police Crime reference 54230016717 - Antisocial behaviour/Trespass

30 January 2023 - Restrop Farm; Police report 146, trespass and drug taking

21 November 2020 – Per below Email Letter to Ray Thomas, Purton Parish Council - Subject: Night Walker, Males walking at night

26 June 2020; - Unlawful camping & lighting of fires; Police Ref number CDS-132969-23-5400-000

29 May 2020 - Police reference number 54200050542. Restrop Farm - Motorbike Trespass along Paths

12 July 2019 Police case: Intel 54190065424 – 3 hooded males approaching farmyard and farmhouse. CCTV Evidence

10 October 2018 - Police case log 54180095783; Fence cutting and vandalism

13 July 2018 - Police report number is 54180064523 – (Terry badge number 7964) Young Male (suspected intoxicated) entered house (via garden) late at night and found standing watching over a sleeping guest.

11 May 2018; Ref No. 54180042035/ Log 156. Graffiti/damage kissing gate on FP

9 May - Police case MayDay; April 30th/ 1st May. Overnight youths with alcohol and evidence of drug abuse - Corner of 103 and 104 -Litter strewn – attempted fire

14 June 2015 - Police case 54150050922 – Several male youths walking back from the woods (suspected drug taking)

Highly abusive and threatening. The following night 4 field gates were purposely opened - freeing livestock, one gate vandalised and pulled of its hinges

23 March 2015 police case 179; Trespass – motorbike along FP 103

26 December 2013 – Police log 145; Motorbikes on paths, damage to gate/fence

23 August 2013; Police incident 325 - Restrop Farm - Motorbikes terrorising livestock, Ringsbury Camp track

10 Aug 2013; Police incident case 173 - Youths / livestock issues, gates opened

20 July 2013 - Police log 170 - Trespass at Restrop Farm Nicola Shirley – Left rubbish/alcohol bottles/evidence of drug usage

7 April 2013 Police crime number 541300314791 – Lighting of fires

From: Richard M Moseley
Date: Saturday, 28 November 2020 at 14:16
To:
Subject: night walkers - Restrop Farm

Ray

Hope all well with you. Below is a note from Leila my wife re an incident that happened this week. Walking right up to our house at night with torches switched off when she knew someone was there really scared her.

Whilst in the daytime almost everyone walks on the permissive path and comments on how great a walk it is, we do get a few past the house. It's at night that its become a problem.

Recently we also had a chap come through with an aggressive dog that had a light on its collar which terrified the kids and Leila when it jumped up at out conservatory as all they could see was a manic dog all lit up in the dark. When I went out, before I could say anything the walker and dog owner said... before you say anything you can just F off. Not knowing who else was out there made it difficult to assess the risk of takin any action.

We have made some changes to the permissive path so that it only skirts around the house and garden, with a new short track making it easier for walkers to get back on Mud lane earlier. It would be good to get your view and assess if at some stage in the future its worth me attempting trying again for a more limited diversion

What are your thoughts?
Regards Richard

From: Leila Moseley
Date: Saturday, 21 November 2020 at 15:05
To: Richard M Moseley
Subject: night walkers

Hi,
At 9:30pm Wednesday night I was out checking on the pony and letting dog out for a wee before bed when I noticed several people with head torches walking up the footpath from the direction of Ringsbury Camp. I thought it odd so stayed to see who it was. I became very alarmed when they entered the gate at the bottom of our garden and switched off their lights. When they finally came into view I saw it was four young men. Both the dog and I were extremely frightened at this point. I asked them what on earth they were doing walking through someone's garden at in the pitch black at that time of night and told them how much they had scared me. They didn't say much and just went on their way. I was very badly shaken and it took me a long time to get to sleep. I'm often alone in the house as my husband travels a lot. If I'd seen those lights approaching from my bedroom window with my husband away I most certainly would have called the police. Those men could do anything - steal vehicles, farm gear or animals. The next day I walked around the field called Little Ringsbury, which has no footpath through it, and found all this garbage strewn around. Someone had been setting off fireworks and drinking beer with no thought for the animals in the next field or the people who would have to clean up
