

13 Representations

1. Bird, Gemma
2. Evans-Freke, Marina
3. Glover, Lynne
4. Hartley, Giovanna and Nicholas
5. Hill, Caroline
6. Hill, Michael
7. Kennedy, Sasha
8. Lewington, Jamie
9. Newman, Philip
10. Osborne, David
11. Sorka, Sarah
12. Wakefield, Mark
13. Woodward, Rebecca

11 Objections

1. Purton Parish Council
2. Cllr Jacqui Lay
3. Andrews, Peter
4. Arnold, David
5. Hobbs, Roy and Marion
6. Miles, Ann
7. Miles, David
8. Miles, Rob
9. Pagett, Dr Richard
10. Saunders, Janet
11. Saunders, Miriam

From: [Gemma Bird](#)
To: [Roberts, Ali](#)
Subject: PURTON104 - Made Order, made on 11 September 2025
Sent: 19/10/2025 16:40:26

[REDACTED]
Dear Mrs.Roberts,

I hope this email finds you well.

It has come to my attention that there is an issue surrounding the footpaths to Ringsbury camp. We frequently do that walk and really like the new footpath that the owners of Restrop Farm have provided, a fantastic improvement on the 104 which was an awkward route leading far too close to somebody's private house and garden. The new pathway makes for a far more comfortable walk all round.

Best wishes,

Gemma Bird
[REDACTED]

[REDACTED]
Upper Wanborough,
Wiltshire,
SN4 [REDACTED]
United Kingdom
[REDACTED]

From: [Marina Evans-Freke](#)
To: [Roberts, Ali](#)
Subject: Footpath Purton 104
Sent: 17/10/2025 13:32:02


Dear Mrs Roberts

I'm writing to you , as I wanted to make the point that the new footpath created by Restrop is so much better for walkers and the landowners.
The current footpath goes through the garden, which makes it awkward for all concerned.

Best Wishes

Marina Evans-Freke

From: [Glover](#)
To: [Roberts, Ali](#)
Subject: PURTON104 - Made Order, made on 11 September 2025
Sent: 16/10/2025 12:33:34

Good afternoons

Re - PURTON104 - Made Order, made on 11 September 2025

We live locally and regularly walk the footpaths to Ringsbury camp. The footpath created by Restrop farm is so much better than the existing 104 which has the added inconvenience for everyone, (property owners and walkers alike), of passing through their private garden and passing close to the house. So much better to be diverted on the new path which takes one past a recently created orchard.

I do hope that the footpath created remains the main footpath

Many thanks
Lyanne Glover

Sent from my iPhone

From: [nicholas hartley](#)
To: [Roberts, Ali](#)
Subject: P/2023/013
Sent: 07/10/2025 18:28:44

[REDACTED]

DIVERSION OF PURTON 104

We live locally and regularly walk the footpaths to Ringsbury camp. The footpath created by Restrop farm is so much better than the existing 104 which has the added inconvenience for everyone, (property owners and walkers alike), of passing through their private garden and passing close to the house. So much better to be diverted on the new path which takes one past a recently created orchard.

yours sincerely, Giovanna & Nicholas Hartley

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: DIVERSION OF PURTON 104
Sent: 16/10/2025 12:33:47

Dear Ali,

I understand the order has now been made to divert Purton 104. I have already let you know of my support for this diversion but I thought it might be worth reiterating. I live locally and use the permissive bridleway/footpath several times every week for dog walking and for riding.

The diversion created by Restrop farm is beautifully maintained and so much more suitable for all parties. The property owners have a level of privacy and security over their property. Plus the users have an equally pleasant and less intrusive route than passing through the garden and close to the house.

If I can be of further assistance to voice my support, please let me know.

Kindest regards
Caroline

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: [Michael Hill](#)
To: [Roberts, Ali](#)
Subject: Highways Act 1980 S.118 S.26 - PURT104
Sent: 20/10/2025 17:22:02

[REDACTED]

Dear Ali,

I am writing in support of the diversion of the above footpath.

Knowing both routes, and having used them many times, I have to say that the proposed diversion is a big improvement and even more so if you have dogs or are on horseback.

Yours sincerely,

Michael Hill

From: [Sasha Kennedy](#)
To: [Roberts, Ali](#)
Subject: Restrop Farm footpath - PURTON104 - Made Order
Sent: 10/11/2025 11:53:42

Dear Ali

I regularly meet friends to walk to walk the new path that the Moseleys at Restrop Farm put in. It is much better than walking through their garden and being able to literally look in at them which must be so obtrusive for them.

I hope the Parish Council will reconsider their objection and allow the footpath to be diverted. Especially as it takes you through a lovely new orchard. A win win for all and I hope common sense prevails.

Kind regards
Sasha Kennedy

From: [Jamie Lewington](#)
To: [Roberts, Ali](#)
Subject: RightsOfWay P2023013
Sent: 17/10/2025 21:25:47

[REDACTED]
Dear Ali,

As a local resident I regularly use the footpaths surrounding the area of Mudlane/Restrop Farm.

I am in support of the proposed changes as it means that my walk feels more “rural” as I am not walking past someone’s property and garden. Restrop farm is a Working Farm and therefore there is often very large and heavy farm machinery entering and exiting the farm entrance, it feels far safer using the proposed route rather than the existing “right of way”. Therefore I am completely supportive of the proposal’s.

Jamie

Jamie Lewington

From: [Philip Newman](#)
To: [Roberts, Ali](#)
Subject: Purton 104 recent name order
Sent: 17/10/2025 17:52:31

Dear Ali,
I write in support of the Purton 104 made order

As someone who uses Purton paths daily i am in supp5of the diversion which is Moore convenient and safer for all

Regards Philip Newman
[REDACTED] Purton

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: [David Osborne](#)
To: [Roberts, Ali](#)
Subject: PURTON104 - SUPPORT of Made Order, made on 11 September 2025
Sent: 18/10/2025 11:50:19

Hi, when I walk the footpaths to Kingsbury Camp, the footpath created by Restrop Farm is so much better than the existing 104 which is inconvenient for everyone - property owners and walkers alike! It would so much better to divert to the new path and avoid going past a private house and garden

Many thanks,

David Osborne

From: [Sarah Soroka](#)
To: [Roberts, Ali](#)
Sent: 16/10/2025 16:00:36

[REDACTED]

Hi,

As a walker, I am in support of the order, it provides a better route for walkers and horses, and avoids 2 gates and potential issues with the Farmhouse.

Kind regards
Sarah Soroka

From: [mark.wakefield](#)
To: [Roberts, Ali](#)
Subject: Purl 104
Sent: 03/11/2025 08:34:53

Dear Ali

I am confirming my support for Purl 104
the alternative route is far better for all concerned .

Regards
Mark Wakefield
Sent from my iPhone

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: [Rebecca Woodward](#)
To: [Roberts, Ali](#)
Subject: PURT104 - Made Order - in support
Sent: 17/10/2025 11:28:55

As someone who walks the footpath to Ringsbury camp often, I am writing in support of the Made Order, made on 11th September 2025 to divert PURT104.

The tranquility of the new path is so much more enjoyable than walking right past a house and through a private garden. It is a very clear path, easy to follow and lined with lovely trees.

Yours sincerely
Rebecca Woodward

From: [Clerk](#)
To: [Roberts, Ali](#); [Lay, Jacqui](#);
Cc: [Geoff Greenaway](#); [Green, Janice](#); [Neil Saunders](#);
Subject: RE: Highways Act 1980 S.118 S.26 - PURT104
Sent: 16/10/2025 07:57:05

Good morning Ali

At its meeting on Monday, 13 October, Purton Parish Council resolved to object to the proposed footpath diversion, reaffirming its original concerns.

The footpath in question holds significant historical and heritage value. Elements of this heritage have already been compromised by development on the site, where a field has been converted into a garden. While Defra guidance allows for possible diversion or extinguishment of footpaths crossing gardens, no planning permissions or legal rights have been granted for such a change in this case. The landowner is currently mowing the area, creating a lawn without proper authorisation.

Given the historic nature of our village and the importance of preserving access to ancient walkways, the Parish Council strongly objects to the proposed diversion. We are particularly concerned about the removal of pathway markers and the ancient hedgerow, which further erode the footpath's historical integrity.

We therefore respectfully request that the pending decision to permit the diversion be reconsidered in light of these concerns.

Regards

Deborah

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

01793 771066
www.purtonparishcouncil.gov.uk



PURTON
PARISH COUNCIL

This email originates from Purton Parish Council and any files transmitted with it may contain confidential information and may be subject to Copyright or Intellectual Property rights. It is intended solely for the use of the individual or entity to whom it is addressed. If you have received this email in error please notify the sender and delete the email from your inbox. Any disclosure, reproduction, dissemination, modification and distribution of the contents of the email is strictly prohibited. Any personal opinions expressed in this message are those of the sender and should not be taken as representing views of Purton Parish Council. Please note Purton Parish Council utilises anti-virus scanning software but does not warrant that any e-mail or attachments are free from viruses or other defects and accepts no liability for any losses resulting from infected e-mail transmissions.

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: 02 October 2025 12:47
To: Lay, Jacqui <Jacqui.Lay@wiltshire.gov.uk>
Cc: Clerk <Clerk@purtonparishcouncil.gov.uk>; Geoff Greenaway <geoff.greenaway@purtonparishcouncil.gov.uk>; Green, Janice <janice.green@wiltshire.gov.uk>
Subject: RE: Highways Act 1980 S.118 S.26 - PURT104

Good afternoon Jacqui,

All the paperwork regarding the proposed orders for PURT104 can be found on the public path order register which can be viewed following the attached link [P/2023/013 - Rights Of Way - Wiltshire Council](#)
I have attached the decision report and all the associated appendices to this email for your convenience.

You will see Appendix 3 Defra 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, dated August 2023. The guidance 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 against the benefit that having the right of way through the land brings to the public, taking account of this guidance."* It continues *"In all cases where the guidance applies, the order-making and confirming authority should weigh the interests of the owner .. against the overall impact of the proposal on the public as a whole. They should note that reducing or eliminating the impact of the current route of the right of way on the owner, in terms of privacy, security and safety, are important considerations to which due weight should be given"*. Regarding paths through private gardens and farmyards the guidance states *"Even where a public path through a private garden or farmyard has existed for centuries, and perhaps even pre-dates the use of the land for these purposes, there may be one or more reasons why its presence could be problematic for the landowner."* One of those reasons stated by the guidance is *"A reasonable expectation of being able to relax in the garden or spend time with family and friends without strangers appearing in the same contained space."* Therefore, as instructed by the Defra guidance, there is a presumption 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 proposal satisfy the relevant legislative tests.

To confirm I did have objections at the initial consultation phase, which can be read in full in Appendix 1. The Officers response to the representations and objections can be seen at 2. To date I have not had objections to the order. If no objections are received during the statutory consultation process on the made orders, the orders to can be confirmed and the definitive map changed once the route is certified. If an objection is received to the orders Wiltshire Council would not be able to confirm the orders. The orders would go before Wiltshire Council's Northern Area Planning Committee to determine whether the orders are referred to the Secretary of State, who would appoint an inspector from The Planning Inspectorate to determine the orders. At the Planning Committee stage there will be an opportunity for representatives in support and objectors to address the committee and present their case. If the decision is for the orders to be sent to the Secretary of State they will decide whether to determine the orders via written representations, a public hearing or a public inquiry, there will be a further opportunity for representatives in support and objectors to present their case either in person and or in written form. I have attached a flow chart of the process for your information

Kind regards,

Ali

Ali Roberts (Miss)
Definitive Map Officer
Definitive Map and Highway Records
Wiltshire Council
County Hall
Trowbridge
BA14 8JN



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

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

Follow Wiltshire Council



[Sign up](#) to Wiltshire Council's email news service

Information relating to how Wiltshire Council will manage your data can be found at:
<http://www.wiltshire.gov.uk/recreation-rights-of-way>

From: Lay, Jacqui <Jacqui.Lay@wiltshire.gov.uk>
Sent: 02 October 2025 12:04
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Cc: Deborah Lawrence <Clerk@purtonparishcouncil.gov.uk>; Cllr Geoff Greenaway <geoff.greenaway@purtonparishcouncil.gov.uk>
Subject: RE: Highways Act 1980 S.118 S.26 - PURT104

Dear Ali – as you probably realise this extinguishment and proposed new route is contentious in the community.

As I understand the process as there are objections raised (and even if there were none) the process is that this goes to committee for recommendation to the SoS.

Can you please confirm that this is going to happen and to let the parish council know so they can let people in the community know the process and what engagement the residents might be able to take part in at Committee and also when the proposals are submitted to the SoS.

I believe that there may need to be another inquiry on this.

Can you also outline information on the potential legal position with regard to DEFRA presumption 2023 which I believe relates to ROW that pass through Farmyards, close to buildings etc.

Kind regards
Jacqui

From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 24 September 2025 14:34
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Subject: Highways Act 1980 S.118 S.26 - PURT104

Highways Act 1980 S.118
The Proposed Extinguishment of Purton 104 (part)

Highways Act 1980 S.26
The Proposed Creation of Purton 104 (part)

Wiltshire Council made the above Order on 11 September 2025. Please find attached a copy of the Orders, the Order Plans and the Notice of making the Orders.

Notice of the made order will be advertised in the Gazette and Herald 25 September 2025 and on site.

The decision report is available to view by following the attached link to the public register for this case
[P/2023/013 - Rights Of Way - Wiltshire Council](#)

Kindest regards,

Ali

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>

Ali Roberts (Miss)
Definitive Map Officer
Definitive Map and Highway Records
Wiltshire Council
County Hall
Trowbridge
BA14 8JN

Wiltshire Council

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

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

Follow Wiltshire Council



[Sign up](#) to Wiltshire Council's email news service

Information relating to how Wiltshire Council will manage your data can be found at:
<http://www.wiltshire.gov.uk/recreation-rights-of-way>

From: [Lay, Jacqui](#)
To: [Roberts, Ali](#)
Cc: [Clerk](#)
Subject: RE: Highways Act 1980 S.118 S.26 - PURT104
Sent: 16/10/2025 18:02:26

Dear Ali – I realise that one point that is being considered is that the agricultural field appears to have now been made to look like a garden – without permission. However mowing a field to look like a lawn does not make it a garden – particularly when there is a garden on the other side of the property. I note that one of the supporters actually mentions that the permissive path is kept really well – presumably the same as the rest of the field – as a footpath it is not a garden even though it might look like one.

My own parents owned an agricultural field in Tandridge District Council area, with a public path running alongside one side and they kept this mown to look like a lawn but the council clearly made it clear this did not change its designation of agricultural to garden land. They owned the land from the 1970's through to 2023 and at no time would we have considered the field a garden. In fact at one point of the path the feeder stream to the Mill had eroded away the path, hence we could have asked for a complete closure however we did not as it was an important walking route for many people.

Bearing in mind the history of the Mud Lane route, its historic history and also the history of the footpath discussions, I think it is very clear that the landowners would understand that the field is a field no matter what it looks like and should remain as a field.

I can see why they would want a diversion and understand the concerns they have. The permissive path gives walkers etc. the option to walk further away but there are likely to always be those who want to walk the ancient routes around this community.

Kind regards
Jacqui Lay
Wiltshire Councillor for Purton

From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 16 October 2025 08:06
To: Clerk <Clerk@purtonparishcouncil.gov.uk>; Lay, Jacqui <Jacqui.Lay@wiltshire.gov.uk>
Cc: Geoff Greenaway <geoff.greenaway@purtonparishcouncil.gov.uk>; Green, Janice <janice.green@wiltshire.gov.uk>; Neil Saunders <Neil.Saunders@purtonparishcouncil.gov.uk>
Subject: RE: Highways Act 1980 S.118 S.26 - PURT104

Good morning Deborah,

I acknowledge receipt of Purton Parish Council's duly made representation in objection to the orders for PURT104 and have added the objection to the public register which can be viewed following the attached link [P/2023/013 - Rights Of Way - Wiltshire Council](#) or the page can be accessed on Wiltshire Council's website via our rights of way pages/ Changing a right of way/Public Path Order (PPOs)/ Rights of Way Public Path Orders Search the Register ... and this will take you to the registers page where you will be able to search for applications.

Kind regards,

Ali

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>

Ali Roberts (Miss)
Definitive Map Officer
Definitive Map and Highway Records
Wiltshire Council
County Hall
Trowbridge
BA14 8JN

Wiltshire Council

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

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

Follow Wiltshire Council

From: [Definitive Map](#)
To: [Roberts, Ali](#)
Subject: FW: Public path order enquire re P/2023/013 (PURT 104)
Sent: 17/10/2025 17:36:29

Hi Ali,

Objection on Purton 104, I think this one is for you.

Kind regards,

Janice

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

[REDACTED]
Sent: 17 October 2025 11:04
To: Definitive Map <DefinitiveMap@wiltshire.gov.uk>
Subject: Public path order enquire re P/2023/013

[REDACTED]

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

I wish to object to the diversion order of PURT104 as this is an historical route that should be maintained.

The order for the diversion/extinguishment of this path under the new DEFRA guidelines has been wrongly applied as the ground it covers is Grade 3 agriculture land and not a garden. There is no record of change of use.

I have been walking/riding this route for many years despite it being overgrown for some of that time.

Regards

Peter Andrews (footpath volunteer)
[REDACTED] Waite Meads Close
Purton
Swindon
SN5 [REDACTED]

From: [David Arnold](#)
To: [Roberts, Ali](#)
Subject: Fwd: Highways Act 1980 S.118 S.26 - PURT104
Sent: 16/10/2025 14:24:29


Miss Roberts,

I wish to register my disagreement with this decision.

Ordnance Survey mapping for the area, surveyed between 1875 and 1885, published in 1887, clearly shows an unrestricted route called 'Mud Lane'. Its present day route is identical, further the mapping appears to show what appears to be the existing landowners property shown on the southern edge of the lane. This RoW clearly existed before the current owner purchased the property and while he has chosen to turn that area of land into a mown lawn it should not be used as an excuse to divert or extinguish an ancient RoW.

Regards,
David

From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 24 September 2025 14:34
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Subject: Highways Act 1980 S.118 S.26 - PURT104

Highways Act 1980 S.118
The Proposed Extinguishment of Purton 104 (part)

Highways Act 1980 S.26
The Proposed Creation of Purton 104 (part)

Wiltshire Council made the above Order on 11 September 2025. Please find attached a copy of the Orders, the Order Plans and the Notice of making the Orders.

Notice of the made order will be advertised in the Gazette and Herald 25 September 2025 and on site.

The decision report is available to view by following the attached link to the public register for this case [P/2023/013 - Rights Of Way - Wiltshire Council](#)

Kindest regards,

Ali

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>

Ali Roberts (Miss)
Definitive Map Officer
Definitive Map and Highway Records
Wiltshire Council
County Hall
Trowbridge
BA14 8JN



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

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

Follow Wiltshire Council



[Sign up](#) to Wiltshire Council's email news service

Information relating to how Wiltshire Council will manage your data can be found at: <http://www.wiltshire.gov.uk/recreation-rights-of-way>

This email originates from Wiltshire Council and any files transmitted with it may contain confidential information and may be subject to Copyright or Intellectual Property rights. It is intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender and delete the email from your inbox. Any disclosure, reproduction, dissemination, modification and distribution of the contents of the email is strictly prohibited. Email content may be monitored by Wiltshire Council to ensure compliance with its policies and procedures. No contract is intended by this email, and any personal opinions expressed in this message are those of the sender and should not be taken as representing views of Wiltshire Council. Please note Wiltshire Council utilises anti-virus scanning software but does not warrant that any e-mail or attachments are free from viruses or other defects and accepts no liability for any losses resulting from infected e-mail transmissions. Receipt of this e-mail does not imply consent to use or provide this e-mail address to any third party for any purpose. Wiltshire Council will not request the disclosure of personal financial information by means of e-mail any such request should be confirmed in writing by contacting Wiltshire Council.

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: RE: Highways Act 1980 S.118S26 - Purt104
Sent: 16/10/2025 18:03:05

[REDACTED]
Ms Ali Roberts

We wish to point out that the field where Purt104 passes through has been made into a garden and the Defra guidance is that it is possible to divert/extinguish paths that go through gardens. However, we think the argument could be that no application has been made for change of use of the land from agricultural to garden land and just because a field is mown to look like a lawn does not make it a garden.

We think that the Defra guidance has been incorrectly applied and should be examined further.

Yours sincerely
Roy and Marion Hobbs

From: [annnmiles](#)
To: [Roberts, Ali](#)
Subject: FW: Highways Act 1980 S.118 S.26 - PURT104
Sent: 21/10/2025 19:24:23

Dear Ali,

I oppose the decision to close Purton 104 Mud Lane.

- 1) The footpath runs through agricultural land and not a garden. Therefore the Defra guidance does not apply.
- 2) It is an ancient right of way with great historical value to the local community. To close this would negatively impact the enjoyment of the route.

Regards

Ann Miles

From: [annnmiles](#)
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. Therefore, by their own doing, has made the property more visible.

The alleged activities at The Camp cannot be solely linked to Purton 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 Purton 104 due to its poor maintenance and this should not be a reason to divert the route.

Regards

Ann Miles

Sent from my Galaxy

Hi Ali,

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Re: Highways Act 1980 S.118 S.26 - PURT104
Sent: 22/10/2025 11:40:52

Thanks for the confirmation. I would like to register my objection to the making of the order relating to PURT104.

The area of land in question is not garden land. Just because the landowner has tried to make it seem to be a garden, it is not, it is agricultural land. It was agricultural land when the property was purchased and it still is now.

Therefore the DEFRA guidance has been incorrectly used in making this order.

I also do not see what has changed since the public inquiry in 2012. The points from this still stand.

Kind regards,

David Miles

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

On Wednesday, September 24, 2025, 2:34 pm, Roberts, Ali <Ali.Roberts@wiltshire.gov.uk> wrote:

Highways Act 1980 S.118
The Proposed Extinguishment of Purton 104 (part)

Highways Act 1980 S.26
The Proposed Creation of Purton 104 (part)

Wiltshire Council made the above Order on 11 September 2025. Please find attached a copy of the Orders, the Order Plans and the Notice of making the Orders.

Notice of the made order will be advertised in the Gazette and Herald 25 September 2025 and on site.

The decision report is available to view by following the attached link to the public register for this case [P/2023/013 - Rights Of Way - Wiltshire Council](#)

Kindest regards,

Ali

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>

Ali Roberts (Miss)
Definitive Map Officer
Definitive Map and Highway Records
Wiltshire Council
County Hall
Trowbridge
BA14 8JN

Wiltshire Council

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

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

Follow Wiltshire Council



[Sign up](#) to Wiltshire Council's email news service

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](#)
Subject: RE: Highways Act 1980 S.118 S.26 - PURT104
Sent: 21/10/2025 11:37:27

Dear Ali,

Many thanks for the notification of the Council's decision to extinguish Mud Lane (PURT104).

Please could I register my objection to the making of the order for the following reasons:

- The right of way passes solely through agricultural land. Therefore, the Defra guidance in presumption of diversion referenced within the decision report does not apply. This is stated within the guidance itself. The guidance would appear to have been incorrectly used in the making of this order.
- I feel the decision report does not place sufficient weight to the findings of the previous public inquiry. Nothing has changed since the inquiry was completed in 2012, therefore the facts and decision established by the inspector still stand. In particular, I would highlight the weight given by the inspector for the public to enjoy this historic feature of the landscape. This, in my view, is sufficient on its own for a presumption to not make the order.
- I do not think the decision report sufficiently overcomes the numerous objections raised through the representations from Purton Parish Council and members of the public; for example, questions around the applicability of alleged anti-social behaviour. Too much weight is given to claims from the landowner, which are taken at face value, often do not relate to the route of PURT104, and should not be used as reasons to confirm the order.

For these reasons, please can I urge the council to not confirm this order.

Best regards,

Rob Miles

----- Original message -----

From: "Roberts, Ali" <Ali.Roberts@wiltshire.gov.uk>
Date: 24/09/2025 14:34 (GMT+00:00)
To: "Roberts, Ali" <Ali.Roberts@wiltshire.gov.uk>
Subject: Highways Act 1980 S.118 S.26 - PURT104

Highways Act 1980 S.118

The Proposed Extinguishment of Purton 104 (part)

-

Highways Act 1980 S.26

The Proposed Creation of Purton 104 (part)

-

Wiltshire Council made the above Order on 11 September 2025. Please find attached a copy of the Orders, the Order Plans and the Notice of making the Orders.

Notice of the made order will be advertised in the Gazette and Herald 25 September 2025 and on site.

The decision report is available to view by following the attached link to the public register for this case [P/2023/013 - Rights Of Way - Wiltshire Council](#)

Kindest regards,

Ali

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

Dear Miss Roberts,

I understand the landowner has made an application to divert Purton bridleway 104 (PURT104) 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 PURT104.

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 PURT104, or have happened on PURT104 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 PURT104 would prevent these activities from happening again. Indeed, a diverted PURT104 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: [REDACTED]
To: [Roberts, Ali](#)
Subject: RE: Highways Act 1980 S.118 S.26 - PURT104 Objection to Order
Sent: 16/10/2025 16:42:53

Dear Ms Roberts
Thank you for your email below.

I believe that there has been an error in determination. Whilst the Defra guidance is that it is possible to divert/extinguish paths that go through gardens, that does not apply in this case. The land through which the footpath passes is agricultural land. Just because a field is mown to look like a lawn does not make it a garden.

I believe that the Defra guidance has been incorrectly applied, and this should be examined further at the Northern Planning Committee, and the Order dismissed.

Many thanks
Richard Pagett

From: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Sent: 24 September 2025 14:34
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Subject: Highways Act 1980 S.118 S.26 - PURT104

Highways Act 1980 S.118
The Proposed Extinguishment of Purton 104 (part)

Highways Act 1980 S.26
The Proposed Creation of Purton 104 (part)

Wiltshire Council made the above Order on 11 September 2025. Please find attached a copy of the Orders, the Order Plans and the Notice of making the Orders.

Notice of the made order will be advertised in the Gazette and Herald 25 September 2025 and on site.

The decision report is available to view by following the attached link to the public register for this case
[P/2023/013 - Rights Of Way - Wiltshire Council](#)

Kindest regards,

Ali

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>

Ali Roberts (Miss)
Definitive Map Officer
Definitive Map and Highway Records
Wiltshire Council
County Hall
Trowbridge
BA14 8JN



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

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

Follow Wiltshire Council



[Sign up](#) to Wiltshire Council's email news service

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.**

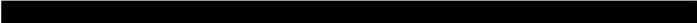
Kind regards

Richard Pagett

Resident of Purton

29 June 2025

From: [Janet Saunders](#)
To: [Roberts, Ali](#)
Subject: Mud Lane PURT104 Purton
Sent: 17/10/2025 16:44:04


To Ali Roberts.

I refer to the application to divert an existing right of way.

I am concerned that this diversion has been already done without any applications to change the right of way from agricultural land to a domestic garden.

The diversion has meant that ancient hedgerows have been cleared for this.

If this application is approved it may open the flood gates for others in the future to side line the correct procedures in order to make alterations.

Janet Saunders

From: [Miriam Saunders](#)
To: [Roberts, Ali](#)
Subject: Highways Act 1980 S.118 526 - PURT104 Mud Lane
Sent: 17/10/2025 18:31:34

Dear Ms Ali Roberts

I challenge the Defra guidance which has been incorrectly applied in the case of PURT104 Mud Lane.

The decision taken has resulted in changing usage of part of Mud Lane - PURT104 from agriculture use to a formal garden, it should certainly be examined again.

I view the proposed changes to Mud Lane as just the tip of the iceberg!

Miriam Saunders

Sent from my iPad