

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)

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Highways Act 1980 S.26

The Proposed Creation of Purton 104 (part)

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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

[REDACTED]
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 ■