

From: [REDACTED]
To: [Definitive Map](#)
Subject: Objection -Application for public path order P/2023/016
Sent: 03/03/2025 16:20:26

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I wish to register my objection to the application for public path order P/2023/016.

My wife and I have been walking this path on a regular basis for the past 9 years. We have always been considerate regarding being in close proximity to The Homestead. The proposed diversion offers less variety as it is very similar to path SMAN3, which crosses the same field. The path is also steeper than SMAN13, which would make it much harder for us to use.

I therefore object on the basis that this will be the loss of an amenity that the public currently enjoy.

Over the years the owners of the property have made numerous amendments which appear to give them far less privacy than they enjoyed in the past. Common sense says that surely they can't complain of lack of privacy as a result of their own actions? When they bought the property they would have been aware of the public footpath.

I don't like walking in the road where there are no pavements, especially where there is a 60mph speed limit and heavy vehicles using it.

Andy Jameson
Tisbury Resident

P/2023/016 SMAN 13

1-I am a long term resident of Sutton Mandeville and a regular user of the network of footpaths in our area. I wish to object to the proposal that SMAN 13 should be closed in its entirety and be replaced by a totally new footpath.

2-I quite understand the attraction of this proposal to the applicants. However it seems to me to be highly relevant that the extensive works carried out by the applicants to their property have increased the visibility of SMAN 13 so they can be said to be the authors of their own misfortune. If the original hedging had remained in place, they would be much less exposed.

3-I do not think that the proposed new footpath can be said to be in the “wider public interest” (the phrase used in the leading authority Open Spaces Society -v- The Secretary of State for The Environment (2021) EWCA Civ 241) for various reasons

3.1 Coming through the churchyard (a very popular walk) a pedestrian at present crosses the road and only has to walk a very short distance to connect to SMAN 13. The proposal would necessitate a much longer walk along the road (which is narrow and has no pavement) to connect to the access point. There is no speed limit and this road can be quite busy with cars tractors etc.

3.2 The new access point is to be sited near a T-junction adjacent to 2 drain manhole covers. It is not clear to me what type of access would be intended. Ideally this would not be right on the road to minimise risk to pedestrians. I would not think that access at a T-junction is intrinsically as safe as the existing access point.

3.3 I have not walked up the proposed new footpath but I understand that it is quite steep at the top which may necessitate steps being constructed. I would imagine that this might conflict with the Council’s obligations under the Equality Act 2010.

3.4 At the moment 3 footpaths run off the road which are broadly equidistant. The new footpath would be much nearer to SMAN 3 and much further from SMAN 10

3.5 The creation of the new footpath would require removal of a significant chunk of hedgerow thereby potentially affecting wildlife and biodiversity

3.6 The new footpath would be close to the solar array for heating the swimming pool-hardly an attractive feature for walkers

3.7 Preservation of the heritage/history of the footpath network

Finally it seems to me to be highly relevant to look at the enormous volume of highly cogent objections. No-one supports the proposal apart from the applicants! Taking all the above into account, it seems to be that the public

interest far outweighs the interests of the applicants and on that basis it seems to be clear that the application should be refused.

OBJECTION to moving SMAN13 Sutton Mandeville

We register firm objection to the application to move this public RoW for the following reasons.

1. The applicants purchased the property when it consisted of a low-rise largely thatched cottage, in full knowledge that SMAN13 traversed the land on an approximate North/South axis connecting Sutton Hill to SMAN 9. Subsequently, they built the large extension parallel and adjacent to the northern course of the RoW. Instead of using traditional fenestration in keeping with the old cottage, they glazed it with large plate glass windows directly onto the footpath, exposing occupants to walkers' gaze. In 2023 they destroyed what remained of the old garden which was formerly not overlooked from the footpath, by removing tall Beech hedging and a row of mature Silver Birch trees, exposing the Southern aspect of the house and original garden area to view from the RoW. The applicant states that the path passes through their garden, but this is to ignore the fact they removed the garden boundary. Before that the path did not pass through the garden but skirted its edge through a greenfield site. There appears to have been no planning permission sought or granted for these alterations which effectively doubled the size of the original garden.

The applicants are therefore entirely to blame for reducing their privacy, because their own actions have created the situation of which they now complain, and they have deliberately created these conditions very likely as a ploy to justify their already formulated (but not at the time publicised) plan to remove the footpath from its current location.

2. At present three footpaths, SMANs 3, 13, & 10 are in equidistant sequence from one another from Rectory Road and Sutton Hill, allowing a variety of walks through the relatively flat meadows to the North of a strip of woodland, known as The Hanging, to join SMAN 9, running along the Southern border of it. The application if successful would result in SMAN13 being too near to SMAN 3 and too far from SMAN 10. The Southern entrances to 3 and 13 would be a mere few yards apart, as is now shown on the map.

3. The woodland is very steep throughout its whole length, so the suggestion that passage through it for disabled pedestrians would be easier if the footpath were to be relocated East is not credible. Although a somewhat shorter portion would be through the woodland, moving the path would make no difference to the difficulty of negotiating it, because of the steep incline. Certainly, no wheel chair, pushed or powered could use any of the three footpaths. It is fatuous and misleading to suggest that the proposed location of SMAN 13 could become part of a recently installed network of Milton Keynes gateways allowing access to pathways for the disabled in wheelchairs to Great Ground Hill and other parts of the village. This ancillary assertion is fallacious.

4. With regard to security, before the above changes were made to the house and landscaping, The Homestead was configured similarly to neighbouring properties with south facing private gardens, and was thus no less secure than they are. The applicants themselves chose to denude it of appropriate screening from walkers using the footpath. It could also be said that it is no less secure than it was before the extension was built and the garden devastated, because it is now easier to spot intruders casing or breaking into the property. On balance the changes have not altered security; this posited justification is factitious.

5. Traffic surveys show that Sutton Hill is not a quiet lane. It is much used by HGVs, agricultural vehicles, as well as vans and private cars. Despite the fact that it is narrow and difficult for vehicles to pass one another, Sutton Mandeville is classified as open countryside where the speed limit is 60mph, which makes it dangerous especially at the junction with Panter's Road where it is proposed to create the new pedestrian entrance to SMAN13. This site is also inappropriate for other reasons: the need not to interfere with essential road signage at the junction, to avoid exacerbation of a drainage problem, to avoid the removal of a large portion of hedgerow, and to accommodate the difference in level between the road surface and that of the field. All these factors would make usage problematic as a new location for the re-located Northern end of SMAN13. The Highways officers should be informed and investigate this.

6. The notion that walkers find it embarrassing to traverse the footpath is absurdly subjective. If the applicants find it demeaning to encounter walkers, they only have themselves to blame. Villagers know it is their legal right to enjoy walking along historic village paths, and are careful not to trespass onto private land at The Homestead.

7. To relocate SMAN 13 to the Eastern boundary of the property will make it run adjacent to the large solar array for which permission has been granted. Such arrays are an ugly blot on the heritage National Landscape. A RoW running adjacent to it will only make it more visible when it should be as unobtrusive as possible.

8. The approval of this application would establish a very regrettable precedent, especially in this National Landscape. SMAN13 is part of an ancient network of footpaths, one of which comes from Chicks Grove, past Sutton Mill (mentioned in The Domesday Book) through Sutton Mandeville's 13th century churchyard, then across Sutton Hill southwards through The Hanging to Manor Farm and the Downs. To move part of this old RoW on such flimsy and concocted grounds may result in many more such applications. Public footpaths and bridleways are part of our rural heritage, an important amenity, and although not always convenient for landowners and farmers they should be tolerated and indeed cherished for the good of the whole community, not expunged out of narrow self-interest. It is hard to acknowledge any imperative or even sound reason to alter the route of SMAN13 which would be to the detriment of villagers' interests and amenities, and certainly not for the minor domestic inconvenience to the applicants, who knew of the footpath's presence when they purchased the property and have exacerbated their perceived problems by their own subsequent actions.

John Prince – David Foston

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Application to alter footpath SMAN 13 Sutton Mandeville, SP3 5ND
Sent: 03/03/2025 16:46:45

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I I wish to object to the application to move the above footpath for the following reasons:

1. Right to privacy: This was lost by the removal of the mature hedge by the new owners
2. Access: Suggested new footpath difficult to negotiate...steep hill.
3. New pedestrian access extended along narrow lane, no pavement, traffic which would endanger walkers with children and dogs.

I have kept my objections short as all points have been well covered already.

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: P/2023/016 Objection to change of right of way
Sent: 26/02/2025 08:33:37

You don't often get email from emmawoodchuck@yahoo.co.uk. [Learn why this is important](#)

Dear Sirs

Reference Number: P/2023/016

I would like to raise a very strong objection to the movement of the above footpath in the Parish of Sutton Mandeville.

As a local walker, I have used this footpath for many years and it takes a delightful route through the fields leading down to the road in Sutton Mandeville. This route has been used as a right of way since the 1700s and probably even further back than that. This is a historic right of way and it must not be moved for the sake of people's convenience.

I work within the historic building sector and I am constantly witnessing the use of local planning loopholes and sneaky moves in order to ruin our history. For over 300 years people have been able to walk this ancient path and now, just because it doesn't suit these arrogant landowners, they think it's perfectly justifiable to 'just move it.' Our heritage paths are facing more issues than ever before with council budgets continuing to be squeezed and landowners riding roughshod over local laws for access.

I do not accept their excuses of privacy and security as I have seen them take a wrecking ball (literally) to a lovely little historic cottage. They have chosen to add glass windows all across the back of their house and they have removed the beech hedge and trees that gave them plenty of privacy. Security is not an excuse. They have turned their home into a goldfish bowl by choice. If anyone wants to break in they will just come from the road side. I would like to suggest that they reinstate a nice big hedge which would effectively solve their issues and give a bit back to nature, of which they have already destroyed.

I urge you not to allow this change as it will set a precedence for more footpaths, bridleways and greenpaths to be moved at will and easily. Perhaps we will end up losing countryside access altogether and for me, as someone who will never be able to own my own bit of land, this would be devastating. Please keep what remaining countryside access that we have intact and preserve our ancient byways and paths so we, the history loving and countryside loving public, can enjoy using them (respectfully I may add) for many centuries more.

Yours sincerely
Emma Heard
Local resident

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: SMAN13
Sent: 03/03/2025 21:21:06

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Good Evening

I am commenting on the application to change the route of SMAN13.

I am inclined to agree with those who have suggest that the principle of 'caveat emptor' should apply. In the twenty years I have lived in the village I cannot recoil seeing anyone use the footpath in question. That does not mean it is never used, simply I suspect the actuality is much less than the perceived likelihood. In any case it is an unattractive route as it has a very steep exit at the top. There is a much more accessible path with a gentler gradient no more than 200m to the East. This path reaches the top of the ridgeline no more than 30 or so yards from where the alternative footpath would emerge. There seems little reason to site an alternative when to all intents and purposes a footpath already exists no more than 100m to the East of the suggested start point of the alternative.

Lastly, I believe as an ancient path it should not be relocated simply for convenience.

Jack Deverell

[REDACTED]
Sutton Mandeville SP3 [REDACTED]
[REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Fwd: Objection to application to divert public path in Sutton Mandeville: ref P/2023/016
Sent: 16/03/2025 11:05:17

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

[REDACTED]

Sent: Sunday, March 9th 2025, 23:43

Subject: Objection to application to divert public path in Sutton Mandeville: ref P/2023/016

Dear Ali Roberts,

I am writing to object to the application to divert a public path in Sutton Mandeville (Reference P/2023/016) where I have lived since 1992. I agree with the objections that have been lodged by others in the village, namely that this footpath has been in continuous use for more than 300 years; that the owners when they bought the property would have been fully aware of the location of the path and that it was an historic right of way; and that the proposed new path would be altogether much steeper for pensioners like myself. Certainly, I could no longer walk it, as I used to walk the present path with my late wife (it was the nearest footpath to offer us a complete circuit) and as my four children and seven grandchildren continue to do whenever they stay. It also seems worth reiterating that it was entirely the decision of the applicants to remove the protective hedge which had given privacy to the original home, as was their decision to install new windows that now directly overlook the path. There was no encroachment by the path. For these reasons, I would like to see it remain in situ, undisturbed, as a public right of way.

Yours sincerely,

John Shakespeare

[REDACTED]

Sutton Mandeville SP3 [REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Application for public path order SMAN13
Sent: 12/03/2025 20:57:41

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Dear Ali,

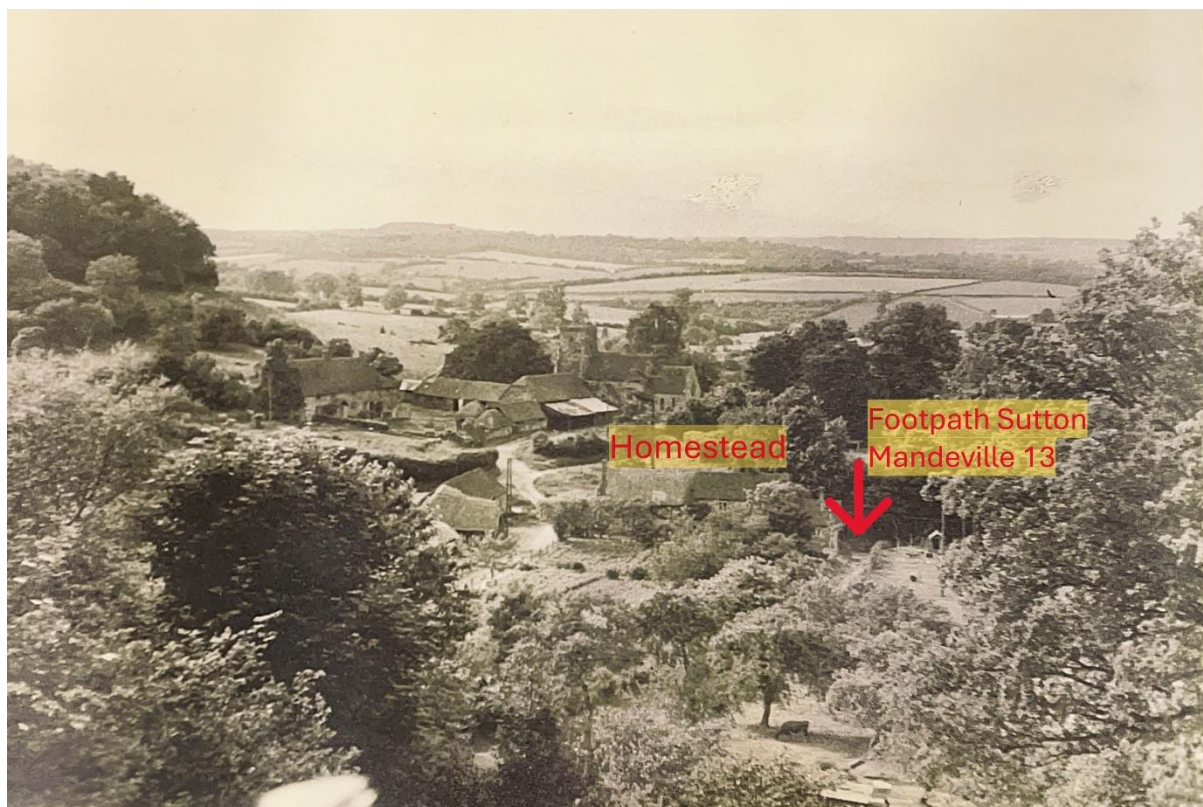
We wish to register our objection to the application to move the footpath SMAN13.

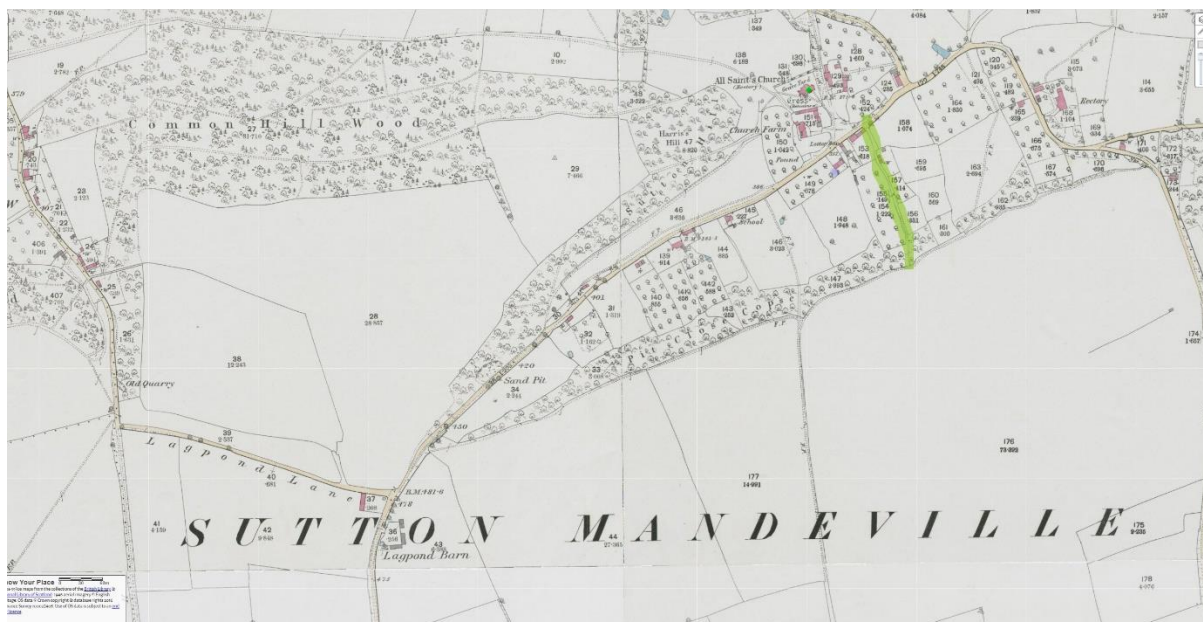
The proposed new route is entirely unacceptable having the entrance/exit coming out at the junction of Panter's road and Sutton hill without some major works to make it safe and easily accessible.

Losing the existing footpath robs the local community of a small part of the history of the village and one of few local amenities that we have.

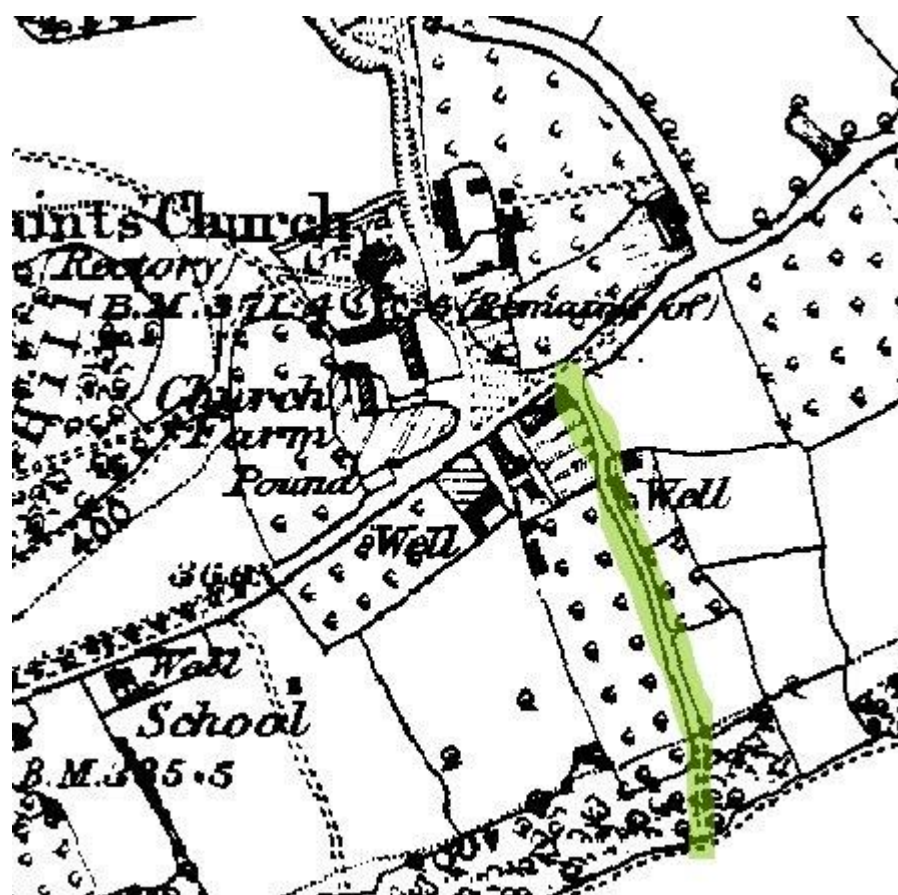
J Dowling and H Webb

Sent from my iPad









From: [Roberts, Ali](#)
To: [Roberts, Ali](#)
Subject: FW: SMAN13 footpath
Sent: 03/03/2025 09:01:15

From: Kate Barker [REDACTED]
Sent: 02 March 2025 10:45
To: Roberts, Ali <Ali.Roberts@wiltshire.gov.uk>
Subject: SMAN13 footpath

You don't often get email from [REDACTED]
Dear Ali,

Please find attached our representations regarding the proposed diversion of footpath SMAN13.

Do let me know if you have any questions or if you're unable to open the attachments.

Thank you,

K Barker & B Millington.

Footpath SMAN13 proposed relocation

We wish to register our objection to the application to Wiltshire Council, dated 24 September 2023, to divert footpath Sutton Mandeville 13 (SMAN13).

The letter of objection submitted by Dr Prince and Mr Foston has, in our view, responded accurately, reasonably and in detail to the specific points put forward in the proposal to move the footpath. We formally and wholly agree with each of the carefully argued responses, and there is no need to repeat them.

Nonetheless, with reference to the claims regarding the applicants' privacy, prior to their construction of a large-windowed extension right next to the footpath, the removal of the hedging and enlargement of the garden, the garden was indeed private and not exposed to view from the footpath (see image 1).

These works may have been undertaken with the presumption that permission would subsequently be granted for the removal of the footpath. However, Wiltshire Council explicitly noted in its Decision Notice dated 20 December 2024 that 'nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site'. The applicants are therefore entirely culpable for the predicament they created.

Section 119(6) of the Highways Act 1980 states a Council shall not confirm a public path diversion without regard to the effect which the diversion would have on public enjoyment of the path. The proposed new route for the path runs directly alongside a new solar array due to be constructed, planning having been approved (doc 23/782/P003 dated June 2024). This will clearly mar the views and experience of the landscape from the footpath, and therefore public enjoyment will inarguably be damaged.

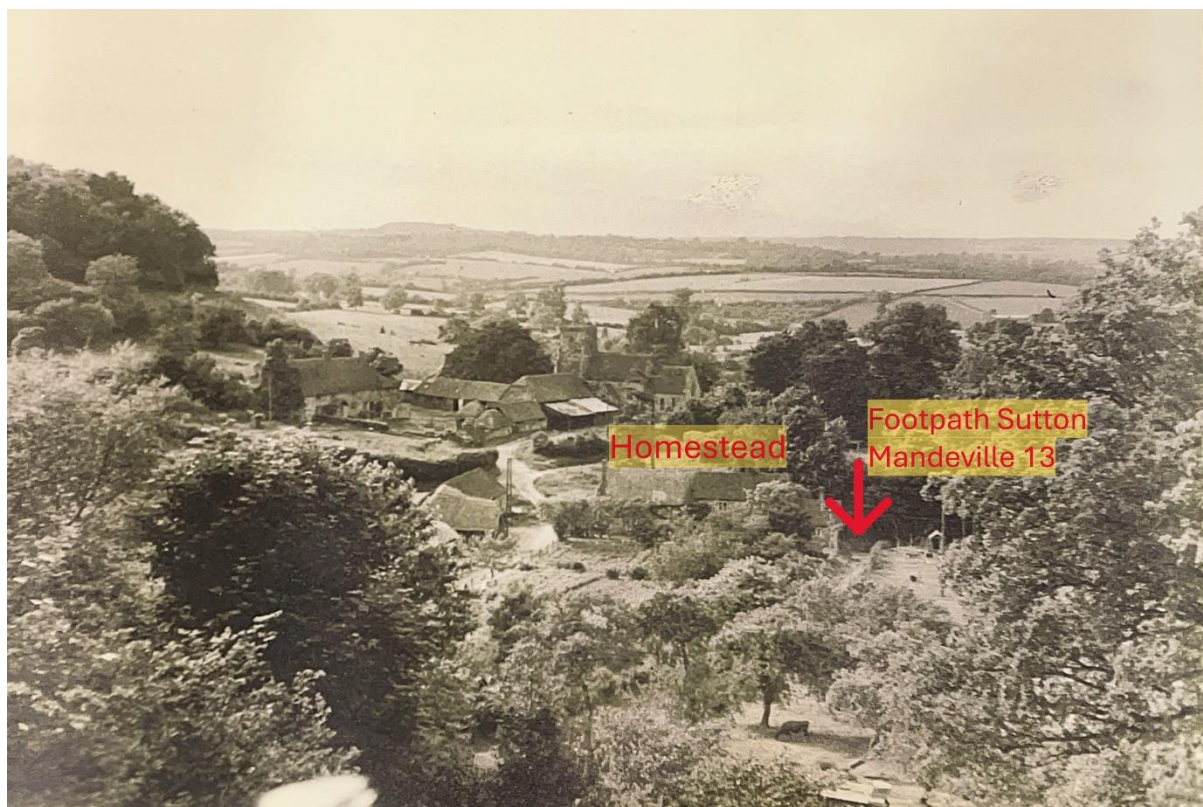
Most important to us is the historic worth of footpath SMAN13 as it forms part of a network of ancient tracks and footpaths worn into existence by the everyday passage of our ancestors - the footprint of many generations of ordinary people, walking between settlements or to reach their parish church, home or farm fields. These manifestations of past lives form a hugely important part of our history, connecting us with our descendants and our landscape. No other feature of our village landscape would have been created so long ago and used continuously, by so many, through to the present day.

As such, these footpaths should surely be valued and protected for future generations and not disregarded for privileged self interest, erasing hundreds of years of history.

(Please refer to attached historical maps and views.)

From K Barker and B Millington.

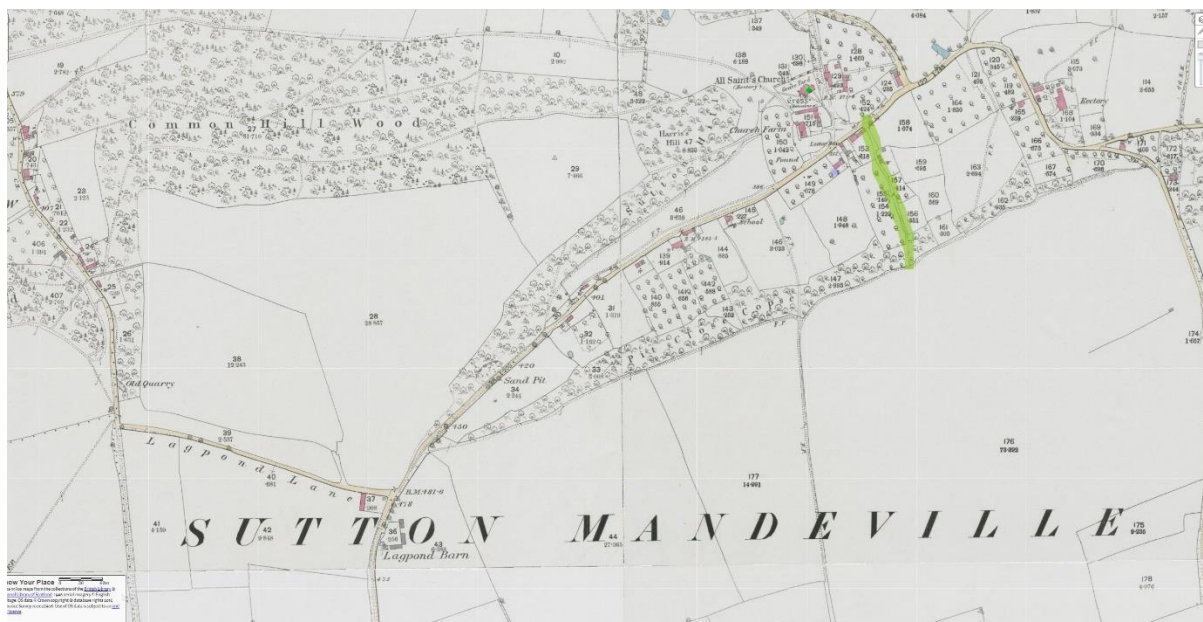
Image 1: showing former screening of footpath from the Homestead prior to development
Image 2: showing footpath SMAN13 on map from 1900
Image 3: map from 1840
Image 4: map from 1844



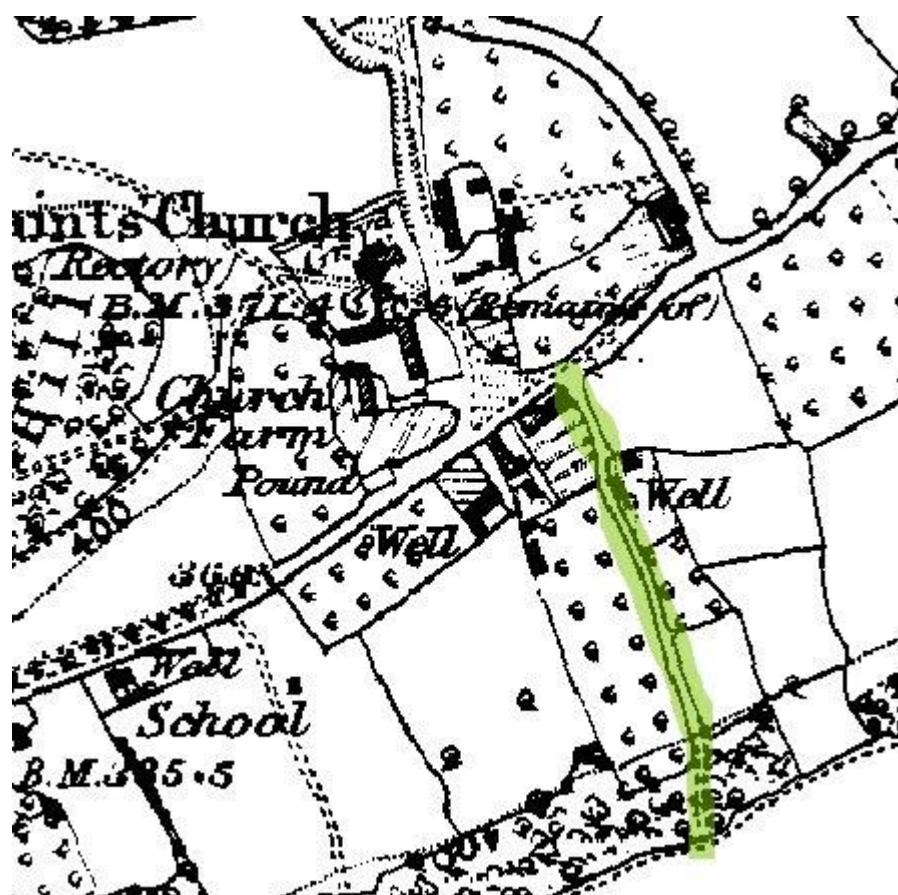
Homestead

Footpath Sutton
Mandeville 13









From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Objection to divert footpath SMAN13
Sent: 18/03/2025 19:07:10

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I'd like to object to the application to divert the footpath SMAN13.

I live in the village and am a keen walker. I have enjoyed using these amazing footpaths and routes connecting the parishes for the last 25 years. Each pathway connects to the next and gives a different direction and walking route.

The location of the Homestead in central to our village. The owners have changed the property extensively and I feel without much consideration for the wider community and the redirection of the footpath feels that it benefits them but impacts so many. The development of the property clashes with the character of the village and the immediate houses surrounding the property have lost a beautiful small holding and have gained something best suited to somewhere more ostentatious, not a quiet Wiltshire village. It is so visible and has changed the look of the village. This is the legacy of the current owners, the property will only be bought by someone with pots of money not a family cherishing a special historic building in a valley that has got so much human history.

The footpath has pretty much been closed for the last year with a 'polite notice' encouraging us all to use the next path along. This also makes me sad that one family can take so long to finish a project (I'm not sure this is their primary residence) and we all have to change where we walk.

For the future of this village and the preservation of our ancient pathways I implore the council to refuse this application and for the owners to rethink this idea, as in reality we all need to live harmoniously in our community as we are not separate from one another.

Regards, Liz Barrah

[REDACTED]
Sutton mandeville

Sent from my iPhone

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Ref P/2023/016. Objection to application to divert public path in Sutton Mandeville
Sent: 09/03/2025 23:47:56

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Dear Ali Roberts,

I have lived in Sutton Mandeville since 2001 and I am writing in support of the many in the village who object to the application to divert a public path (Reference P/2023/016).

The current path has existed for generations, providing safe and accessible passage through the countryside. The suggested rerouting, however, is neither practical nor in keeping with the public's enjoyment of the area.

The suggested path climbs a steep, wooded slope, which likely explains why a trail has not been established there before. Even before my knee replacement, I would have found it challenging to walk comfortably up or down this steep incline. It will be inaccessible for individuals with mobility issues, and could be dangerous for many during wet weather.

The original path offers an open, uplifting perspective of the countryside—one of the reasons walkers value it. The change would replace this lovely view with one of the solar panels used to heat a swimming pool.

The proposed alternative does not meet the standard of accessibility or enjoyment that should be required for such a change. Making it safe and usable would require significant destruction of trees and banking, further undermining the area's character.

The historic footpath should not be compromised for the convenience of one household at the expense of the wider community's right to enjoy a safe, beautiful and established route.

Yours sincerely,

Nicholas Shakespeare

[REDACTED]
Sutton Mandeville SP3 [REDACTED]

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Objection to proposed change of footpath SMAN13
Sent: 10/03/2025 12:24:14

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Dear Miss Roberts,

As long term residents of Sutton Mandeville, we wish to respectfully object to the proposed diversion of footpath SMAN13 on the following legal and public interest grounds:

- **Landowner's Choice:** The current owners purchased The Homestead with knowledge of the route of the public footpath. Their decision to build an extension with large windows adjacent to the path and remove the previous natural screening was their own. Under Highways Act 1980, Section 119, a footpath should only be diverted if it is in the interests of the landowner and the public. This application serves only the landowner's personal preferences, not the public benefit.
- **Legal Tests Not Met:** The proposal does not satisfy the necessary legal requirements under Section 119 of the Highways Act 1980:
 - The termination points must remain on a highway and be equally convenient.
 - The "not substantially less convenient" test requires an objective comparison of factors such as length, gradient, and accessibility. The proposed diversion requires walkers to use a longer, steeper route and use a longer section of a narrow lane without a verge, which is less safe and less accessible.
 - The council must also consider the impact on public enjoyment. The diverted path removes variety from the existing footpath network, placing it too close to another path (SMAN3) and reducing the overall amenity value.
- **Loss of Public Amenity & Heritage Value:**
 - SMAN13 is an ancient right of way that has existed for centuries, forming part of a historic network of footpaths. It contributes to the character of Sutton Mandeville and should be preserved in situ.
 - The current path provides a varied and scenic walking experience, whereas the proposed route is less diverse and runs alongside a solar array, reducing the rural character and public enjoyment of the walk.
 - Public rights of way exist for the benefit of the whole community, not just individual landowners. Approving this diversion would set an unfortunate precedent, potentially encouraging future requests to alter historic paths for private convenience.

Given these legal and public interest concerns, and above all the precedent that this would set, we would request that the council reject this application and maintain the footpath in its original, lawful, and historic location.

Yours sincerely,

Nicholas Radford and Eeva-Kaarina Kuisma
[REDACTED] Sutton Mandeville, Salisbury, SP3 [REDACTED]

From: [Definitive Map](#)
To: [Roberts, Ali](#)
Subject: FW: Public path order enquire re P/2023/016
Sent: 22/04/2025 08:18:08

From: [REDACTED]
Sent: 19 April 2025 12:47
To: Definitive Map <DefinitiveMap@wiltshire.gov.uk>
Subject: Public path order enquire re P/2023/016

You don't often get email from [REDACTED] [Learn why this is important](#)

Enquiry regarding the public path order application P/2023/016:

Sir/Madam,

I live within half a mile of the footpath SMAN 13 in Sutton Mandeville and know the area well and walk it almost everyday.

I write to object to the application to move footpath SMAN 13. I have read many of the clear and thoughtful objections already submitted, agree with them and can add nothing new. It seems to me that the applicants have created their own problem and I see no reason whatsoever to move the path. I object to the application.

Paul Cordle

From: [Roberts, Ali](#)
To: [Roberts, Ali](#)
Subject: Paul Harris 1
Sent: 17/03/2025 14:09:41

If the window for public comments on this application is still open I'd like to object to this application please.

I use the path to get from the churchyard footpath back up to the ridge and then to Fovant and I also use it in the other direction. My family and I use this path for walking and running and for enjoying the amenity of our local area. This route is our preference to ascend/descend the ridge because of its proximity to the church footpath and because it avoids use of the road. The path has always run next to the house and cutting diagonally to the woodland strip - but I suspect many years ago it used to run down the field line and through what was then a farmyard. The house is a good aiming point, the path route and path itself is historical and the direct path is very convenient. There's no reason to alter this path and many reasons to refuse the application - which I will detail below

1. Highway safety. My family and I do not use the other footpath because of its location on a corner, the ditch and the poor stile at the roadside, plus there is more use of the road. This proposed diversion is similar and indeed worse as it takes the walker or runner to an actual road junction where there are three potential sources and direction of traffic flow rather than two. There is also more narrow road to have to use up the hill (towards church) where natural lighting is very poor. I feel that this makes the route to and from the church much more unsafe simply because there is more road to use. Road traffic is increasing ever more and so these public rights of way that offer short sections of road use to connect with each other and destinations need to be protected and enhanced to ensure public safety..

2. "Privacy and security" - I've never seen anyone in the house, and anyway I've never stared in when using in either direction (so there may have been people there) but the point is that I've never felt awkward as its just a path leading somewhere. With clear way marking, good path condition and good path condition (currently lacking) there's no reason why the path can't remain on its line as users are on the path for a short amount of time and there's zero security risk. Arguments over privacy and security are facile as the extension was placed deliberately in that position and consisted of that open design. It could have had a more defensive design. Most of us live near pavements and roads and use curtains and fences so why is this path's location as a result of the changes to the property a justification? This is not a convenient, practical or reasonable reason for change.

3. Amenity. At the moment the path is open and pleasant to use, despite the building and landscaping works making it unpleasant and even obstructed at times. The proposed alternative path will go around the property and no doubt be wedged in behind earth mounds and hedge screening. This will make for an unpleasant experience and the dog-leg route is an abrupt change of direction that is unnecessary and unreasonable. This is not a way to treat a public highway that has been in place and available for many many decades and that currently contributes to the enjoyment of the landscape of the area.

4. Historical connections. As said before, this path provides an historical connection to and from the church and fields which is part of our cultural heritage. You can't replicate that short drop down from the church and little snuck of road use to then pass up next to the farmhouse. Its cute, its historical and its a sense of adventure and exploration. It is a priceless part of our heritage as the current route more or less retains this direct connection and a feeling of belonging. A harsh-angled diversion for householder convenience, stuck behind a bund and hedging and exposing people to more road use is a travesty and a direct attack on our country's priceless landscape and heritage.

Please keep the path on its line and improve it for all.

Kind regards, Paul Harris
■ Sling Orchard
Fovant
SP3 ■

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

Wiltshire Council

Tel: 01225 756178

From: [REDACTED]
To: [Roberts, Ali](#)
Subject: Objection to footpath move
Sent: 05/03/2025 16:04:08

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Hello Ali

John Prince suggested I email you a copy of my objection letter to the moving of SMAN13. I live [REDACTED] opposite to where the new proposed gate and path position they are hoping to move it to. I have already sent it to the general email on the website.

kind regards
Peter Ellis

OBJECTION to moving SMAN13 Sutton Mandeville
We register a strong objection to the application to move this public RoW for the following reasons.

1. When someone buys a property with a public RoW footpath you know what you are letting yourself in for and have a moral duty to look after and maintain this ancient and historic right of way. This clearly is not something the current owners seems to have taken into account or have held up with the developments and landscaping that have already taken a heavy toll on the footpath. It was their choice to develop and build and make themselves far more public. Sighting privacy and security concerns for both themselves and the general public is therefore a complete irrelevance and should not be taken into consideration.

Apart from public enjoyment the single most important point is maintaining around a thousand years of history and not wiping that off the map for a few peoples convenience during their brief years of ownership of the property and land. If this is aloud it will be seen as a precedent for other people to apply to do similar and set things on a slippery slope. The country side is under enough pressure by developers, population growth and environmental changes and this is one thing that can still be preserved with the correct decision not to allow the requested application.

2. The new proposed location running up besides the planned solar array will not be an attractive walk with that on one side and hedge on the other. It also has a very steep rise up to the top which apart from the very young would be a struggle for the average person. I have personally scrambled up that bank just 20 feet left from the proposed route and had to use trees to pull myself up in parts.

3. The proposed new location would be to close to SMAN 3 making it almost redundant especially as SMAN 3 would be a much easier walk.

4. The gate entrance to this proposed path site is not as safe a location as the original being at the junction of Sutton Hill with Panthers Road where cars and lorries are often forced to reverse when trying to turn into the single lane Panthers Road if a car or lorry is coming down it. I have often witnessed cars, vans, tractors and lorries pulling out of Panthers Road into Sutton Hill at far too fast speeds with little heed for anyone walking, riding or driving along. It is a bit of a blind spot.

5. Installation of the gate will also require tearing out the historic hedgerow and bank and would be sitting next to the attractive old style road direction sign and in front of or besides the drain which is not a particularly acceptable idea.

Peter Ellis and Hamish Davies.

Peter Ellis Design
[REDACTED] Maida Avenue
Little Venice
London W2 [REDACTED]
[REDACTED]

Application for public path order Reference P/2023/016 for the diversion of Sutton Mandeville Right of Way (footpath) SMAN13.

Letter of objection

The new owners of the Homestead have applied to divert SMAN13 from its present alignment so that the northern end of the path would emerge onto road C317 some 100 metres further northeast from its present termination point. Its present northern termination point is almost exactly opposite the southern end of SMAN18, the footpath which leads to the church. The path is an ancient route from the major path SMAN9 serving farms to the south to provide them with direct access to the church. It makes no sense to move it away from this route.

The proposed diversion would require pedestrians to walk along road C317 which is a narrow rural road with no speed restriction. The diversion would expose pedestrians to significantly increased risk of injury from cars speeding through the village.

The applicants cite their lack of privacy as a reason for diverting the path. The lack of privacy has been caused by their own actions in extending their house right up to the footpath with a large window facing onto the path and due to their removal of the hedge which previously screened their house from the path. This cannot be allowed to cause pedestrians such increased inconvenience in having to use a more dangerous and extended route.

Roger Walker

Reference: P/2023/016 **Re:** Re-positioning of footpath SMAN13 in Sutton Mandeville, Wiltshire
From: Sarah Beddington, Sutton Mandeville, SP3 [REDACTED]

06/03/2025

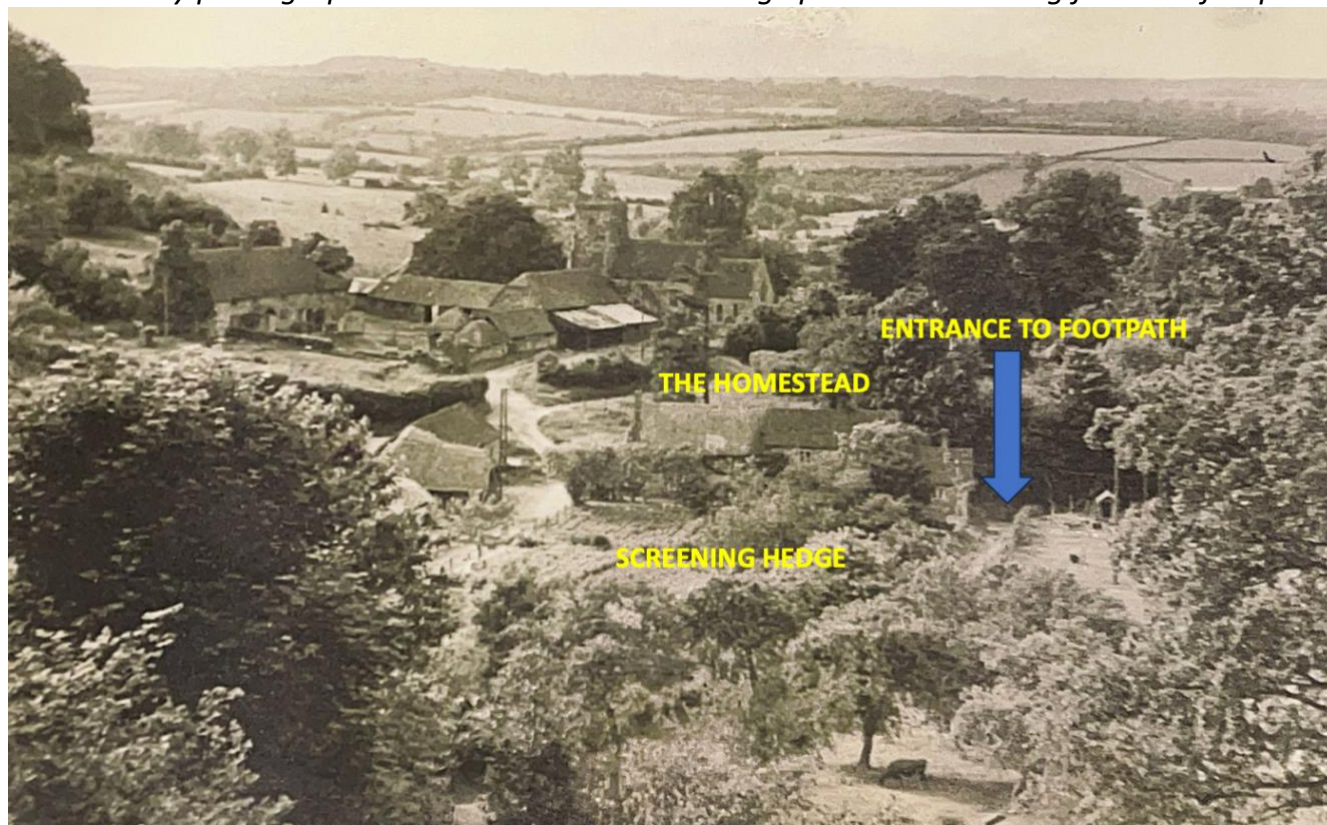
Dear Ali Roberts,

As a resident of the village and regular local footpath user over many years, I am writing to protest against the proposal of re-routing an ancient footpath, Sutton Mandeville 13 or SMAN13.

CONTEXT

The residents of The Homestead, Mr and Mrs Lodge, bought their house in 2013 with the full knowledge that a footpath ran past their property. The Homestead is probably one of the oldest habitations in the village but despite being of historical interest sadly has no listed classification. Until recently, both house and garden were screened from the footpath by a mature hedge and trees which provided a biodiverse habitat for nature and offered the inhabitants the privacy they now desire, but instead they decided to rip it all out. They also inexplicably built an extension with large plate glass windows looking straight on to the now denuded path. Was this done with the conviction that the footpath would be moved at their whim?

20th century photograph below illustrates how a hedge provided screening from the footpath:



There have been extensive alterations to The Homestead over the last years, with works vehicles often causing hold-ups and blockages in the main single track lane through the village. The gaping hole of an as yet unfinished swimming pool has left a large spoil heap currently disrupting the gentle slope of the landscape up to the wooded escarpment. It is hoped that the pool, when completed, will not be illuminated at night as this is a designated dark skies area in an Area of Outstanding Natural Beauty.

The central road through Sutton Mandeville, known as Sutton Hill, is a single track tarmac lane. In parallel, following the ridge to the south that overlooks the village, is the footpath SMAN9. Along the half mile or so length of SMAN9, three other footpaths, SMAN3, SMAN13 and SMAN10, rise up from the Sutton Hill road to meet it, almost equidistant at a couple of hundred yards or so apart from each other. All three form what are known as 'holloways' as they pass through the strip of woodland on the escarpment. These are ancient sunken paths, worn down over centuries by pedestrians, livestock and horse or oxen-drawn farm vehicles.

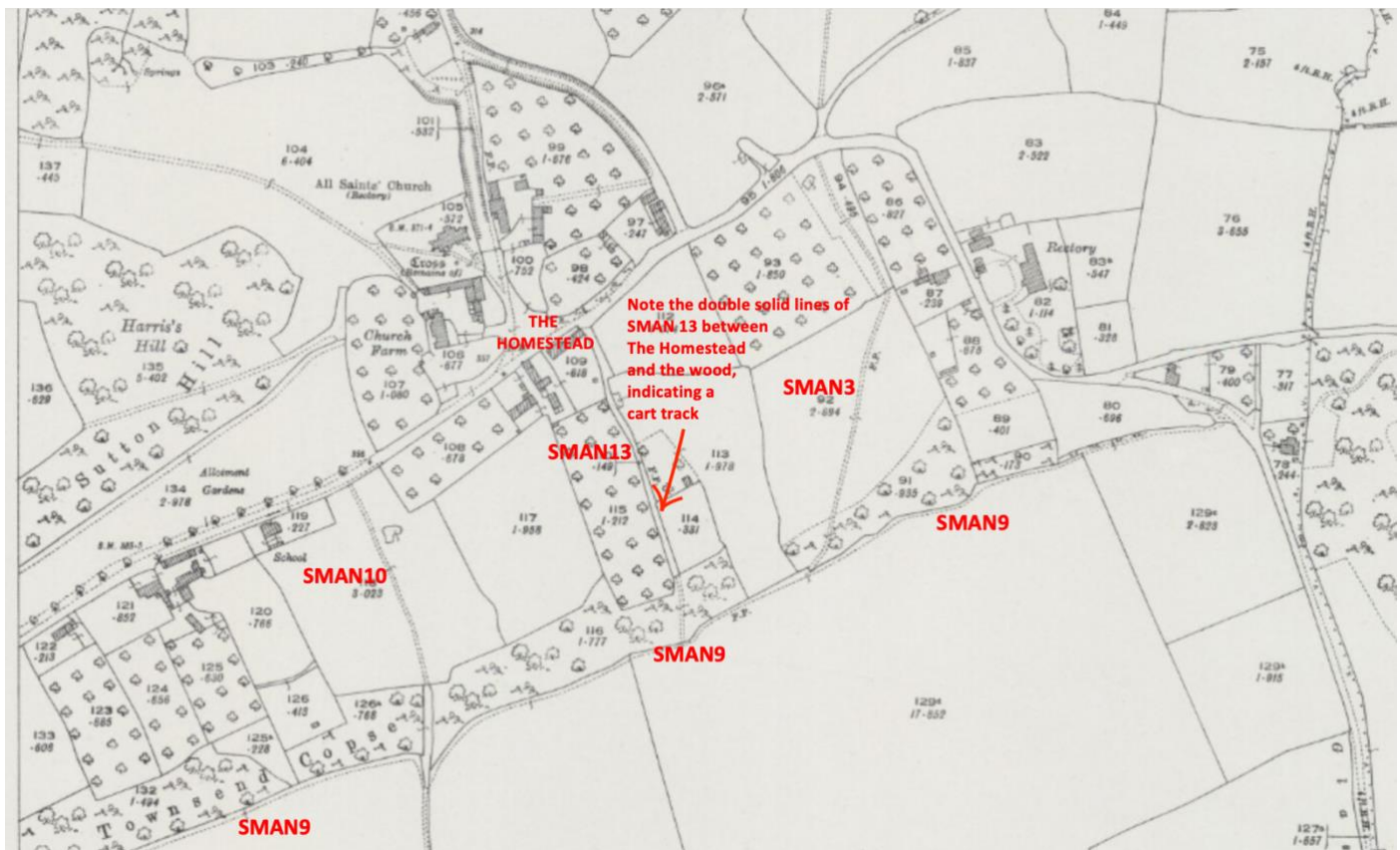
The Sutton Mandeville holloways reveal how these three separate paths were never random tracks, but were routes of purpose, connecting particular places or dwellings with particular pieces of land to be worked, or to lands and villages further away. Their depth reveals both the continuous usage over time that wore away at these pathways and the labour in the landscape of people going about their everyday lives. This visible path network connects these people of the past to ourselves. Re-routing the footpath will make the holloway through the wood completely redundant, rupturing this continuity.

- (a) A bank of solar panels to heat The Homestead's private pool is destined to be placed close to the proposed route, thus ruining the current peaceful, rural aspect of SMAN13.
- (b) As others have mentioned, the new route would take a steeper turn up the escarpment than the present trajectory of SMAN13, making it difficult for some to manage the climb.
- (c) A further diminution of local biodiversity would be caused if part of a hedge had to be removed to let the re-routed path exit on to Sutton Hill.
- (d) After heavy rainfall, a pool of water often forms in the field at this proposed exit point, opposite Panthers Lane, making the ground over-saturated and access difficult.

SMAN13, as it is now, flows downwards from the ridge to The Homestead and then almost directly across the road to the church (pink dotted line below), allowing the walker to continue onwards on a green path through fields towards Sutton Row or Chicks Grove with almost no interaction with the road or motor vehicles. The proposed route D to C necessitates walking considerably further along the pavement-less single track road before reaching the turning towards the church – C to E on the map below.



The Homestead was for many centuries a farm and it is interesting that of the three footpaths connecting the village to SMAN9, along the ridge, it is only SMAN13 that in the [Ordnance Survey map of 1925](#) (below), as well as in much earlier maps, is registered as two solid parallel lines, between The Homestead and the escarpment, indicating that it was once a proper cart track not just a pedestrian right of way.



CONCLUSION

If it was privacy that the owners of The Homestead were interested in, this is a strange property to have chosen, as once ascending the slope of the escarpment and looking back, or looking down from the ridge on footpath SMAN9 between points D and B – see map on previous page – there is a clear aerial view for the public of the rear of The Homestead, its entire garden and swimming pool etc which nothing short of a huge canopy could conceal.

The footpaths of Sutton Mandeville have been in use for at least a thousand years. In 1086 there were 25 households [listed in the Domesday Book](#) – medieval pottery shards often surface in local gardens, while Neolithic stone tools also appear, indicative of layers of human presence in the village potentially stretching back over 6,000 years.

Rather than re-aligning the ancient heart of this quiet hamlet purely for the self-interest of a single family, myself and others in the vicinity would like to honour the presence of the village ancestors by keeping the footpaths where they are, allowing them to retain their spatial logic and continue an unbroken connection to our human past,

Yours sincerely,
Sarah Beddington

From: [Sheila Jack](#)
To: [Definitive Map](#)
Cc: [Roberts, Ali](#)
Subject: Public path order enquire re P/2023/016
Sent: 15/03/2025 15:05:56

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Enquiry regarding the public path order application P/2023/016:

We wish to register our objection to the application for a public path order P/2023/016 for the following reasons:

- The proposed amendment is in the interests of the landowner alone. Any privacy/security issues described are entirely of their own making, in the past few years the owners have removed hedgerow screening, added an extension to the property with large windows immediately adjacent to the path, are in the process of adding further hard landscaping elements. The path has existed for hundreds of years as a public amenity, the owners would have been aware of the path when the property was purchased. Any perceived privacy issues have been actively created by the current owners in the past decade.
- Creating the new route for the footpath would lead to further biodiversity loss with the removal of a existing hedgerow and trees
- The proposed termination point would now be at the junction of two roads with public safety compromised, pedestrians entering & leaving at the junction of two roads without any special speed restrictions and required to walk further on roads without pavement or verge.
- This application feels like a rather cynical attempt to remove an historic footpath perceived as 'inconvenient' to the owners as the new route would effectively duplicate SMAN3 except at a substantially steeper gradient making it less accessible to many walkers. An ancient path shouldn't be rerouted simply for one householder's convenience

Yours sincerely
Sheila Jack & Paul Barnes
Sutton Mandeville

From: [Footpaths](#)
To: [Roberts, Ali](#)
Subject: RE: Highways Act 1980 S.119 - proposed diversion of Sutton Mandeville 13
Attachments: [SMAN13 objection Ramblers Association.pdf](#)
Sent: 11/03/2025 10:05:26

Dear Ali,

Please find attached my response on behalf of Ramblers' Association.

I have reviewed a few such proposals since taking on my current role with Ramblers, and have found to date that they generally reflect reasonable solutions to changing land use or other factors and I have been happy to respond accordingly. On this occasion however I do not consider this to be the case and have documented our objections to the proposal in the attached document.

Thanks for the opportunity to comment.

Regards
Charles

Charles Penn
Footpath Secretary
S Wilts Ramblers

From: Roberts, Ali [mailto:Ali.Roberts@wiltshire.gov.uk]
Sent: 19 February 2025 13:52
To: Roberts, Ali
Subject: Highways Act 1980 S.119 - proposed diversion of Sutton Mandeville 13

Highways Act 1980
The Proposed Diversion of Footpath Sutton Mandeville 13

-
Wiltshire Council are in receipt of an application, dated 24 September 2023, to divert path Sutton Mandeville 13 (SMAN13). The proposal is to divert Footpath SMAN13 from point A to point B shown on the attached plan with a bold continuous line, a distance of approximately 200 metres with a recorded width of 0.91 metres, to a new route from point C to point D shown with a dashed line, a distance of approximately 225 metres with a recorded width of 2 metres.

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

"The application is made on the grounds that it is in the interest of the owners of the land crossed by the majority of the footpath, and known as the curtilage of Homestead, Sutton Mandeville, for the footpath to be diverted. The interests of the owners are served as follows:

The northern termination point is immediately adjacent to the property. The footpath then runs by a side door and small patio area. It passes close by large windows and so affects the privacy of the property.

The route continues over an area of lawn, used for the family's recreation with a football goal and other play equipment. It affects the use and privacy of the garden.

The proximity of the footpath to the house also affects the owners' perception of their security, knowing that anyone passing so close to the house and within the garden cannot be challenged.

The proposed route resolves these concerns, enabling a side gate to be locked. Quiet enjoyment of, and security at, the property is enhanced."

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 19 March 2025.

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

Application for public path order Reference P/2023/016 for the diversion of Sutton Mandeville Right of Way (footpath) SMAN13.

Letter of objection on behalf of The Ramblers' Association (South Wiltshire Group).

Context:

The Public Right of Way (PRoW) SMAN13 runs from Sutton Mandeville in a southerly direction through the grounds of The Homestead to connect with SMAN9. It forms part of a continuous network of paths considered to follow ancient routes. A key feature of SMAN13 is its passage through the wooded hill known as the Hanging where it passes through an avenue of trees indicative of an old route and known as a holloway. These features are well documented in other responses to this consultation (see S Beddington and K Barker) and are not repeated here.

The Homestead comprises an agricultural holding laid to grassland extending approximately 2.6 hectares. The site consists of a two-storey detached house with additional detached outbuildings including a barn and stables. The property has been subject to substantial development over the past 11 years, which includes extension of the dwelling up to and alongside the PRoW SMAN13, subsequent modification to the dwelling, construction of a hard surface tennis court, and most recently plans for a solar array and agricultural buildings. It should be noted that some of these developments, which have also resulted in loss of hedges that screened the PRoW, have themselves contributed considerably to the loss of privacy and security that is the basis for this application.

Grounds for objection:

1. **Safety.** The proposed diversion compromises public safety in that the new termination point for the path on the road Sutton Hill is some 100m NE of its current position. A key feature of SMAN13 is its connection with SMAN18 leading up to the church, and beyond to the wider path network including SMAN5,6,26. Walkers following these routes in either direction will be forced to use this stretch of vehicle carriageway. This short stretch of Sutton Hill is narrow in places with high banks such that pedestrians will be unable to quickly step away from the carriageway. The lane is not subject to any speed restriction other than the national limit of 60mph.
2. **Inconvenience.** Highways Act 1980 s119(6) states "the path or way will not be substantially less convenient to the public...." The same Act s119(2) states, with regard to termination point, "shall be substantially as convenient...". That most members of the public wishing to use SMAN13 will now have to use the road Sutton Hill constitutes inconvenience, and when taken together with the safety considerations, this inconvenience must be considered substantial.
3. **Impact of the proposal on the public as a whole.** Relevant DEFRA guidance issued in 2023¹ states that "the....authority should weigh the interests of the owner/occupier against the overall impact of the proposals to the public as a whole". This application does not reflect a reasonable or acceptable balance between these interests as follows:

¹ 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. DEFRA August 2023

- a. The proposal is substantially more than is necessary to protect the impact of the path on privacy and security where it passes by the dwelling itself, as it involves relocation of the route along its whole length, with changes to the termination points.
- b. The diversion has substantial impact due to the need to use the road, as set out in points 1 & 2 above.
- c. There will be loss of or disruption to continuous historic route(s) such as SMAN26,6,5,18 from Chicks Grove through to SMAN13.
- d. The Public will be denied access to the attractive path up through the wood known as the Hanging and which is indicative of an old route.
- e. That the fact that the owners have themselves contributed substantially to their loss of privacy and security, through the building extension up to and along the right of way and landscaping resulting in the loss of screen hedges, should be taken into account.

Applicant's reasons for the diversion of the footpath:

A number of the applicant's reasons for diversion lack merit, and should be discounted including:

- i. 2.2.1 – statement that road walking is not a concern. No evidence such is provided to support this statement. As Ramblers we are aware that even quiet country roads present a hazard when walking as a group, and we try to minimise such exposure when planning and leading walks.
- ii. 2.2.2 – improved access for those with mobility needs. The terrain through the wooded hill will not be suitable for those with mobility needs without very substantial path development. There are gates designed for access needs on path SMAN3 north of Sutton Hill, and the logical connection to this route is its continuation as SMAN3 south, not to SMAN13.
- iii. 2.4.1 – benefit to walkers from the Panters Lane area. This affects very few properties at the south end of Panters Lane. Walkers from further up will use SMAN18 which connects better to the existing termination point for SMAN13. More walkers will be inconvenienced than inconvenienced by this change.

Charles Penn
Footpath Secretary
South Wiltshire Ramblers

From: [REDACTED]
To: [Definitive Map](#)
Subject: Public Path Order P/2023/016 - Proposed Diversion of SMAN13
Sent: 03/03/2025 09:41:10

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As a regular walker of the paths in the Nadder Valley, I think the proposed new route is less attractive than the current path and would lessen the walking experience. These are my observations that lead me to that conclusion.

- To me the current SMAN13 takes the natural route up through the wooded area. The path has an established feel, slightly sunken in relation to the ground either side and a slightly wavy alignment to add interest. The route takes care of the gradient making it easily walkable.
- The slope through the wood at the proposed location for SMAN13 would be significantly steeper, making ascent and descent much more difficult and very unsuitable for many walkers who would be able to manage the current gradient.
- The proposed SMAN13 would be very similar to the adjacent path SMAN3, which runs in the same field for much of its route, giving identical terrain and virtually the same views. This proposal creates duplication and takes away the greater variety provided by the existing arrangement.
- For local people doing a short loop, you don't want to go up one side of a field and down the other.

The attractiveness of the lower section of path has been adversely affected by the recent changes at The Homestead. Presumably what is being done has been approved, and is compliant with that approval? The concerns giving rise to this application seem to arise from these changes and therefore seem self-inflicted.

I register my objection to this proposal and would not like to see it proceed.

Tim Martin
Tisbury resident

From: [REDACTED]
To: [Definitive Map](#)
Subject: Public path order enquire re P/2023/016
Sent: 27/02/2025 09:21:27

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Enquiry regarding the public path order application P/2023/016:

I would like to register my objection to the above application, on the grounds of pedestrian safety and loss of amenity.

1. The new route proposed deposits walker slap bang in the middle of a three way junction . This is intrinsically more dangerous than the current route.

2. The current arrangement of paths down from the ridge , are evenly spaced along its length , affording walkers options of various length walks . The new route is much closer to the next path and will provide little or no variety in walk lengths. A clear loss of amenity.

This application is clearly driven by irresponsible land owners not wishing to acknowledge a right of way that was clear to them at the time of purchase.

Simple hedging could reinstate their perceived loss of privacy in this self inflicted situation.

Regards Andrew Taylor
Chairman Tisbury Footpath club.