

Objection to revised application to divert SMAN13 Sutton Mandeville - P/2023/016

The proposed route is over 40% longer than the existing path and involves two right angled bends, as opposed to a more or less straight line. It is therefore substantially less convenient than the existing pathway. (Highways Act 1980 s119 – 1.2.3.(6))

The proposal involves erasure of 70% of the original RoW, by far the majority of its course. It amounts to a considerable loss of amenity and enjoyment of a historic pathway by inhabitants of this village and other local walkers.

The proposed route will be 30 metres nearer the solar array which will make it much more visible from the RoW, when such installations are supposed to be as unobtrusive as possible especially in National Landscapes. Screening by vegetation is unreliable and impossible to enforce. For half the time it is ineffectual in Winter when the trees are not in leaf. Trees die and blow down in storms; replacement is not enforced. The applicant has a history of noncompliance with such provisions because an agreement to screen the modern extension from view from the East was reneged upon with spurious excuses, which is why the visual amenities of the two listed properties in that direction including our own remain compromised by views of its inappropriate Eastern elevation. This applies equally to users of SMAN 3 and Rectory Road.

Statements concerning embarrassment at walking through the property are personal and subjective and should bear no weight since that is a minority opinion and other routes are available for the squeamish. We and most others have no such qualms; they should be ignored.

The route does not meet the legal criteria for diversions (see above) but in addition we are convinced that heritage should remain an important deciding factor. Even if a proposal is decided solely upon on other legal grounds, this particular application should be refused since its purpose gives advantage only the applicants, who are undoubtedly responsible for their own predicament, (possibly deliberately, in the hope of creating a cast iron case for diversion or erasure) at the expense of the whole community whose inhabitants testify to their enjoyment of walking where their predecessors trod. Diversions are intended to be to the advantage of both applicants, and other members of the public. There are no advantages to the community in the proposal.

SMAN13 should not be altered: we object to application.

J A Prince – D T Foston

### SMAN13 P/2023/016 - Revised application - OBJECTION

We stand by to our objection to alteration of the footpath, and we submit the further reason that the village's heritage is under threat.

Last year, at a Parish Council meeting held to consider planning application numbers PL/2024/03227 & 03228, the applicant made a statement which included her opinion that she should be allowed to do what she wanted on her own property, an assertion that was tantamount to claiming the right to ignore planning regulations, environmental protection rules, special regulations applying in National Landscapes, and those concerning agricultural land, and rights of way, in favour of her personal objectives, with which we profoundly disagree.

The only beneficiaries of the revised plan would be the owners of the Homestead. Wiltshire Council's decisions are supposed to take account of the opinions and amenities of other members of the public, not just applicants. Given that the applicant has wrought this situation and bought the property in full knowledge of the RoW's existence (well covered already and confirmed by PC & CCNL officer) it is hard to see any scope for compromise over the RoW, especially as a successful application would provide a financial bonus since the property was acquired at a discount owing to its existence. Subsequently, privacy was deliberately impaired, which created conditions that would on a superficial analysis appear to justify the path's removal or diversion, a tactic that should be denied success for the sake of the whole community.

Heritage Rights of Way are of great concern to this village, and Wiltshire Council's policy recognises their importance - Section 7.1 Key Issues "Heritage at Risk". We urge decisive rejection of the application: it is unjustifiable, and would establish the regrettable precedent of people evading the consequences of altering the environmental surroundings of a RoW to present a case to divert or remove one.

J A Prince – D T Foston