

## Charmydown DMMO Application

### Witness Telephone Interview Notes

Witness No.	Witness Name	Date	Details
1	Nicholas Routh	01/10/2025	No telephone number or contact details
2	Steven Bean	26/06/2025 25/09/2025	See User 37 telephone interview notes
3	Nancy Davey	01/10/2025	No telephone number or contact details
4	Mark Donovan	01/10/2025	<p>At the start of the Charmdown Lodge renovation works, Donovan Construction fenced off the recorded rights of way to delineate them and site exclusion fencing was installed to keep members of the public from accessing the Application Route. Doesn't recall the exact wording of signage referred to the witness statement. Sent photos to Mark Reynolds which he thinks showed the Application Route during the period they were on site (2011/12 to 2023); will ask Mark Reynolds if they can be forwarded for consideration.</p> <p>The people who were turned back were invariably walking ESE on BA21/9 between the Lodge and Barn and trying to walk SW down the Application Route because they were struggling to find the footpath through Charmydown Farm House; however, the Application Route was blocked by fencing at this point in time. Didn't know the identify of people who were turned back.</p>
5	Mark Watson	01/10/2025	Stated it would have been Donovan Construction who turned people back and he understood that they were turned back on 'several occasions' when Charmydown Lodge was being renovated but couldn't be more specific about how often this happened or who was turned back. Stated that the Application Route was blocked by Heras fencing during the Charmydown Lodge renovations and that there were conversations about keeping the site safe.
6	Neville Hoyland	01/10/2025	Recently sent an email and photos to Mark Watson regarding the Application Route. Will send them to the Authority if Mr Watson is happy for them to be sent. Recalls the Application Route being fenced off when TTROs were in effect and the Charmydown Lodge renovations were taking place.

**WITNESS STATEMENT OF  
NICHOLAS A ROUTH**

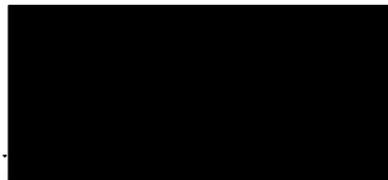
**W1**

I Nicholas Alexander Routh c/o Wessex Water Services Limited, Operations Centre, Claverton Down, Bath BA2 7WW state as follows:

1. I am the Head of Estates for Wessex Water Services Limited 'Wessex Water'. I have worked in various roles within the Estates Department of Wessex Water since June 1997.
2. The facts and matters set out in this statement are within my own knowledge unless otherwise stated and I believe them to be true.
3. The strip of land subject to this statement is a track located at Charmy Down and approximately edged in red on the attached plan NAR1 ("the Land").
4. The Land and adjoining land immediately to the north and north east was owned by Wessex Water and its predecessors from 14 September 1925 until 03 September 2004. Wessex Water retains much of the surrounding agricultural land in the vicinity.
5. Between 1997 and 2004 my role included visits to the Land and Wessex Water's surrounding landholding to undertake property management tasks and inspections. During these visits I would periodically see the public walking along the Land having accessed it from the east and west.

I believe that the facts stated in this witness **statement** are true.

Signed: ..



Full name: Nicholas A Routh

Dated: 29 April 2021

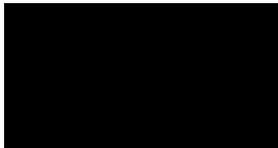
My name is Steven James Bean and I live at 15 Withies Way, Midsomer Norton, BA3 2NE

I lived at Charmydown Farm House with my family between 1985 and 1994. This house was in a very remote location at the end of a lane. The nearest neighbour was Charmydown Cottages which was approx 600 mts away. There were a number of footpaths in the area and there was also a footpath through our property. The footpath through our property was rarely/infrequently/used. We were a busy family and I believe walkers were generally uncomfortable walking so close to our house, through our cars with the family about.

However, I regularly saw walkers using the access road to the Barns in front of the derelict cottage, which has now been rebuilt to be Charmydown Lodge. This was regularly used by walkers as the route to and from Batheaston to Northend.

I believe that the facts stated in this witness **statement** are true.

02/05/21



My name is Nancy Davey and I live at 11 Kingsfield, Bath, BA2 2NB

I worked in the Estates Department of Wessex Water for 15 years, leaving at the end of 2004. Part of my role within the department was managing the Charmydown Estate.

I would visit Charmydown on a fairly regular basis dealing with various issues. The attached plan shows the lane (highlighted yellow) which ran passed what was is now known as Charmydown Lodge. This lane was the access route to Charmydown Barns which were sold by Wessex Water in 2004.

This section of access was open to the public as far as I was aware and indeed, during my visits to this area of Charmydown I would quite often see members of the public walking along this section of trackway. I was never asked to prevent public access along this section.

I believe that the facts stated in this witness statement are true.

Signed .....  .....

Name..... NANCY DAVEY .....

Date..... 2nd May 2021 .....



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## **Appendix B: Witness Statement, Mark Donovan of Donovan Construction**

1. I am Mark Donovan the Director of Donovan Construction. My company was appointed to carry out restoration works at Charmydown Lodge commencing in April 2012. We also undertook the project of converting Charmydown Barn and associated buildings.
2. As part of the works to Charmydown Lodge, fencing was erected across the Charmydown Lodge private driveway to restrict access for health and safety reasons, signs were displayed explaining there was no access. There was no access along the 'application route' identified on the plan which accompanies the DMMO.
3. The driveway was used throughout the works for contractor parking, deliveries, storage of materials, and manoeuvring of construction vehicles. It was not possible and indeed it would not have been safe for pedestrians to pass along it.
4. The driveway remained closed and in use as a construction access for a period of at least 18–24 months.
5. I recall on occasions members of the public approaching the works compound intending to walk along the driveway. On each occasion they were informed that the route was private and not a public right of way. They were directed instead to the signposted public footpaths (BA21/9) which pass around the complex.
6. At no time during the works was public access along the driveway permitted or tolerated.
7. There has also always, since I have known the site, been a locked timber gate and 'Private Property' sign at the intersection of PROW BA2/12 and BA2/11.

I believe that the facts stated in this witness statement are true.

Signed: Mark Donovan

Date: 15/09/25

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**Appendix C: Witness Statement (Mark Watson, Watson Bertram & Fell)**

I, Mark Watson, of 6 King Street, Bath will say as follows:

1. I am familiar with the access track serving Charmydown Lodge and Charmydown Barn (the 'Track'). I have known the Track since approximately 2006, we have been appointed project architects since this point.
2. To my knowledge, the Track has always been used as private vehicular access only. I have never understood the Track to be a public right of way.
3. There has been a locked gate and 'Private Property' sign at the intersection of PROW BA2/12 and BA2/11.
4. For a prolonged period, the access track was closed off and impassible whilst works were being undertaken as part of the restoration of Charmydown Lodge. This period I recollect was from April 2012 onwards and lasted for at least 18-24 months.
5. I have not seen members of the public using the Track 'as of right'. On occasions when persons have attempted to use the Track, they have been turned back or informed that it is private.
6. I make this statement from my own knowledge and belief, intending to assist the authority/Inspector in determining status.

  
Signed: Mark Watson

Date: 13/09/25

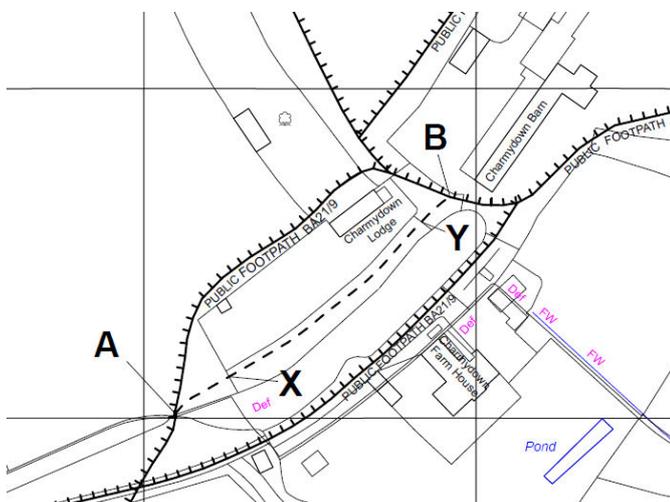
Graeme Stark

**From:** Neville Hoyland <Neville.Hoyland@wbf-bath.co.uk>  
**Sent:** 03 October 2025 17:53  
**To:** Graeme Stark  
**Subject:** RE: DMMO Application - Charmydown  
**Attachments:** Charmydown Farm; Public Footpath BA2/19 at Charmydown Farm in Upper Swainswick; RE: Public Footpath BA2/19 at Charmydown Farm in Upper Swainswick; 1 - 31 Oct 2014.jpg; 2- 2 Dec 2014.JPG; 3 -2 Dec 2014 (2).JPG

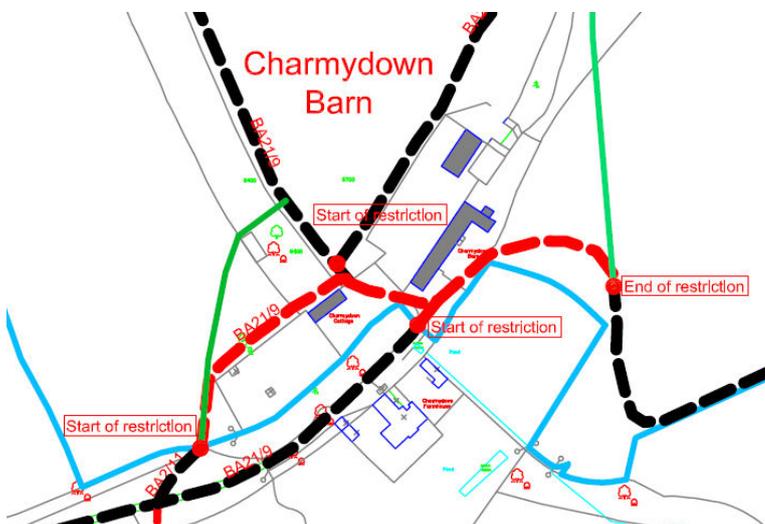
**Warning: Unusual sender** <neville.hoyland@wbf-bath.co.uk>  
 You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Hi Graeme

So, as per our telephone conversation this week, regarding the track from Points A to B on your attached plan.



During the period from Sept 2013 to March 2025, the area in around Charmydown Lodge was a building site and that included the track in front from points A to B on your plan. Specifically the track would have been restricted to members of the public and or walkers etc during those periods when PROW BA21/9 was diverted from behind the lodge to the northern route in green.



During the periods from 16 Sept 2013 onwards, 29 Sept 2024 onwards and 20 Oct 2014 onwards, while members of the public were moved north onto the green diverted BA21/9, this coincided with the private track (A-B) also being closed to assist the contractor with his works for the same period of time. I have attached my correspondence when dealing with your team and any relevant site plans etc. I have also attached three images from my site photo library – sorry, they are more of a site record rather than a record about footpaths!

Hopefully this helps? I'm not in the office next week but I will see emails.

All the best

Neville

[Neville Hoyland](#)

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