

03: REPRESENTATIONS AND OBJECTIONS TO THE ORDER (INCLUDING SUPPORTERS), ALONG WITH A COVERING LIST OF THEIR NAMES**Outstanding Objections**

Simon Kinnersley of Compton Green Farm, Campton Dando, Bristol, BS39 4LE
(Email: simon@oxidos.com)

Martin Britton of Little Park House, Peppershells Lane, Compton Dando, Bristol, BS39 4LL
(Email: reach_martin@hotmail.co.uk)

Representations

SKY UK Ltd of 70 Buckingham Avenue, Slough, Buckinghamshire, SL1 4PN
(Email: nrswa@sky.uk)

Bristol Water Plc. of Bridgwater Road, Bristol, BS13 7AT
(Email: development.services@bristolwater.co.uk)

City Fibre of 15 Bedford St, London, WC2E 9HE
(Email: diversion.inquiries@cityfibre.com)

Compton Green Farm

Compton Dando

Nr Bristol BS39 4LE

Bath & North East Somerset Council
Public Rights of Way
Lewis House
Manvers Street
Bath
BA1 1JG

19 December 2024

Dear Sirs,

Bath & North East Somerset Council (Public Footpath BA8/93 Park Copse, Compton Dando) Definitive Map Modification Order 2024.

I am writing in response to the Modification Order made by the BANES council on 19th September 2024 to amend the Definitive Map and Statement showing a footpath running from Peppershells Lane through Park Copse (south-westerly direction) to a Public Footpath BA8/65.

Firstly, I would like to endorse the view of the office of the department of Public Rights of Way for Bath & North East Somerset Council, who submitted on 24th November 2023, "that a DMMO should not be made because there was insufficient evidence..."

As the owner of Park Copse – the ancient woodland that the path bisects – I object to the Order for the following reasons.

1. **The route.** My personal experience of public footpaths, (I have many miles of them across my farm), is that their position is one of legal definition and that the route is absolute and sacrosanct.

The line drawn by the appellant is more than 20 meters away from the line claimed. They argue that the deviation was caused by fallen trees, there is no evidence of large fallen trees that would cause such a large deviation. Given that chair of the Parish Council (the appellant) is a member of RICAS having the resources to present the correct line should not be a problem

The reality is Park Copse Wood is criss-crossed with a labyrinth of illegal footpaths. There is not a single footpath as claimed by the appellant, but a whole series of trails in the area, with no fixed starting or finishing point (as the Peppershells Lane entrance was frequently blocked). This explains the discrepancy between the lines shown on the map as C and E.

Until recently (in particular since Covid) there has never been a clear, regularly used footpath on either of the lines shown on the map as it would seem walkers wander through much of the wood.

2. **The Keep Out Sign:** The appellant suggests that this was erected since the 20-year usage period being claimed – i.e. post-2012. This is in complete contradiction to all the witness statements. There is even support from one of the appellant's witnesses, who recalls it was his brother who erected the sign.

As the sign was first erected some 40 years ago, precise dates are impossible. I believe that the original sign was erected around 1980. I recall that it was torn down within a few months. Its replacement was fixed higher, ensuring that it required a ladder to remove.

Given that there was a public footpath entrance at the southern end, no Keep Out sign was installed as it is an entirely legal access point.

3. **Access:** The Peppershells Lane entrance presented major challenges in the 70's. Firstly horses, these were stopped by concreting in a row of RSJs across the entrance did the job. Later (mid-late 1980's), cyclists and walkers were denied access by a gate chained at either end and wrapped with barbed wire.

There were a number of instances from the mid-late 80's of determined walkers cutting the fence from our adjoining field, in order to gain access – resulting in the cattle breaking into the wood. Other walkers unwrapped/cut the barbed wire on the gate and the process began again.

Then, around 2000, the gate vanished (we believe stolen), allowing free access. We strained barbed wire across, which would be cut again and again.

The objective was always to persuade walkers to keep to the public footpath that runs in southerly direction parallel to the eastern boundary of the wood, or to use the existing public footpath that runs through the middle of Park Copse.

My motivation has always been to protect the floor of this Ancient Woodland and its complex ecosystem. My farm is fully subscribed to the Higher Level Stewardship Scheme as well as the Sustainable Farming Incentive programme. While ensuring that all footpaths across my farm are fully accessible, my priority remains to safeguard the environmental integrity of the land.

Yours sincerely



Simon Kinnersley

Public Rights of Way Team
Bath & North East Somerset Council,
Lewis House,
Manvers Street,
Bath,
BA1 1JG

Little Park House
Peppershells Lane
Compton Dando
Bristol
BS39 4LL

9 December 2024

Dear Sir/Madam,

Re: Public footpath application BA8/93 Park Copse, Compton Dando

I object to the grant of a new footpath through the ancient woodland of Park Copse for the following reasons:

Having lived adjacent to Park Copse for 29 years and owned land adjoining the copse for 19 years I can categorically state that during my habitation and occupation, repeated attempts were made by the owner of the woodland in question to discourage trespassing at the northern boundary, firstly in the 90s by steel girders sunk in the ground with wire strung between. When these mysteriously disappeared strands of barbed wire were used to maintain a barrier to the public. These were maliciously cut on many occasions in the 2000s but were always re-instated. A sign was also erected on a tree, stating "Private No Entry" (*see Y on enclosed photograph*). This sign, although rusted, remains to this day. A locked metal gate has now been in place for approximately two years.

The measures taken by the landowner over the decades, as highlighted above, to exclude trespassers from taking this route should have negated any application to deceptively claim continuous use.

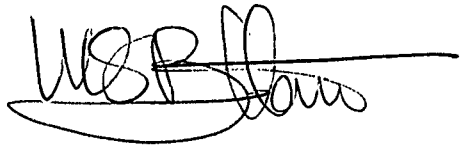
Moreover, approximately ten years ago I personally erected a gate where the claimed "footpath" adjoins Peppershells Lane (*see G on enclosed photograph*) to stop people trespassing on my adjoining field. Whilst in situ I can attest to the fact that it excluded trespassers from entering the woodland at the point claimed.

From a public safety view, I am very concerned that the OS map on the application is misleading in the fact that it appears the proposed new footpath joins Peppershells Lane at Point A, a narrow point not wide enough for a vehicle to enter. This is not the case. The vehicular entrance into adjoining Little Park House encompasses the whole of the opening as such some 6metres. For vehicles exiting the residence people standing on the proposed path at Point A would obstruct vehicles view for joining the highway or even obstruct vehicles leaving the adjoining Little Park House. For vehicles entering from the south off Peppershells Lane, it is completely blind, and the potential for serious/fatal collisions with adults or children pausing in that general vicinity is a distinct possibility.

I would strongly advise you to conduct a site visit to appreciate the foolishness of what is being proposed. Notwithstanding the injustice of approving a footpath on private land closed off to the public, a new footpath down the middle of a blind and busy vehicular access point, just off an already narrow and dangerous council highway, bears a substantial risk of liability you need to be prepared to accept.

It is with these points in mind I respectfully request the planning inspectorate refuse this modification.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'WSP' followed by a stylized surname, with a long horizontal line extending to the right.

Martin Britton

THIS MAP IS A
BATH AND NORTON
COUNCIL (PUBLIC)
PARK COPSE, COMPTON
DEFINITIVE MAP MODIFICATION
ORDER 2024

ATH BA8/33

6410

The Chalet

Little
Park
House

Pepper Shells

VEHICULAR
ACCESS

PEPPERSHELLS LANE

PUBLIC FOOTPATH BA8/64

Path (um)

C

PUBLIC FOOTPATH BA8/65

Park Copse

D

E

PUBLIC FOOTPATH BA8/63

RIVER CHEW

PUBLIC FOOTPATH BA8/62
Pony
Coppice
Pony
Mead
Bath

6430
Landscape number: 1000000000000000



original

Y

G

A

Y original keep out sign

A START OF PATH

CLAIMED ROUTE OF PATH

G GATE (now removed)



OBSCURED VIEW OF
FOOTPATH TO VEHICLES
AND DELIVERIES
ENTERING OFF OF
PEPPERSHELLS LANE
FROM THE S-EAST





Graeme Stark

From: NRSWA <nrswa.nrswa@sky.uk>
Sent: 12 November 2024 10:57
To: Graeme Stark
Subject: BA8/93



Thank you for your enquiry.

Please be advised that Sky Telecommunications Services Ltd will not be affected by your proposal.

Best endeavours have been made to ensure accuracy, however if you require further information, please contact us by email at nrswa@sky.uk.

Regards



NRSWA Department
Sky UK - Technology - Operations

 nrswa@sky.uk  +44 2070323234

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Graeme Stark

From: Development Services <Development.Services@bristolwater.co.uk>
Sent: 13 November 2024 10:54
To: Graeme Stark
Subject: Park Copse public footpath diversion order. GS/
Attachments: Asset Plan - Park Copse.pdf

Warning: Unusual sender <development.services@bristolwater.co.uk>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Hi Graeme

Thank you for your letter.

We confirm that we have no objection to the proposed **public footpath diversion order** at Park Copse, Compton Dando.

We enclose a copy of our ordnance survey sheet for your information.

Kind regards



Chloe Saunders

Development Services Technical Coordinator

Office: +44(0)1179638277

Mobile: 07890 940945

Email: development.services@bristolwater.co.uk

Bristol Water, Bridgwater Road | Bristol | BS13 7AT



http://www.instagram.com/bristol_water

style='position:absolute;left:0;text-align:left;margin-left:220.15pt;margin-top:-21.35pt;width:21.5pt;height:21.5pt;z-index:251660288;visibility:visible;mso-wrap-style:square;mso-width-percent:0;mso-height-percent:0;mso-wrap-distance-left:9pt;mso-wrap-distance-top:0;mso-wrap-distance-right:9pt;mso-wrap-distance-bottom:0;mso-position-horizontal:absolute;mso-position-horizontal-relative:text;mso-position-vertical:absolute;mso-position-vertical-relative:text;mso-width-percent:0;mso-height-percent:0;mso-width-relative:margin;mso-height-relative:margin' o:button="t">

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Graeme Stark

From: Diversion Inquiries <diversion.inquiries@cityfibre.com>
Sent: 25 November 2024 14:27
To: Graeme Stark
Subject: BA8/93 - Order for Peppershells

Warning: Unusual sender <diversion.inquiries@cityfibre.com>

You don't usually receive emails from this address. Make sure you trust this sender before taking any actions.

Hello,

Thank you for your email.

From the information you have provided us with, this enquiry falls into the C2 category of the NRSWA Act of 1991. At present we are unable to provide you with a C3 estimate as detailed plans would be required from yourselves in order for this document to be produced.

Thus, we would recommend you to use the City Fibre online enquiry service found at <https://plant.cityfibre.com>.

(Terms and conditions and a user guide can be found on that page).

Please use the following details:

Username: CFHplant
Password: ratatoskr

From this, you will be able to see if there are any existing assets in your proposed area along with future assets which may be installed. We recommend you check this system as regular as necessary.

Please get in touch to request a formal C3 estimate when required.

Regards,
CA Telecom Diversionary Team.

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Diversion Inquiries