

[REDACTED]

From: [REDACTED]
Sent: 09 November 2017 14:47
To: [REDACTED]
Subject: RE: RE: HBW26/27 Bourton on the Water
Attachments: HEV 16 proposed plan.pdf

Categories: Green Category

Hi [REDACTED]

I'll come back to you on HBW 26.

I have attached the Evenlode proposals to which the BHS have already objected. I'm happy with to accept their objection as the diverted route (permissive bridleway) does not meet the tests, although the BHS are only objecting to the number of new gates, but apparently the parish council and local people are happy with it.

Tetbury – the applicants neighbour is withdrawing his consent (the path crosses his land at the back of the applicants property) because he does not want us to replace the stile with a kissing gate. This is apparently because of horses in the field that can allegedly get trapped in the hoops. I don't know whether this is true or not but it is claimed fairly often by owners of horses. I am minded to make the order in the interests of the public as the path has been used on this line since the CDC in 1990 and am waiting for the neighbour to respond to my last letter.

That's all for the moment.

[REDACTED]
Public Rights of Way | Highways | Gloucestershire

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From: [REDACTED]
Sent: 09 November 2017 14:32
To: [REDACTED]
Subject: Re: RE: HBW26/27 Bourton on the Water

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[REDACTED]

I would accept the present 'diverted' route used by the public - but without any stiles.

It is my view that this route has been dedicated as a right of way by the landowner since the definitive path was (wilfully) obstructed about 2005?

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Whoever, Wardens or others, erected the signpost, they were acting as agents of the county council and is further evidence of intended dedication of the route for public use.

The latest proposed route bears no comparison, for public convenience or utility, with either the signposted path in use nor, particularly, definitive path.

Re. EVENLODE - I am afraid I can find no reference to any proposal there?

Re. TETBURY - Can you report any progress please?

best wishes,

[REDACTED]

-----Original message-----

From : [REDACTED]@amey.co.uk

Date : 06/11/2017 - 11:20 (GMTST)

To : [REDACTED]

Cc : [REDACTED]@amey.co.uk

Subject : RE: HBW26/27 Bourton on the Water

Dear [REDACTED]

My apologies for not replying to this e-mail earlier, it arrived while I was on annual leave and has been overlooked since then.

The current path used through this site has as you say been accepted by the public since the definitive path is obstructed by the building of two barns during the 1970's, at a time when Planning Permission was not required for agricultural buildings and little thought was given to public rights of way. That said the path has been signed (possibly by the Cotswold Wardens and with rights of way staff knowledge ?). The current, used, path is further from the house as you say but has allowed the public access past the farm buildings and there have been several break ins and burglaries in recent years. The owner would like to be able to secure the gates so that the out buildings will be inaccessible to the public. I am minded that walkers (and I am one) do not like enclosed paths but the approximate 50 metre length from D to C will only be fenced with a 4' high panelled fence to allow a degree of privacy to the house. Yes the owner could at some time in the future put in a higher fence but that could be said of many paths. The owner will be creating a small paddock for her granddaughters ponies at the rear of the garden so the section from C – A will be fenced with post and rail fencing, and probably with pig wire, to prevent dogs from getting in with the ponies.

The overall additional length to the diversion is about 50 metres and we do not consider this to be substantially inconvenient, Marshmouth Lane is very quiet and there is only a short stretch to walk before getting back on the HBW 27. The previous diversion of HBW 27 has not been formerly abandoned as I am still waiting for the Birdland group to decide whether they wish the Order to be submitted to the Planning Inspector. You were the only objector but during this process unrelated issues were brought up between the Birdland group and [REDACTED] and unfortunately there is considerable animosity between them. It would be good to get this whole area sorted out but it will rely on the differing parties working together and consenting to each other proposals and at present they seem reluctant to do so.

Regards.

[REDACTED]

Public Rights of Way | Highways | Gloucestershire



From: [REDACTED]
Sent: 18 September 2017 17:14
To: [REDACTED] [@amey.co.uk](mailto:[REDACTED]@amey.co.uk)>
Subject: HBW26/27 Bourton on the Water

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Dear [REDACTED],

In reply to your request cor comments, on behalf of the OSS I do not object to the diversion of HBW 26. As you state the definitive line was obstructed many years ago by the erection of the barns.

At that time the present alternative path was provided by the landowner, signposted by the county council and subsequently accepted by the public as a right of way.

I consider this route to be preferable to that now being proposed, being more direct and the least inconvenient line for users unable to access the definitive path.

It is not overly enclosed or restricted for users and the landowners privacy is largely shielded by distance and the existing hedge and shrubbery.

On my most recent visits I found the gates accessible and would object to stiles as limitations.

If the current proposal were proceeded with, my major argument against will be of the unnecessary inconvenience of distance, the wide 'dogleg' required to rejoin the definitive route and, particularly, the proposal that it will be enclosed between the existing hedge and a new shiplap fence.

The definitive path was across an open field without restriction or other limitation and, in comparison, the proposed path cannot be said to be substantially as convenient!

Also, as the proposed route appears to be closer to the residence than the 'defacto' diversion, I believe there will be the temptation for the householder to raise the height of the new fence from four to six feet, as is often the case with diverted paths and which your order will not prevent!

Your consultation map shows the adjacent path HBW 27, also obstructed by the barn. A previous proposal to rectify this was not proceeded with but if included in the current proposals it would provide a continuous link to the existing HBW 26?

best wishes,
[REDACTED]

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