

Ducksbridge
12 Burycroft
Wanborough
Swindon SN4 0AP

The Planning Inspectorate
Temple Quay House
Bristol BS1 6PN

18th January 2020

Re Planning Inspectorate ROW/3209564: Footpath 44 Modification Order Wanborough – Interim Decision 29th November 2019

As the applicants behind the modification order for footpath 44, we wish to acknowledge your acceptance of the claim for section G-D-E-F on the order map but **object** to the modification proposed by the Inspector to **remove** the section A-C on the order map.

We do not accept that part of the claim A-C is fundamentally incorrect and would ask you to reconsider your decision. We have attached a series of overlay maps showing the claimed route which sits within the bounds of the actually walked route, supported by user evidence undisputed at the Inquiry.

These maps confirm the following:

1. The points A-B sit central to the track shown on the aerial imagery and are therefore aligned to the walked path.
2. Points B-C run to the Northern edge of the track but are still well inside the fenced area of the then Caravan Park and closely follow the most frequently walked path.

Several witnesses who gave evidence at the Inquiry, including Mr Graham Finch, Mr Martin Savage and Mr Steve Savage and other witnesses have written to you directly in response to this interim decision and confirm the following.

The gate at the Wrightsbridge end (near point c) discussed at length on the final day of the Inquiry was more often closed than open. This was because the primary vehicular access to the then caravan park was at the East end onto Burycroft. The gate at point C was occasionally open, when Mr Sadler or his employees needed to drive tractors or other farm vehicles across his land to the west of the Wrightsbridge track.

As you stated in your interim decision, all users of the walked route stated that the path through the Caravan Park was un-interrupted and that was because they walked around the gate to the north side where the order route meets the Wrightsbridge track. In the last 20 years this was a gap between the gate and the hedges and prior to year 2000 was a rickety stile that did not pass the test of time.

Mr Finch stated in his testimonial at the Inquiry that his grandson received a shock from the boundary fence to the north of the track.

Based on these supporting testimonials it is reasonable to assume the most walked route was slightly closer to the Northern side of the track as it approached or moved onward from the gate at point C. This is consistent with the claimed order route.

However it was clear from evidence at the Inquiry and noted in your report that the "public" may have walked along either side or centrally along the track as they approached point B from either end.

We attach some images already evidenced at the Inquiry showing the gates at either end of the Caravan Park and a picture taken within the Caravan Park itself which clearly shows the fence to the north of the track close to point C.

We remain clear that the claimed route represents the main walked route. However it may be appropriate to consider increasing the width of the order route as the Inspector feels fit, to make allowances for walked variances towards point B.

Although on reflection the claim should have reflected the wider walked route, our objective is simply to meet the needs of the public by providing a safe route to 'cut the corner' enjoyed by the public for over 30 years, whilst minimising the impact on the new residents of Suters Close. Should you choose to modify to make the path wider between points A and C, to reflect all combinations of walked routes, we would not object.

John Warr

18/1/2020

Further information pertaining to the overlay maps

A series of overlay maps where the order route is superimposed directly over the Google Maps images showing the walked path are attached. The overlay maps have been produced using Google Earth Pro images, versions 2002 and two images from 2007. Standard Google map versions of these same images were shared at the Inquiry.

The actual modification order itself was used in the overlay and three reference points a few hundred metres apart were used to ensure correct scaling to within a metre as shown on the attached "scaling" image.

There is a final layered version where all the google images and the order route are held as separate layers, which allow one to toggle the layers on and off, so you can view any individual Google image and toggle on and off the Order route overlay.

Attached Documents

Overlay_google_pro_2007.pdf

Overlay_google_pro_2007_car.pdf

Overlay_google_pro_2002.pdf

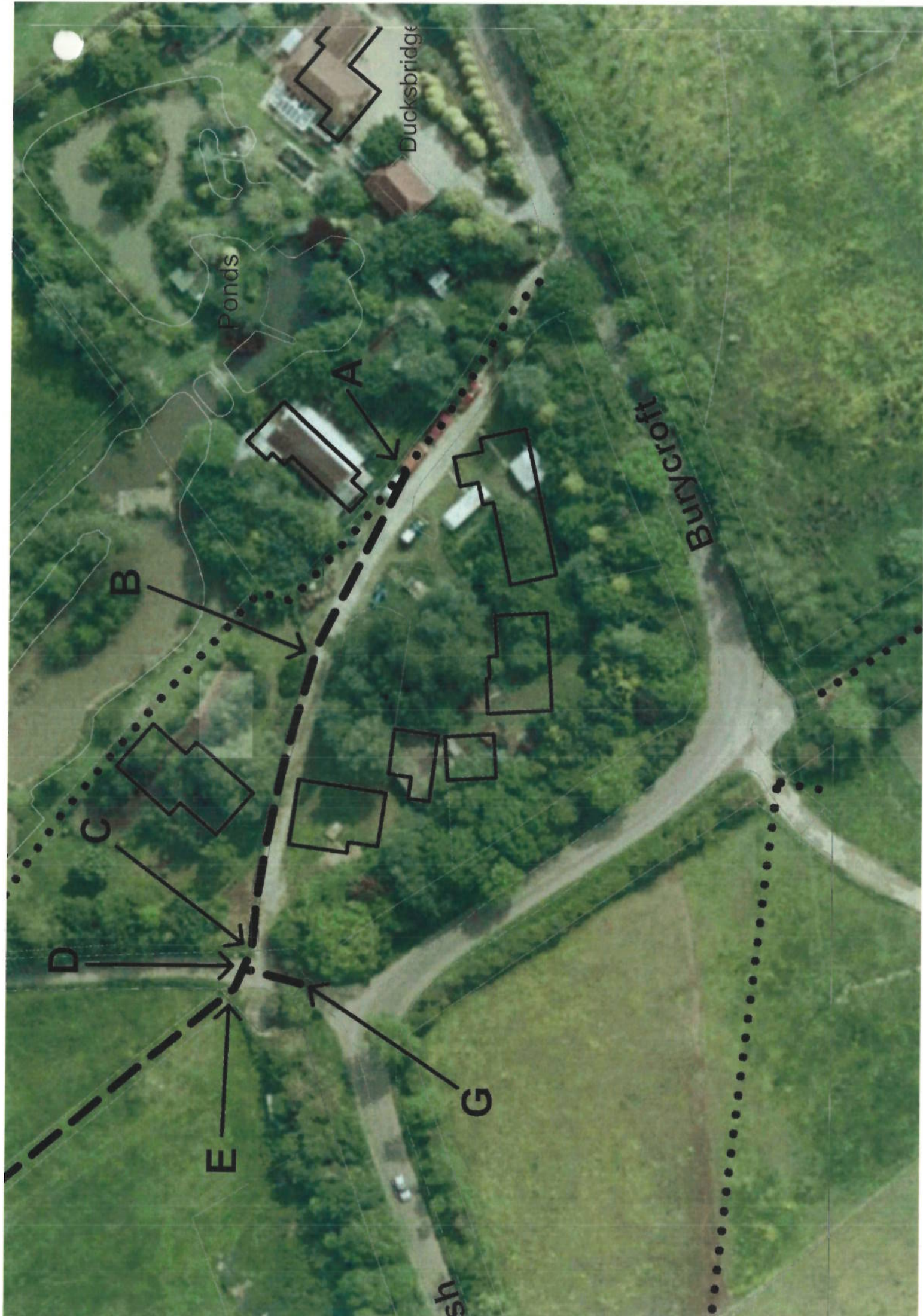
Footpath 44 With layers.pdf

Overlay_Scaling_References.jpg

footpath44_gate_and_style.jpg

streetview 2010 gate at wrightsbridge end.jpg

Caravan_Park.jpg



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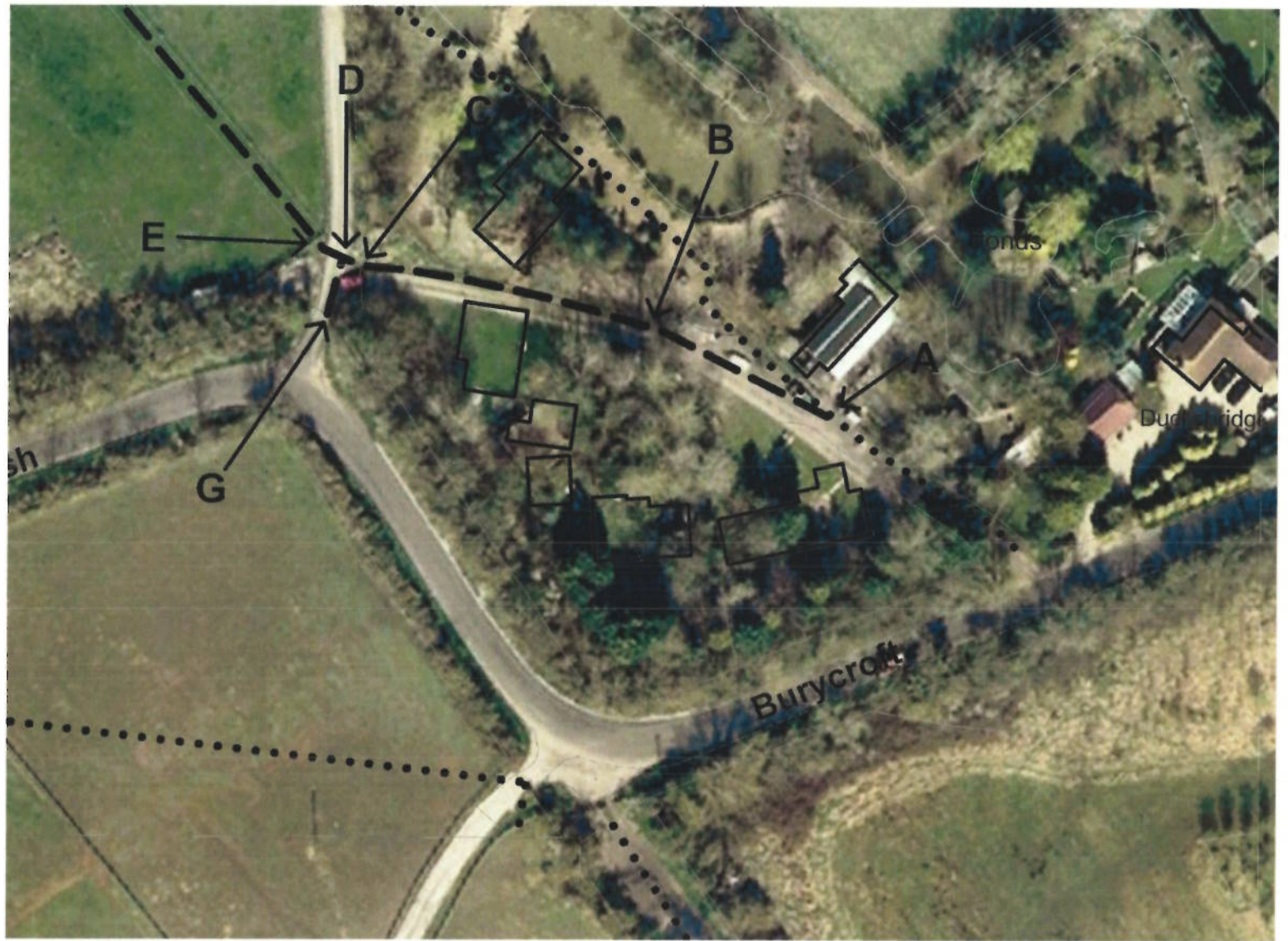
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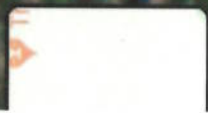








Google

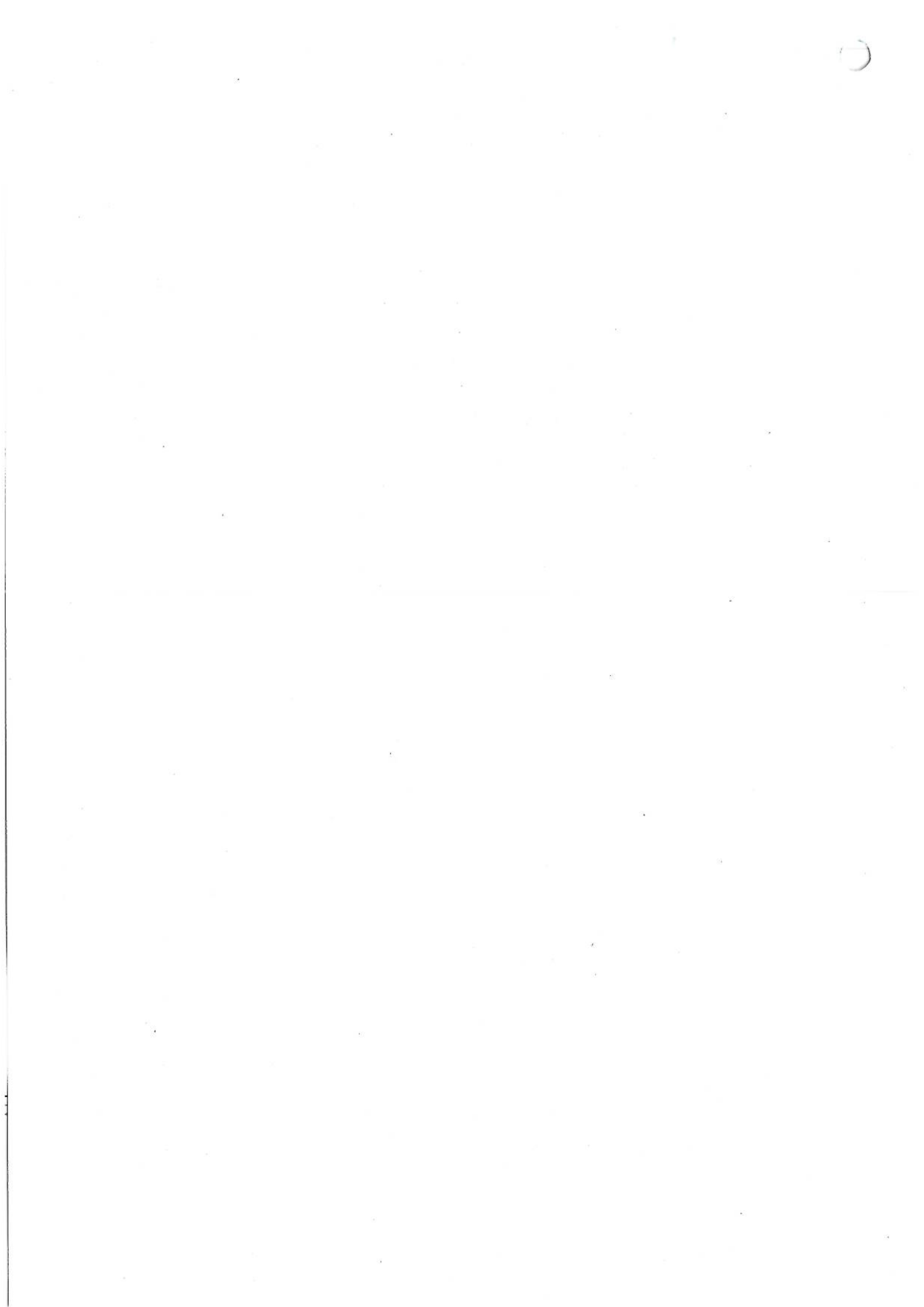


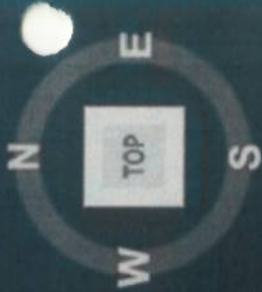




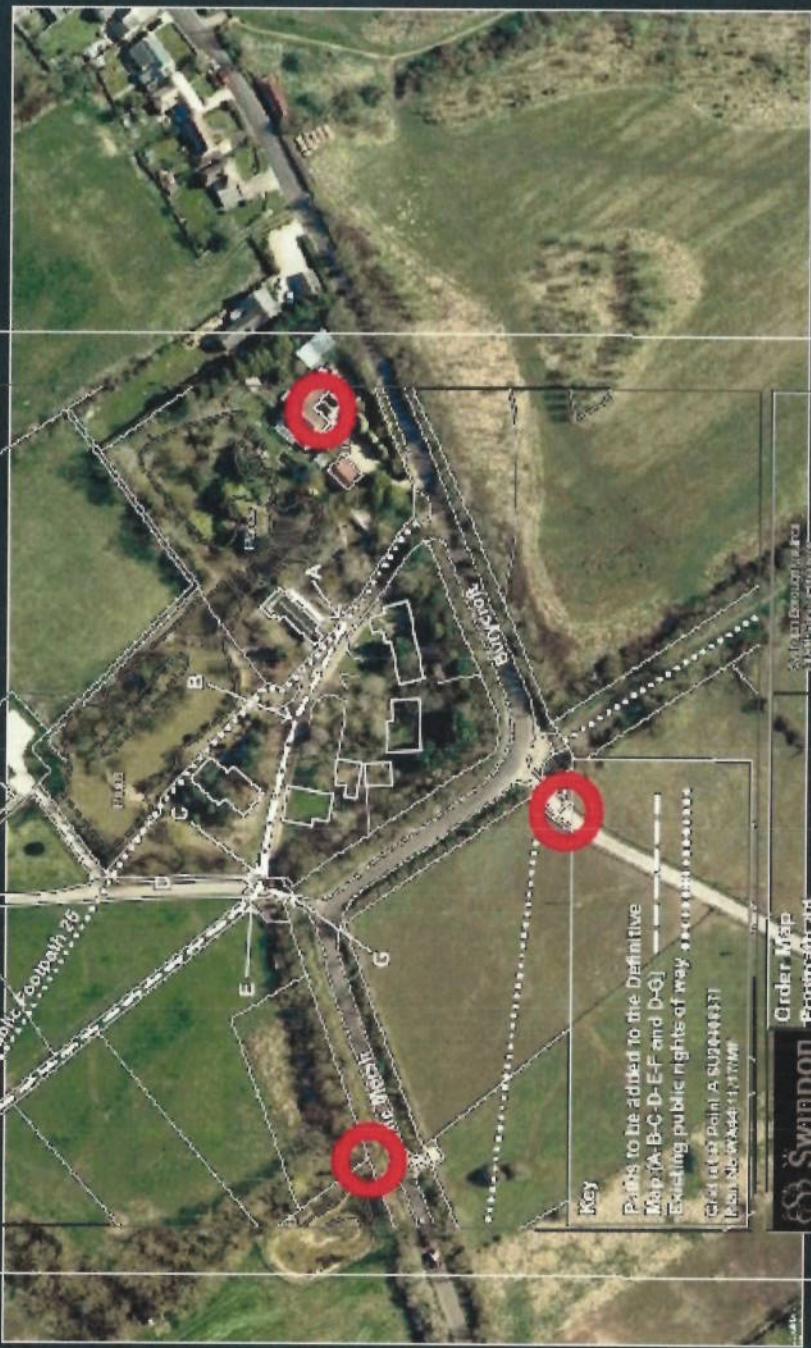








WCS



Key

- Points to be added to the Definitive Map: A-B-C-D-E-F and D-G
- Existing public rights of way
- Grid (60) point A SU2444371
- Plan sheet 444: 1:12500

SWINDON
COUNCIL
Order Map
PO00000004
Parish of Wanborough
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Swindon Borough Council 2017

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Scale 1:1,250 (A4)

