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15 November 2024

Dorset County Council
Planning Inspectorate Defra Team
3A Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Dear Ms Helen Sparks,

Ref: ROW/3323995
Subject: Objection to Proposed Footpath Order

I am writing to you in connection with the Inquiry into the proposal by the Council to establish a right of way for a footpath through Saxon Maybank site. I am the owner of [REDACTED]

Although I made written objections to the planning application for a footpath several years ago, I did not receive any notification about this subsequent Inquiry. It was only because the site owner Mr Nick Funnell alerted me last week that I am able to make this further objection.

It would seem, from my reading of the documents on the council website, that the objections already raised by owners of lodges on the Saxon Maybank site are considered to be not relevant as they relate to matters of privacy, inconvenience, safety etc etc. It seems that the only issue the Council and their advisors are considering is the legal question as to whether there has been effectively free access for the public for 20 years prior to the locked gate being put in place in 2008.

To my mind the main objection for the inquiry to consider is the evidence of the 17 people who claim to have had right of access for 20 years. From my reading of their submissions there is no evidence that establishes that they had permission from the owner to have right of way for access through his property prior to 2008. It seems many of them visited the site on business with the farm, for example, to purchase produce. Others, it seems, merely walked over his land when they were walking for leisure. The claim by a few people with whom the farmer may have been acquainted, that he allowed them to walk through his property on occasion surely does not present evidence of right of way, or, indeed, would in law, establish right of way?

The assertion made in the Council's statement of case, specifically on page 9, point 8.2, that there was never a gate at the farm is incorrect. The original gate post for the gate to the farm still exists and is clearly visible on the right side of the lane at point A, where the Council's road ends. When I purchased my Lodge in 2009 the wooden post on the opposite side of the hedge, which would have supported the other half of the gate, was clearly visible. From memory, I believe this post disappeared when Ilchester Estates acquired the land.

Also, the ground between the gate at the end of the Saxon Maybank site (point C on the map) and the second gate near Coombe cottages (pointD) has never been passable since 2009 when I purchased my lodge. It is totally overgrown with brambles and undergrowth. Again, evidence that

the right of way did not exist. The submission by the council incorrectly describes this stretch of the proposed footpath as "a hard stone surfaced track with hedges on both sides." There has never been a surface there. It has always been an overgrown patch with brambles and overgrowth since 2009 when, I purchased my lodge. This is another false claim in the submission which I fail to understand – and further undermines the case presented by the council.

I respectfully urge the council to reconsider the footpath order.

Yours sincerely,



Dr James R Wright