

## Landowner Statement

### PROPOSED EXTINGUISHMENT OF PART OF FOOTPATH 79, BEAMINSTER AND PROPOSED DIVERSION OF PART OF BRIDLEWAY 80

Reference: ROW/3350303 and ROW/3350304

#### **Background**

We are the applicants and owners of Chantry Farm, a working agricultural, acupuncture, holiday let enterprise and home in Beaminster. This is our supplementary statement to provide context to Dorset Council's Statement of Case, outlining the rationale and substantial benefits the permissive path, which is the proposed new bridleway, delivers to all parties.

The proposed alterations to the footpath and bridleway routes follow two previous pre-application processes conducted with the widest possible group of interested parties, all of whom were supportive, including the Ramblers Association, The British Horse Society, Dorset Council, Beaminster Town Council and West Dorset Wilding.

See Section 15, Appendix 3, found [here](#) for Dorset Council's Strategic and Technical Planning Committee Report, 26<sup>th</sup> July 2023. The committee voted unanimously to approve our application.

Both the footpath and the bridleway heading north from points A and C, are seriously sub-optimal regarding i) landowner and tenant security, safety, privacy, efficient and safe commercial farming activity; ii) public enjoyment, convenience, safety and accessibility, and iii) the environmental and biodiversity conditions.

We have worked extensively with the public, interest groups and Dorset Council to provide an alternative permissive route, the proposed new bridleway, that vastly improves conditions and enjoyment on several levels, for everyone. This includes alterations to accommodate the initial objections, which Dorset Council has addressed in their comments on objections (document reference 7, found [here](#).)

Public verbal and written support are evidenced by 27 supporting letters received by Dorset Council (7) and shared directly with PINS (20) – see Appendix 1 below, for a list of supporting letters sent directly to PINS. These highlight clear preferences and benefits for the public and visitors to Chantry Farm, along with the logic for the proposed new bridleway. Represented, are a wide cross-section of users including walkers, family groups, those with accessibility and mobility challenges, those with dogs, horse-riders, those with environmental concerns around flood management, protection of established biodiversity and the management of a sensitive farming environment at the headwaters of the Brit.

**The proposed new bridleway has been universally enjoyed in preference to the current footpath by the majority of regular users for over two years and enhances the rest of the**

**network. No regular walker now uses the old footpath or old bridleway in preference to the proposed new bridleway. [See photograph 5]**

## **Extinguishing Footpath 79**

### **1. Preferred streamside walk**

First consultation feedback indicated strong public preference for walking along the stream (O-Q-B) which is now part of the proposed new bridleway, as opposed to the current footpath (P to Q). This is because the proposed stream-side route, rather than the true line of the footpath was previously used, albeit by mistake, as evidenced in complaints, objection letters and addressed in Dorset Council's Strategic and Technical Planning Committee 'For Decision' document (26th July 2023.)

See Section 15, appendix 3, Committee Report found [here](#).

One such complaint published in the Dorset Echo found [here](#), states "But Beaminster resident [.....] who regularly walks the paths with his dog, is concerned the move will stop the public from enjoying the 'charming brookside walk' which is home to bluebells and wild garlic in the spring months."

### **2. Impassable muddy section**

Below point P is impassable to anyone not sure-footed and wearing wellingtons; it is often ankle- to knee-deep mud. This stems from land drains, natural springs and surface water flow. It isn't repairable without significant ground and drainage works to the natural water course, removing its existing environmental value.

Bypassing this area via the proposed new bridleway improves accessibility, particularly for children, older walkers and those with disability or mobility issues. [See photograph group 6 and 7]

A letter of support states "The current permissive bridle path/footpath that has been opened up by the land owners has been carefully planned to remain enjoyably passable all year round. It is a lovely walk up to the top for all ages and makes a very welcome change from past years where the enforced bog wading made dog walking duties pretty traumatic."

### **3. Water infrastructure**

Below point P is also the stopcock and water meter for 4 houses, with old pipework requiring sensitive handling. It also contains an IBC water bowser filling point for troughs and other agricultural uses, requiring regular farm machinery access.

Walkers bypassing this area via the proposed new bridleway benefits members of the public reliant on this water supply, the landowners and farm tenant agricultural practices, the acupuncture clinic and the holiday lets. [See photograph groups 6, 7, 11 and 12]

#### **4. Environmental enhancement**

The proposed new bridleway that circumvents the farm buildings (points G, I, J, P) has been planted with wildflower meadows (AB1) for pollinator and biodiversity purposes, with native trees planned as part of an ongoing woodland margin development plan across the farm. This creates an accessible, open and peaceful route through developing native woodland field margins.

A letter of support states *“As an elderly lady, I find walking in the countryside has become a priority for my fitness, health and general well-being. Even on a gloomy day in winter I find walking this route from Beaminster square up towards Buckham Down and beyond, to the network of pathways, lifts my spirits.”*

#### **5. Improved route quality**

The proposed new bridleway (G-H-J-P-O) is dry, open, scenic and quieter than the busy, muddy farmyard. This avoids the farmyard, which is a space that is already not large enough for modern machinery and farming operations it supports.

This particularly supports walkers or riders with disabilities, mobility issues or those seeking a peaceful and quiet walk or ride for personal wellness and mental health reasons.

A letter of support states *“Riding through the alternative route I would happily recommend to the Riding for the Disabled who I host at my stables. The ground is well drained, stable under foot with good visibility and plenty of light coming through the trees. Access in and out of the wood is also very good.”*

Another states *“I am 64 years old and a regular visitor to the site, and in recent months this has been particularly important to me as I recover from a hip operation. Gentle walking forms part of my ongoing rehabilitation, and the choice of route has made a significant difference to what I am physically able to manage.”*

*In my experience, the existing footpath and bridleway are extremely difficult to use. The surfaces are often wet and uneven, with loose stones, narrow sections, and steep or awkward footing. The bridleway in particular feels confined, unstable underfoot, and prone to surface water. I would not feel safe walking there, especially following surgery, and would be very unlikely to use it even if it were reopened.*

*By contrast, the current permissive path is far more accessible. It is wider, flatter, drier underfoot, and feels open and safe. The gradients are manageable, the surface is consistent, and the route is genuinely enjoyable. Since it was opened, I have been able to use it comfortably and confidently as part of my recovery, which would not have been possible on the old routes.”*

#### **6. Restricted and busy farmyard**

The farmyard is in constant use. It is muddy and cramped for moving livestock and machinery, especially ever-larger contractor machinery. It also houses the farm's Dexter cow herd on a semi-permanent basis for vet visits, TB testing, calving and pregnancy

management, and in bad weather, along with other farm and domestic animals including chickens, guinea fowl and farm cats.

We've also developed a commercial greenhouse operation and tree nursery focused on local stock propagation—all requiring additional space, equipment and activity.

The sloping north-south farmyard creates visibility challenges for reversing machinery, especially in winter sun, carrying safety concerns for all nearby.

The farmyard provides parking and storage for commercial tenants, their gallery and customer visitors, commercial, farm and house vehicles. Being a dead-end public road, it's also the only turning point for bin lorries and lost commercial and domestic vehicles needing to turn (we share a postcode with houses and farms on Bowgrove Road.) This is incompatible with a peaceful, enjoyable walk or ride. *[See photograph group 12]*

All farmyard access points (excluding the current footpath heading north,) particularly at point A, are year-round routes for all livestock and machinery moving across or around the farm. Given the farm's geography and topography, no alternatives exist.

See Appendix 3 below, for a letter of support from Stuart Hayball, who farms some of the land at Chantry Farm.

All logic suggests no-one would choose to go through the farm or mud, or between the farmhouse and the sawmill, private garden and garages below point A, given how close they all are, in preference to bypassing them all. Most walkers and riders feel uncomfortable in this situation. The new bridleway removes this scenario.

A letter of support states "*As residents of Chantry Lane for nearly 3 years, we have walked our dog twice daily for most of the year through the paths now in place. It is a quieter, more scenic and safer route than going through the farm and then on up either to join with the permissive path or to attempt to walk the old bridleway.*"

Another states "*The proposed route sensibly avoids the farmyard, which benefits both the landowners and the public. Walking directly past private gardens, open garages, livestock handling areas and working farm buildings does not support quiet enjoyment for either residents or walkers. The permissive path provides a calmer, more rural experience, free from farm machinery, livestock management and mud.*"

**For these reasons, the proposed bridleway provides a suitable and, indeed, an already much preferred alternative to the footpath proposed for extinguishment. This is evidenced by public feedback in the many letters of support shared with Dorset Council and PINS, and the current use of the proposed new bridleway, in definite preference to the old footpath.**

## **Diverting Bridleway 80**

## 7. Route unsuitability

The bridleway is fundamentally unfit for horse riders or walkers, regardless of what works are done to it and there is no practical logic in attempting to reopen it;

A letter of support states “*Walkers and riders have been using the proposed path ('permissive') without difficulty – in fact with relief – for at least two years. The proposed change is not only logical but sensible: it is much safer to keep horses and riders (a) away from farmyards and (b) out of deep, narrow tracks...*”

Another states “*To disturb the habitats here destroys what has been allowed to flourish for many years and in my opinion would be a reckless act when there is already a better alternative.*”

Another states “*The current bridleway is high-sided, sunken and deep with no views of surrounding countryside. It is too tight and restricted to pass others with dogs or horses, its surface has constant and sometimes fast running surface water over loose rocks, mud and shifting silt making it a danger to riders and most walkers.*”

### a. Physical condition

High, collapsed sides create a narrow corridor, poor views and a sunken, constantly shifting base. This is a permanent, flowing watercourse with rock, silt, plant and bog build up, particularly in the lower sections.

*[See photograph groups 2 and 3]*

### b. Historical Redundancy

Recognised as impassable 75 years ago in Beaminster Town Council's 1951 Survey, and again in the Ramblers' Milestone Survey of 1999. See Dorset Councils response to the OSS dated 24th November, 2023 in Document Reference 7 – comments on objections found [here](#).

### c. Safety hazards

If cleared, there would be insufficient room to pass safely, particularly where horses encounter walkers with dogs. The uneven surface has loose rocks and is unsuitable for riders, not least because of the uneven surface but also shifting silt. Given the water flow, this will always be the case, whatever works are done to open this safely for public access. *[See photograph groups 2 and 3]*

### d. Bridleway access point dangers (points A & C)

There is regular farm, house, contractor, tenant, delivery driver, service vehicle, bin lorry, visitor vehicular traffic and animal movement at points A & C. This is a blind access and exit point to the bridleway and steep access point to the farmyard, which carries constant potential risk for horses and their riders, cyclists, walkers and their dogs as well as farm operations at all times. *[See photograph groups 10 and 12]*

### e. User preference

All conversations with the public and the many letters of support sent to Dorset Council and PINS from riders and walkers consistently confirm that the proposed new bridleway is far more enjoyable and preferable to the existing bridleway. Users would not use the bridleway if it were opened and recognise the value of leaving it undisturbed as a mature natural habitat for wildlife, flora and fauna.

A letter of support states “*..., I would not choose to walk or ride the old bridleway even if it were reopened. Its surface is unstable, narrow, and often carries fast-flowing water, making it hazardous for both walkers and horse riders. The high-sided, sunken nature of the route provides no visibility or passing space, and the access point at C is directly onto a steep blind bend used by farm vehicles and livestock, which is inherently unsafe.*”

#### **f. Route quality**

Public feedback consistently praises the proposed new bridleway as more scenic with better views, drier, wider, surer underfoot, more accessible and a valuable connection within the existing Beaminster and Buckham Down network.

**For these reasons, the proposed new bridleway is a significant improvement over the old disused bridleway, it is far more enjoyable for the public and more suitable to use. Given that it's already a permissive path that has been in constant use for over 2 years there will be no impact on the land it crosses and the old bridleway will be left in peace as a rare, unique habitat and critical natural flood management feature. Furthermore, it fundamentally improves operational efficiency, security, agricultural practices more generally and on-site safety.**

### **8. Established watercourse and habitat**

The bridleway is a long-established watercourse with deep undergrowth, boggy areas, habitat, mature trees and multiple silt traps providing valuable natural water retention and flood management. The lower section (Points C – O) also forms part of a heritage water pond and irrigation system, still in use providing the exit point where two water courses join. [See photograph groups 2, 3, 4, 8 and 9]

One letter of support states “*I am led to believe an objection to keeping this 'open' has been received. Please will you forgive my utter disbelief on hearing this news. This path simply no longer exists, it is a collapsed water gully and has been for decades. It has completely gone back to nature with trees, boulders and undergrowth that now play an invaluable role in slowing the torrents of water that rush down the steep hill behind our houses.*”

### **9. Headwaters of the Brit**

The watercourse is fed by countless springs, forming part of the headwaters of the Brit which flows under our house, past others at the top of Chantry Lane and on through Beaminster (Below point C). It sensitively drains a large area of AONB and SSSI ground above the disused bridleway. This water supply is endless and flows all year round, the route this water course takes will always flow down the old bridleway.

## 10. Flood management

Water flow is often violent carrying silt, exacerbated by increasingly heavy rainfall, requiring significant recent irrigation works at the farm and garden to manage the heavy water flow, including drainage and reinforcement to bridges downstream. The 'pond' below point C is actually a silt trap requiring digging out every 2 years. Excavation upstream of this, would worsen this. [See photograph groups 1, 4, 8 and 9]

## 11. Environmental damage risk

Disturbance of the bridleway surface would inevitably cause considerable environmental damage due to the need for large machinery for the scale of works required to make this suitable for public use, this would have negative consequences and likely destroy all historic or inherent habitat value that exists there today;

One letter of support states: *"I understand the case made to preserve the ancient byways in the county. But in this case they will not be lost; they will remain in situ. To make the old lane safe and useable would in effect ruin its ancient quality and the necessary improvements required would be counter productive. I see no point in preventing better alternatives from being implemented in favour of keeping the old routes for 'posterity'. The new proposals not only make the route up the hill safer and more usable for more people, it also saves the historic paths from having the required improvements imposed to bring them up to the standard required for public safety."*

Another letter of support states *"We have mixed feelings as we'd always want to preserve ancient features of the landscape. However, we fear the impact any restoration work may have on the environment and to create a path which we doubt so many members of the public would enjoy."*

- a. The multiple streams and springs upstream of point C, are dynamic and constantly shifting given limestone layers over greensand, flint and clay, which makes it highly likely that any works to open up this route would be short lived and ultimately pointless with the base returning to its current state, given the inevitable water flow.
- b. This would increase levels of water, soil, silt and rock erosion, as seen on other areas of the catchment, with a significant impact on the water course downstream. The size of the catchment area this drains, the short, steep head and soil structure means water flow is already funnelled and rapidly increases through this corridor when it rains, impacting houses below point C and downstream into Beaminster.

[See photograph groups 1, 4, 8 and 9]

One letter of support states *"Nature has given us our most effective defence and the removal, by human interference, like so many of our country's natural water defences have been, would have the exact same outcome.*

*The creation of a super waterway... any imported surface washed away in an instant, pathway closed indefinitely, flooding downstream.*

*I have to question why do this?"*

**Re-opening the old bridleway would negatively impact the landowners' farmhouse, other occupiers and other houses (the public) downstream due to increased flooding and erosion. For these reasons we believe the proposed new bridleway is a benefit to the landowner and the public. Equally, this is consistent with the council's duty to have regard to the needs of agriculture and forestry, and the desirability of conserving flora, fauna, and geological and physiographical features.**

The direct, negative impact of large scale works to this nature corridor on the current catchment-wide nature recovery project being undertaken by Dorset Wildlife Trust, as well as the Brit Valley Project from West Dorset Wilding are referenced in a letter of support from them, shared with PINS.

See Appendix 2 below, for a copy of West Dorset Wildings letter of support.

## **12. Protected species**

The sides of the bridleway collapsed 75 years ago and now provide habitat and shelter for diverse wildlife, including priority species such as dormice, foxes, bats, slow worms, insects, birds and badgers, acting as an undisturbed nature corridor.

One letter of support states "*On our walks through the woodlands adjacent to the stream we have encountered a family of what we believe to be polecats (or possibly polecat/ferret hybrids) which indicate the diversity existing already in this area and which should not be disturbed by renovation work to the bridleway.*"

Another states "*Safety is one concern, but another is wildlife. It is vanishingly rare to find an undisturbed wildlife habitat, and this 'green lane', unused for years, is exactly that. If the bridleway is cleared and made safe, then all the wildlife will be cleared out too. If the bridleway were moved, the lane could continue to shelter birds, dormice, rabbits, hedgehogs, foxes, badgers, stoats and weasels. To take one example: hedgehogs like to hibernate in exactly the kind of deep litter (of fallen leaves, broken branches and rotten logs) that has collected for years along this overgrown and unused path. Riders and walkers can easily (and more happily) use the field; hedgehogs will not. Dogs can disturb wildlife without their owners even being aware, and one puncture wound from a dog's tooth is fatal to a hedgehog.*"

There is recent mapped confirmation of the presence of dormice between points F to below Point E, from George Greenshields MCIEEM, Ecologic Consultant Ecologists LLP, following his visit to the bridleway with David Sharman of Natural England in 2021 - 2022. (Lockhart Farm, Hawkchurch, Axminster, Devon. EX13 5XH.) *[See photograph 13]*

## **13. Biodiversity commitment for the future of the old bridleway**

Our hope is that this nature corridor and water course will be left undisturbed for its value as a natural habitat. This is our plan if the proposed new bridleway is confirmed.

Our farm-wide approach promotes biodiversity, mixed grassland, wetland management, woodland margins and low-density Dexter cattle grazing (an indigenous, lightweight, rare breed to reduce soil and grass poaching) for sensitive farmland management. This formula is expected to extend to neighbours as part of the broader Brit Valley Project 30-year plan.

## **14. Public access and education**

We, of course, recognise the broader public interest in this corridor. As such, in the interest of education, the avoidance of habitat destruction, serious flooding risk and local interest;

- a. We would manage and maintain viewing points at F & (above) B on the proposed new bridleway that the public already have access to.
- b. We have already offered a further viewing point east of point O, to the OSS as a suggested resolution to their objection. We would provide access on a permissive basis.
- c. We would install signage with QR code links at these points providing information on how this corridor forms part of a sensitively managed bio-diverse habitat and catchment area for the Brit, in conjunction with Dorset Wilding and the Brit Valley Project.
- d. We have offered educational farm visits to Beaminster School and Mountjoy School, given their proximity to Chantry Farm in the hope that the proposed new bridleway is adopted, as they would benefit from the easier access available.

## **15. Positive impact on Dorset Councils RoWIP**

The proposed new bridleway positively impacts several Dorset Council RoWIP criteria:

1. We are proposing opening up bridleway access for the first time in a generation
2. We are removing wet and difficult to navigate areas to improve accessibility
3. We promote the local footpath networks existence through our own commercial efforts of onsite wellness & Anna's (landowner) acupuncture practice ([www.hugclinic.co.uk](http://www.hugclinic.co.uk)) and local environmental tourism efforts ([www.hugholidays.co.uk](http://www.hugholidays.co.uk))
4. We are already managing and promoting the farm in a biodiverse, nature and education rich environment with the support of DEFRA and Dorset Wilding via The Brit Valley Project.

These impact the following RoWIP goals:

1. Enable people to walk, ride and cycle and reduce car journeys.
2. Provide local path networks where people can enjoy the outdoors and meet members of the public.
3. Provide easy access to greenspace to aid health and wellbeing.
4. Protect the natural environment and landscape through sensitive land management.
5. Support agriculture and local farmers and landowners.
6. Support conservation and forestry work and education in these areas.

7. Build valuable greenspace corridors for people and wildlife.
8. Enable all residents and visitors in Dorset to access and enjoy the countryside.

## **Other matters**

### **16. The proposed new bridleway is compromised by being a shared route between horse and walker**

- a. The proposed new bridleway has been in constant use for over 2 years, and the surface is intact and in better condition than parts of both other routes.
- b. Being drier, more open and wider than the existing routes, as mentioned in several letters from the public, there have been no complaints or evidence of problems with the surface of the proposed new bridleway.
- c. The parts of the proposed new bridleway that are common with the existing footpath are in the same condition as when there was no additional horse traffic sharing the route.
- d. The proposed new bridleway will enable effective machinery access for surface maintenance required including the addition of hardcore and drainage, mowing and strimming. Currently there is no practical machine access to areas including point Q to below P and the disused bridleway between points E-C, making effective maintenance impossible.
- e. Objectors' concerns over sharing the proposed new route contradicts their stated preference to walk the current route of bridleway 80 which would also be shared with horse riders along its length, over a significantly less stable surface.

### **17. There is no benefit to the landowner below points A and C**

Adopting the proposed new bridleway will reduce footfall and remove horse traffic below points A & C and above point G. This is where all pedestrian and traffic movement occurs for house and garden access, all traffic for the farmyard, where our cars are parked and have to reverse blind onto the road given the limited space available, farm animals move to and from fields, contractors access fields and farmyard and tenants operate and park, for access to their artist workshop.

Reduced footfall and the absence of horses will benefit the landowners and tenants by improving farming operations, safety, security and privacy, given the value of items on-site, and the proximity of garages, barns, farmhouse access and private garden to the public road.

We have installed security cameras for security reasons. Without footpath and bridleway traffic, unknown visitors would be more easily identified, should security issues arise, which they have in the past.

## **Conclusion**

The proposed diversion benefits the landowners, enhances the public's enjoyment of the countryside, promotes public access for all abilities, interests and ages, whilst ensuring the preservation of West Dorset's natural heritage.

We are convinced the spirit and intentions of all the legal tests have been met or exceeded.

We have made a genuine effort to engage with and respond to all requirements and objections raised through the two consultation process', some of which have been conflicting. We have made alterations to the initial proposal considering these and firmly believe this proposal benefits all concerned and those who have a genuine interest in the protection and enjoyment of West Dorset's natural heritage and future.

Our intention is not to reduce public access, but to improve accessibility for the broader public's enjoyment whilst avoiding the farmyard, current access drawbacks, by diverting the bridleway onto an improved route being enjoyed by all.

We suggest this is a significant improvement for all concerned and request that both concurrent orders be confirmed.

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## Appendix

### **1. List of further supporting letters shared with PINS**

|                           |   |            |
|---------------------------|---|------------|
| Oliver Hugh Jones         | Director RHJ Construction Ltd                   | [REDACTED] |
| Bob Grave                 | Local resident                                  | [REDACTED] |
| James Bramble             | Local resident                                  | [REDACTED] |
| Olivia Glazebrook         | Local resident                                  | [REDACTED] |
| Duncan Campbell           | Neighbouring resident                           | [REDACTED] |
| Sam Rose, Brit Valley Pr. | Exec. Director West Dorset Wilding              | [REDACTED] |
| Alice Wilson              | local resident                                  | [REDACTED] |
| Richard Pinney            | Ex-local resident / Retd. solicitor Knights LLP | [REDACTED] |
| Louise and Alex Pole      | Local resident                                  | [REDACTED] |
| Robbie Roskell            | Local resident                                  | [REDACTED] |
| Rowan Galvin-Wright       | Neighbouring resident                           | [REDACTED] |
| Jane and Steve Biglin     | Local residents                                 | [REDACTED] |

|                 |                                    |            |
|-----------------|------------------------------------|------------|
| Stuart Hayball  | Tenant Farmer                      | [REDACTED] |
| Spencer Skinner | Local resident                     | [REDACTED] |
| Kerry Noel      | Local resident                     | [REDACTED] |
| Martha Loewy    | Local resident                     | [REDACTED] |
| Liz Davenport   | Local resident                     | [REDACTED] |
| Hester King     | Local resident                     | [REDACTED] |
| Rufus Martin    | Local resident and tenant sculptor | [REDACTED] |
| Binney Matthews | Local resident & artist            | [REDACTED] |

## **2. Letter of Support from West Dorset Wilding**

Dear Ms Sparks

**Letter of Support: Ref: ROW/3350303 and ROW/3350304**

We are writing in support of the proposed diversion of bridleway BW80 on land at Chantry Farm and the formalisation of the nearby permissive route that has been in regular public use for nearly two years. Our comments are provided with reference to the statutory tests that must be met for a diversion order to be confirmed.

### **1. Convenience to the Public**

*(“the new path will not be substantially less convenient to the public”)*

We consider the alternative route to be significantly more convenient than the existing alignment of BW80.

The current bridleway is situated within a narrow, steep-sided goyle, where the former track bed has become a permanent watercourse. During winter and periods of heavy or intense rainfall, this channel carries high volumes of water, causing ongoing erosion and rendering the surface impassable for many years. The route is now heavily overgrown with willow and scrub, reflecting its long-term lack of use. Passing others safely in such a confined, high-sided corridor is extremely difficult.

In contrast, the proposed new route follows a drier, wider, more open corridor through woodland between two streams. It has been routinely used as permissive access by walkers, riders, and other users without any negative impact on the surface. The route comfortably accommodates horses, walkers and families, and provides a noticeably safer and more pleasant experience.

We therefore believe the proposed diversion is substantially more convenient for the public.

### **2. Effect on Public Enjoyment**

*(“expedient having regard to the effect on public enjoyment of the path as a whole”)*

We are confident that public enjoyment of the route as a whole will be enhanced, not diminished, by the diversion.

The existing line of BW80 offers no views, is constantly waterlogged, and presents a poor-quality, unstable surface. It is also close to a working farmyard, raising concerns about safety, privacy, and interactions with livestock and machinery.

The alternative route, already waymarked and well-used, provides a far more attractive landscape experience. Users enjoy:

- Woodland scenery and proximity to the stream
- A wider, more accessible corridor with better footing
- Opportunities for enhanced interpretation, wildlife education, and engagement through QR codes and signage
- Insights into innovative habitat management and the “creative single grazing unit” used in the Brit Valley Project

The new route offers a richer, safer, and more enjoyable experience for the public, strongly meeting the second statutory test.

### 3. Likelihood of Public Use of the Old Route

*(“expedient having regard to the extent to which the old route would, apart from the order, be likely to be used by the public”)*

It is highly unlikely that the public would use BW80 even if the diversion were not made.

Its long-term impassability, unsafe footing, and extremely restricted, overgrown nature mean that the route is functionally unusable. Reinstatement would cause:

- Increased silting of the farm pond
- Surfaces that would rapidly wash away in storm events
- Loss of valuable thicket-type nesting habitat, which has developed due to lack of human disturbance

The dynamic interplay of greensand and clay geology in this watercourse means natural changes are inevitable, reinforcing that reinstatement would be unsustainable and potentially harmful.

By contrast, the public already demonstrates a clear preference for the permissive route, which is durable, accessible, and enjoyable.

#### Additional Supporting Considerations

##### Accessibility

The proposed route is far more accessible for people with limited mobility. Its width, dry surface, and gentle gradient make it safer and easier to use than the steep, waterlogged goyle.

##### Compatibility with Horses

We have no concerns about shared use with horse riders. The new route has already accommodated equestrian use, providing a safe, stable, and sufficiently wide passage for all users.

#### Environmental and Educational Benefits

The alternative route aligns strongly with the aims of the Brit Valley Project to balance farming, wildlife conservation, and public access. It offers opportunities for:

- Interpretation of complex habitat management
- Engagement with landscape-scale nature restoration
- Improved public understanding of responsible dog ownership in grazing areas

These opportunities are not available on the old route.

BW80 also acts as a means of slowing the flow of water down into the Brit, very much consistent with the aims of the Brit Valley Project's Natural Flood Management plans. Reopening it, and clearing the debris and overgrown surface, would actually lead to a greater flood risk downstream.

Furthermore, whilst we are not aware of a specific study, a cursory examination of BW80 at this location shows a fascinating flora and fauna that has developed over the past decades, and may well, due to its protected location, harbour important species that only live in wet and sheltered spaces, including mosses, lichen and ferns.

#### Conclusion

For the reasons outlined above, we believe the proposed diversion of BW80 clearly meets all three statutory tests. The new route is more convenient, more enjoyable, safer, more sustainable, and far more likely to be used by the public. We also believe that the additional factors add weight to the proposal for diversion.

We therefore fully support the diversion order and respectfully request that it be confirmed.

Yours sincerely,  
Sam Rose  
Exec Director, West Dorset Wilding

### **3. Letter of support from Stuart Hayball, farmer**

#### **Letter of Support: Ref: ROW/3350303 and ROW/3350304**

Re: Pathway proposal at Chantry Farm

Our cows have been kept at Chantry Farm for the last few years. We have grazed the fields here and harvested the grass for hay. During grazing, the buildings and routes in to the farm are used for treating cattle and transporting them to and from the farm and fields, and this happens on a regular basis. The current footpath running straight through the middle of the farm and bottom of bridleway are not ideal for this, for several reasons:

1. Public access through this area can cause our animals to become easily distressed, which can make them very unpredictable and difficult to treat. This poses a health and welfare risk to the animals; risks the animals not being able to receive the necessary treatment, and therefore, goes against the Red Tractor Animal Health and Welfare Standards that we must adhere to.
2. This situation is also dangerous. It presents a health and safety risk directly to the animals being treated or moved, as well as the farmer/vet treating them, and to any members of the public passing through, due to the unpredictable nature of the animals and the surrounding working farm environment.
3. We can experience the issue of 'animal worrying' by members of the public using footpaths. Whilst most members of the public behave appropriately around the animals in these environments, there are, unfortunately, some instances whereby members of the public do not adhere to the advice given, causing unnecessary distress and harm to our animals, and the potential to cause harm to the public themselves. This is particularly true of the farmyard and its various entrances top and bottom (Point A) where members of the public often stand and talk.
4. Members of the public using these routes to walk their dogs, is a regular occurrence, but unfortunately, this does greatly increase the risk to our cows of developing Neosporosis, passed on through dog faeces not picked up by the owners. Sadly, this can cause our cows to abort their developing calves, as well as other health issues in both our calves and adult cattle - again, contradicting Red Tractor Animal Health and Welfare Standards.
5. Farm machinery and public safety - It goes without saying, that having a pathway running through the farm, as well as the potential for horses, walkers and their dogs to be at the bottom of the bridleway (point C) if it was opened up is an extremely high-risk area for members of the public to be in when there is heavy farm machinery around and in constant use in a relatively small area for the scale of large machinery used. Unfortunately, there are many members of the public who are not familiar with this way of life and the risks associated with it, as well as those who are, but choose to ignore all safety advice etc, not only putting themselves at risk, but also other people, as well as the farmer and our animals. All the routes into and out of the farm are used by our animals, tractors, trailers and other machinery, by ourselves and contractors on a regular basis (points A & C.) These are the only routes available for access to all fields to the west and east of the bridleway and footpath. This junction is therefore in constant use, it is steep, narrow and has tight, blind corners for machinery to use.
6. Biosecurity risk - public walking through the farm via the existing pathway, not using the appropriate footbaths to disinfect footwear, as a result increase the risk of further spreading disease, again going against the Red Tractor Standards that we are required to adhere to.

7. Litter dropping by members of the public walking through can also be an issue. This encourages pests, which carry disease, another risk factor we must consider for our cows, and once again makes adhering to Red Tractor Standards very difficult.
8. Members of the public using the current pathway have also in the past, left gates open, resulting in animals getting out and into other people's gardens, causing disruption and inconvenience, as well as additional health and safety risks.
9. Because the farmyard is at the top of a public road (Point A & C), we have to use occasional electric fencing to manage our animals in and out of the farm, this is at odds with unrestricted access for the public, their horses and dogs. This makes managing our animals safely very difficult.

Supporting the new pathway is common sense, and would help to minimise all these risks, as well as help to ensure the safety of both us as farmers and our animals, as well as members of the public and their animals, without compromising on the route, and improving the scenery, and enjoyment for the public using it. It is not any less convenient, as it is about the same distance to walk around as the existing pathway and bridleway, with a much more stable, dry and secure under foot ground level to walk on.