From: James Newton DFC
Sent: Wednesday, January 10, 2024 4:00 PM
To: Developmentmanagement <Developmentmanagement@wiltshire.gov.uk>
Subject: Hedge removal - PL 2023 / 06104 - Walnut Cottage - objection

Dear Sir

I am the freeholder of the land which borders the subject application. I have been since 2004.

In July 2021 we sold Walnut Cottage to the current owners with covenants detailed in the agreed TP 1. On 31 July 2023 we sold them an additional small parcel of land with further details covenants details in that respective TP 1.

In both cases the hedgerow referred to in the referenced application is **clearly owned by myself.**

We have discovered that the owners of walnut cottage have removed around 60 meters of historic hedging which they do not own and furthermore are subject to covenants (please see attachment and I am happy to supply signed agreements).

Please note the following;

- The statement in their application which indicates that the farm is no longer not used for livestock is false.
- The statement that they are freeholders of the land / boundary is also false, as seen by the inward T on the attached transfer plan.
- The photo they submitted (photo 1) in this planning application shows a wooden fence (the original boundary before the additional parcel was sold) and the hedge in question - the reason the photo isn't taken from within that parcel of land is that they did not own it and had no access to it - the application date for hedge removal was the 20 July 2023 and the transfer was made on the 31 July 2023 - furthermore, the hedge was specifically removed from the title transfer as shown by the lack of inward T.
- We have now engaged lawyers in this dispute as our circa 10 acre field on the other side of the photos submitted cannot be used for livestock and furthermore, they did not own the hedge to remove it.

I am writing to seek clarity as to the following;

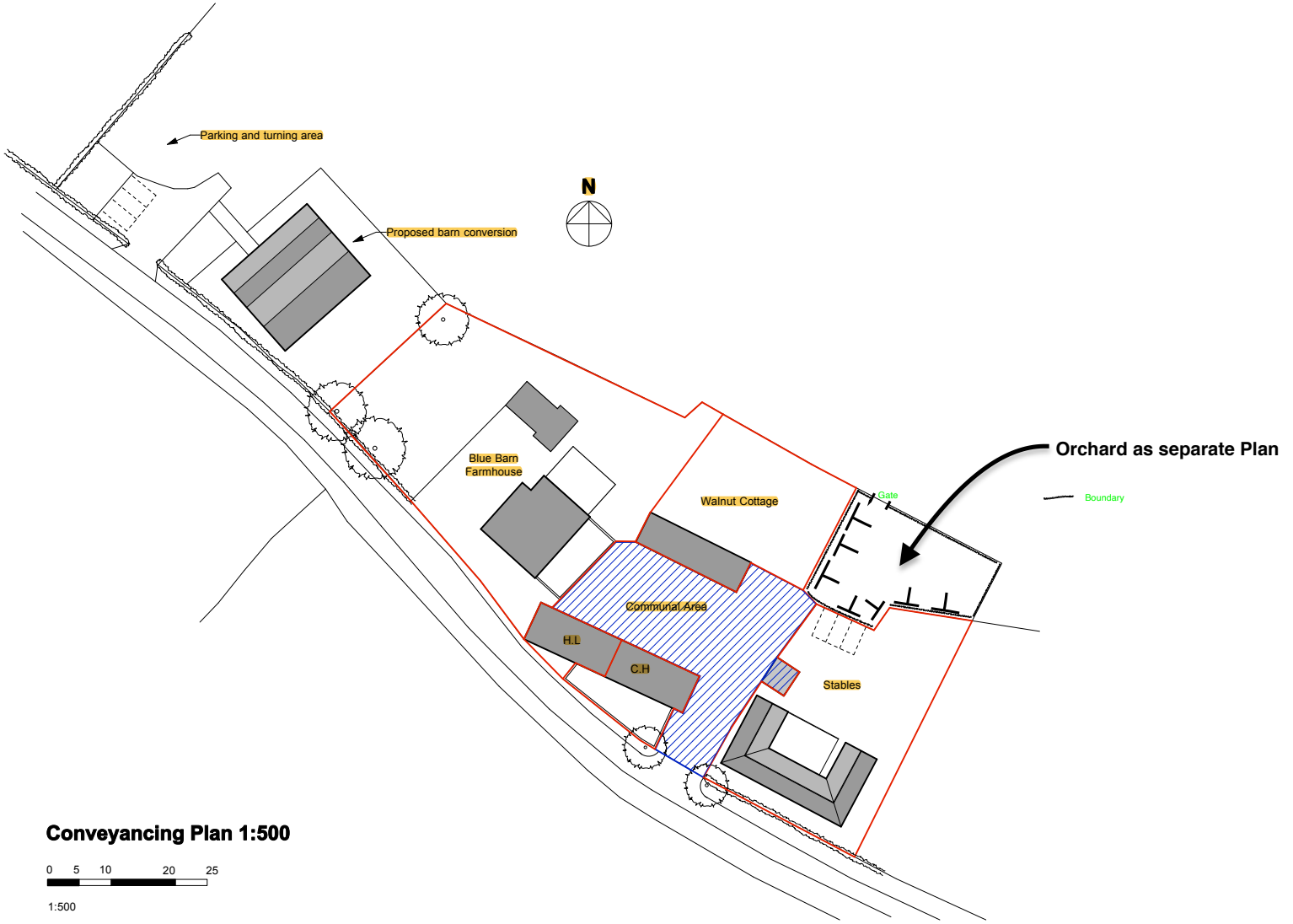
- What checks where done by Wiltshire Council to ascertain that the applicants statements regarding ownership were correct?
- Why was the TP1 in relation to this hedge accessed prior to permission being give to remove a historic edge they do not own rendering our field useless?
- The hedge removed was over 300 years old and had been maintained by me since 2004 (and for generations before) - It was not a boundary from a garden but a boundary to a field.

I would like to get into the details of how this approval was granted without it seems the proper checks.

Finally, I have written to the council separately regarding an application PL /2023 / 06104 where again the owners of Walnut Cottage have failed in their legal duty to consult with the transferors regarding any proposed development. I would be grateful if you could respond on this matter as well.

Best

James Newton DFC



Conveyancing Plan 1:500

0 5 10 20 25

1:500

Conveyancing Plans
Blue Barn Farm
Southwick