

From: [REDACTED]
To: [Public Path Orders](#)
Subject: Public Path Order
Sent: 27/06/2025 14:28:01

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I wish to raise an objection to a proposed diversion but the notice only gives the address of Seax House in Chelmsford.

Can I register my objection by email? If so, please confirm the email address.

[REDACTED]

From: [Public Path Orders](#)
To: [REDACTED]
Subject: RE: Public Path Order
Sent: 27/06/2025 14:55:31

Dear [REDACTED]

Thank you for your email.

If you wish to make a formal objection please ensure that you include the order you are objecting to, the reasons for your objection, and that it is submitted before the deadline date.

In order for us to consider your objection, please include your full name, and full address.

Kind regards,
[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [Public Path Orders](#)
Subject: Re: Public Path Order
Sent: 27/06/2025 15:21:43

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Dear [REDACTED]

Thank you for your quick response, I will take into account your comments.

However, can you please confirm whether I can send my objection by email and the email address I need to send it to?

[REDACTED]

From: [Public Path Orders](#)
To: [REDACTED]
Subject: RE: Public Path Order
Sent: 27/06/2025 16:31:40

[REDACTED]
Yes, this email address - publicpathorders@essexhighways.org will be acceptable.

Thank you,
[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [Public Path Orders](#)
Subject: Re: Public Path Order
Attachments: [Objection Letter.docx](#); [Flood Map with proposed Footpath.pdf](#);
Sent: 29/06/2025 12:07:31

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Dear [REDACTED]

I have attached my objection to Public Path Diversion Order 2025 Footpath 15 Finchingfield in the district of Braintree.

I have also attached an annotated flood zone map.

Please confirm receipt and that my objection contains all the required information prior to 3rd July 2025.

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Public Path Orders,
Definitive Map Service, Essex County Council,
Seax House,
2nd Floor, Victoria Road South,
Chelmsford CM1 1QH

27 June 2025

Dear Sir/Madam

Re: PUBLIC PATH DIVERSION ORDER 2025 FOOTPATH 15 FINCHINGFIELD IN
THE DISTRICT OF BRAINTREE

I wish to object to the proposed diversion of the above footpath.

The existing route rises from the bridge over the River Pant to a level that is not subject to flooding and continues at this level to Point A. There is little risk of this footpath being flooded except in the most extreme flooding conditions. In that case only a small section of the footpath would be affected.

The proposed route Point C to Point A follows the banks of the River Pant and would be susceptible to flooding following a minimal rise in river level. In those circumstances I would suggest that approximately two thirds of the proposed route would be under water and unusable for many weeks following the flood.

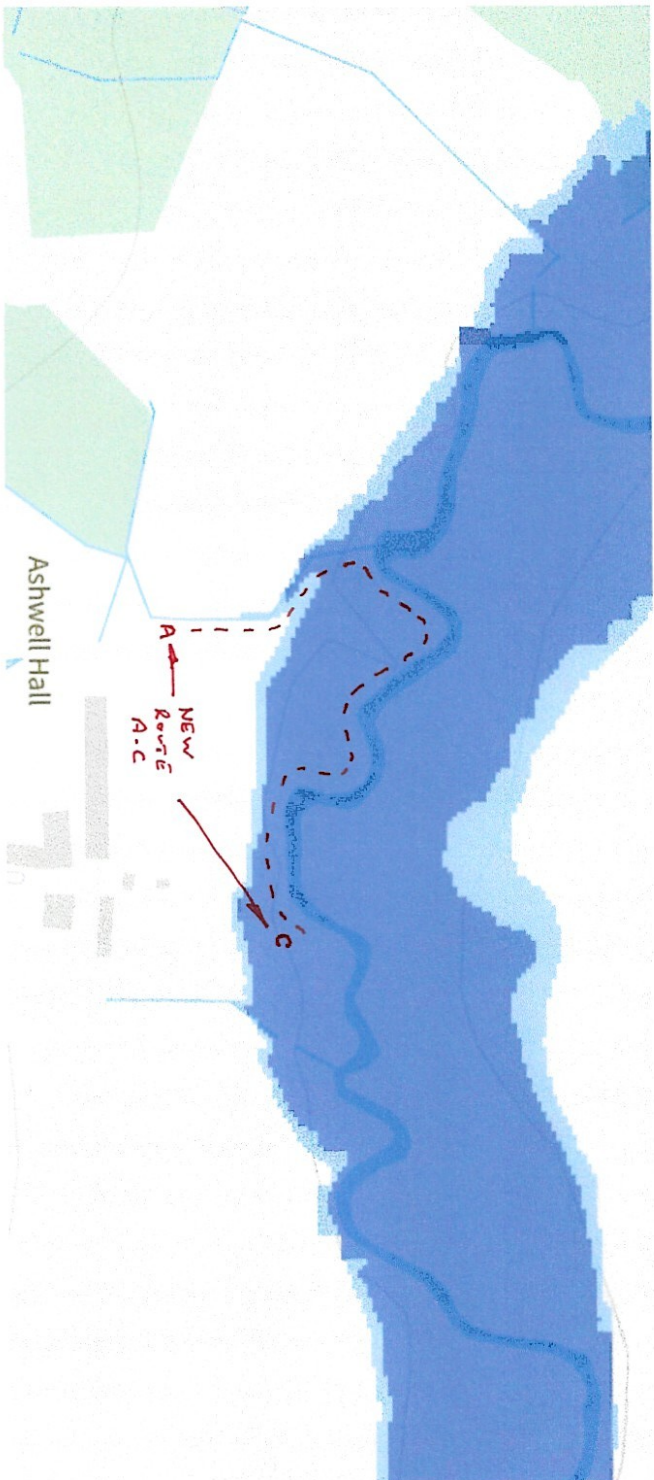
In periods of severe flooding even more, approximately three quarters, of the proposed route would be under several foot of water and more of the path would remain unusable for weeks after the levels subsided.

On this basis I would wish the footpath to remain along its current course.

The footpath is regularly used by walkers and dog walkers throughout the year and provides a resource to residents of the Parish. I also wish to mention that the existing route of Footpath 15 was moved to its current position, as far as I can recall, within the last 20 years.

I have attached a map of the flood zones two and three as produced by the environment agency and marked upon it the approximate proposed route.

Yours faithfully



From: [REDACTED]
To: [Public Path Orders](#)
Subject: Re: Public Path Order
Sent: 01/07/2025 15:29:54

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Dear [REDACTED]

Please can you confirm receipt of my objection sent Sunday 29.06.25?

[REDACTED]

From: [Public Path Orders](#)
To: [REDACTED]
Subject: RE: Public Path Order
Sent: 02/07/2025 09:18:52

[REDACTED]

I can confirm successful receipt of your objection and will be in touch after the consultation period ends to discuss.

Thank you,

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [REDACTED]
Subject: RE: Public Path Order
Sent: 10/07/2025 15:04:17

Dear [REDACTED]

Thank you for your email regarding the proposed diversion of Finchingfield Footpath 15 and for your interest in the public rights of way network.

I would like to address the points you raised in your objection:

1. Flooding concerns
 - a. The risk of flooding has been considered carefully. While the proposed route lies within Flood Zone 3 on the Environment Agency's Flood Map for Planning, this represents a theoretical risk used for planning purposes. In practice, the Risk of Flooding from Rivers and Sea data indicates a 'Very Low' likelihood of flooding, less than 0.1% in any given year. There have been no recorded flood events in this area since 1947, and the Public Rights of Way Officer is not aware of any flooding issues affecting the route. The Environment Agency has not raised any objection, and the proposed path has been aligned to run at least three metres from the watercourse to further reduce any residual risk.
2. Public use and enjoyment
 - a. We fully acknowledge that the existing route is well-used and valued by the local community. However, section 119 of the Highways Act 1980 permits diversions in the interest of the landowner, provided that the new route is not substantially less convenient or enjoyable for the public. In this case, the proposed route remains scenic, and a riverside walk is valued by many users.
3. Recent history
 - a. It is true that this path has been diverted in 2005, however, nothing in the legislation prevents a public right of way being diverted more than once, and prior diversion does not in itself preclude further changes being made in the future.

In light of the above, I would respectfully ask you to reconsider your objection. If you are willing to withdraw it, please confirm this by return email. If the objection is maintained, the matter will need to be referred to the Planning Inspectorate for determination, which incurs significant public expense and delays.

Should you wish to discuss this further or require clarification on any point, I would be happy to assist.

Kind regards,

[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [REDACTED]
Subject: Re: Public Path Order
Sent: 24/07/2025 10:11:05

Follow Up Flag: Follow up
Flag Status: Completed

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Dear [REDACTED]

Thank you for your email below.

I have considered the points you raised. However, I do not find the existing proposal acceptable and, therefore, my objection remains.

Would you please continue to keep me up to date on the situation.

[REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: RE: Public Path Order
Attachments: [PROW-25-03_21.03.25_aerial.pdf](#)
Sent: 25/07/2025 09:41:17

Dear [REDACTED]

Thanks for getting back in touch.

I understand that you wish to maintain your objection. Should you be willing to reconsider, the applicant has offered the potential of a site visit. Please let me know by 1 August if this would be of interest or if your decision is unchanged.

Please also find attached an aerial image which I hope will help alleviate some of your concerns as it more clearly illustrates that the proposed route is situated *at least* three metres from the watercourse, and in many cases, further away.

Kind regards,

[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [REDACTED]
Subject: Finchingfield Footpath 15
Attachments: [List of dates of Flooding at Codham Mill Lane 2024.docx](#)
Sent: 27/07/2025 15:26:09

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Dear [REDACTED]

Thank you for your most recent email. I appreciate the offer of a site meeting with the owner but I am very familiar with the site and I suspect that a site meeting would add nothing to my understanding of the situation.

Your map showing the footpath being in excess of three meters from the river is noted but the important factor is not the distance from the river. It is the distance the river will flood, not just currently but in the future.

The "Sea map" currently shows very low or low risk but, when you press the button for 2036 onwards, the prediction is for a lot of the footpath area to become low risk, presumably as a result of global warming. The same map shows Codham Mill Lane (also the River Pant) to currently be very low risk. The river there floods frequently and the flooding can stretch 100 yards from the river itself. I have attached a list of flooding events with an explanation for 2024 at Codham Mill Lane. My records are for a concrete/tarmac road not for a field which stays wetter for longer. It is clear that the river at Ashwell Hall would not flood 100 yards away from the river bank but it could certainly stretch considerably further than three meters.

The Department of Environment flood map also shows greater chances of flooding than the Sea map.

The section of footpath they want to change is not affected by any of the predictions.

The view from the existing route is better as it is higher and not as good from lower down.

There are safety issues for children and animals closer to the river.

I have raised my objections with ECC. I have also said that I do not wish to withdraw my objection and I am now being asked to confirm, yet again, that I do not wish to withdraw my objection. To sum up in one sentence: the proposal being made is not equivalent or superior to the current route, therefore my objection remains.

[REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: RE: Finchingfield Footpath 15
Sent: 28/07/2025 10:08:20

Dear [REDACTED]

Thank you for getting back so quickly.

I acknowledge your confirmation that your objection remains and that you do not wish to withdraw it. I also appreciate the additional information you've provided.

Kind regards,
[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [Public Path Orders](#)
Subject: Finchingfield 15 2025 Braintree District
Sent: 30/06/2025 22:01:14

Please register an objection on my part to the diversion of this footpath at Ashwell Hall.

As a regular user of footpaths in Shalford, Finchingfield and Wethersfield, I am grateful for the access given to our wonderful countryside and landscapes. This works for reasons from history, and I believe should continue with little change. This proposed change delivers benefits to one property, at the cost to multiple users of the right of way.

The additional distance to walk from A to C has no justification, and is no more enjoyable to me as a walker. I am concerned at the possibility of flooding of the new route, but this is not the prime reason for my objection.

This objection is specific to this proposal, also to the wider degradation of access rights to the countryside in our district. The base assumption should be 'no change' without an obvious benefit to our community.

Kind regards

[REDACTED]
[REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: RE: Finchingfield 15 2025 Braintree District
Attachments: [Defra Guidance 2023.pdf](#)
Sent: 10/07/2025 15:04:48

Dear [REDACTED]

Thank you for your email regarding the proposed diversion of Finchingfield Footpath 15. I appreciate your engagement with the public rights of way and your thoughtful comments.

I would like to address the points you raised in turn:

1. Historical use and community benefit
 - a. While we acknowledge the value of historical routes and the enjoyment they bring to the public, the legislation under which this application has been made, section 119 of the Highways Act 1980, permits diversions that are in the interest of the landowner, provided that the new route is not substantially less convenient for the public and does not negatively impact public enjoyment.
2. Public benefit
 - a. The legislation does not require that a diversion benefit the wider public, only that it does not substantially disadvantage them. In this case, the proposed route has been assessed by the public rights of way team and found to meet all statutory criteria. The diversion supports the landowner's need for improved privacy, security, and safety, a valid justification as indicated by Defra's presumptions guidance, attached.
3. Distance and enjoyment
 - a. While the proposed route is longer, we do not consider this increase to be substantial under the legal test, particularly given the route's gentle gradient and scenic riverside setting. While personal enjoyment is subjective, a riverside walk is valued by many users, and the proposed route offers similar views and terrain such that the overall character and amenity value of the route are preserved.
4. Flooding risk
 - a. The risk of flooding has been considered carefully. The Risk of Flooding from Rivers and Sea data indicates a 'Very Low' likelihood of flooding, less than 0.1% in any given year. There have been no recorded flood events in this area since 1947, and the Public Rights of Way Officer is not aware of any flooding issues affecting the route. The Environment Agency has not raised any objection, and the proposed path has been aligned to run at least three metres from the riverbank to further reduce any residual risk.
5. Wider concerns about access rights
 - a. We understand and respect your broader concerns about countryside access. However, each diversion application must be assessed on its own merits. We believe this proposal represents a reasonable and lawful adjustment that balances landowner and public interests.

In light of the above, I would respectfully ask you to reconsider your objection. If you are willing to withdraw it, please confirm this by return email. If the objection is maintained, the matter will need to be referred to the Planning Inspectorate for determination, which incurs significant public expense and delays.

Should you wish to discuss this further or require clarification on any point, I would be happy to assist.

Kind regards,

[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Finchingfield 15 Public Path Made Diversion Order
Attachments: [Finchingfield FP15 MO Site Notice.pdf](#); [HIGH13528ESealedE1124MadeOrderdd21052025S119FP15Finchingfieldpdf-V1.pdf](#);
Sent: 30/06/2025 09:27:16

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To [REDACTED]

[REDACTED] in her presentation to the [REDACTED] said that one needed to request to walk a proposed diversion route (wording from my notes).

I do not recall being advised of this request requirement before. We propose to walk the route and the current route of the Finchingfield FP15 tomorrow, Tuesday 1 July.

[REDACTED] & [REDACTED]
[REDACTED]
email: [REDACTED]
tel: [REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: Re: Finchingfield 15 Public Path Made Diversion Order and Kissing Gate
Sent: 30/06/2025 12:50:23

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[REDACTED]

There is an "unused" metal kissing gate near point C. I don't have a grid reference at present. There is no gate or stile shown in this area on Definitive Map sheet TL73 SW.

Is this kissing gate inside or outside the Order proposal?
Is this an ECC licensed structure?

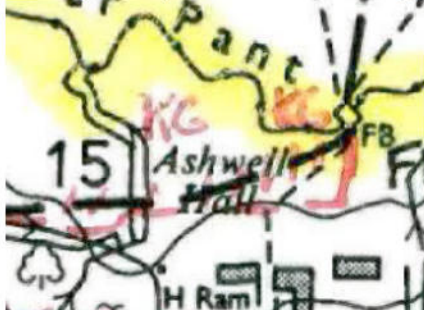


[REDACTED]
[REDACTED]
email: [REDACTED]
tel: [REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: RE: Finchingfield 15 Public Path Made Diversion Order and Kissing Gate
Sent: 30/06/2025 13:19:01

[REDACTED]

Thank you for your email. The kissing gate is recorded as a limitation on the definitive map:



We addressed this at our pre-order assessment site visit, and secured an agreement to remove it as part of the proposed order as it is no longer needed.

Kind regards,

[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [REDACTED] [REDACTED]
Cc: [REDACTED]
Subject: RE: Finchington 15 Public Path Made Diversion Order
Sent: 30/06/2025 13:18:34

Dear [REDACTED]

Proposed routes have not yet been designated as public highways. As such, they may only be accessed with the consent of the landowner. Fortunately, in most cases, landowners are amenable and will make proposed routes physically available.

Should you have any questions or require further clarification, please don't hesitate to get in touch.

Kind regards,

[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [REDACTED]
Subject: Re: Finchingfield 15 Public Path Made Diversion Order and Kissing Gate
Attachments: [IMG_3639.JPG](#); [2004 Order_Pt2.JPG](#); [2004 Order-confirmed 2005.JPG](#); [2004 Order_Pt1.JPG](#);
Sent: 30/06/2025 14:55:32

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Thanks [REDACTED]

I remember now I did locate the 2004/5 Finchingfield FP15 & 32 diversion order in the [REDACTED] files that we inherited when we took over as the [REDACTED]

Good that the Kissing Gate by the river Pant footbridge would no longer be a limitation on the Definitive Map and would be removed.

The 2004/5 Order also had a Kissing Gate limitation at Order Point B, grid ref 7065,3035. This would seem to be Point A at grid ref (5)70653 (2)30347 on the current Made Order. See attached photo of the Order Map and Order text. Would this kissing gate also to be removed from the Definitive Map?

Do you know why the kissing gates were allowed in the first place?

[REDACTED]
[REDACTED]
email: [REDACTED]
tel: [REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: RE: Finchfield 15 Public Path Made Diversion Order and Kissing Gate
Sent: 01/07/2025 12:08:19

[REDACTED]

In addition to the physical removal of the kissing gate near the River Rant, both gates will be formally removed as limitations from the definitive map. This change reflects that they are no longer required and supports our ongoing commitment to improving access.

While I am not certain of the original reasons for authorising the kissing gates, I can assure you that Essex County Council is dedicated to ensuring our public rights of way remain as accessible and free from limitations as practically possible.

Kind regards,

[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [REDACTED]
Subject: re: Finchingfield FP15 Made Diversion Order
Attachments: [Finchingfield FP15 MO Site Notice.pdf](#); [HIGH13528ESealedE1124MadeOrderdd21052025S119FP15Finchingfieldpdf-V1.pdf](#);
Sent: 02/07/2025 10:43:06

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re: flood risk

Ashwell Hall at CM7 4QP being on high ground is itself not at risk of flooding. Which is why the existing legal line of the footpath, also being on high ground, except where it drops down to the footbridge across river Pant (approx. Point C), is also not at risk of flooding.

However as stated in the objection on behalf of the [REDACTED] to the Informal Consultation and as shown on the Environment Agency flood map for planning, the proposed diversion route along the river Pant would be in Flood Zone 3, with a narrow outer section in Flood Zone 2. The vegetation along the river Pant and the tributary that passes point A, show that these areas are wetter. The tributary in particular is almost at a level with the field edge, and hence so is the proposed diversion route, for a significant part of its length north from point A to the river Pant.

Please clarify the Order wording.... *commencing at the aforementioned point A running in a generally northerly then generally south-easterly direction around the edge of the field at a distance of no less than 3 metres from the brow of the watercourse...*

- 1) Does this mean that the diverted route would be from 3 metres to 5 metres from the brow of the watercourse? Or 2-4 meters? Or 1-3 metres?
- 2) Does the term "watercourse" include both the river Pant (west from Point C) and the tributary (north from Point A).
- 3) How is "the brow of the watercourse" defined?
- 3a) In terms of the river Pant, is this the same as the bank? In the area of two of the bends on the river, there is a lower ground level near the river and a higher level about 6-9 metres further into the field. Which is the "brow"?
- 3b) What is the "brow" of the tributary?

Has the landowner given any indication that he proposes to erect fencing / plant hedging along the diversion route?

Thank you,

[REDACTED]

email: [REDACTED]

tel: [REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: RE: Finchingfield FP15 Made Diversion Order
Sent: 02/07/2025 15:44:31

Dear [REDACTED]

You would like clarification on the Order wording 'commencing at the aforementioned point A running in a generally northerly then generally south-easterly direction around the edge of the field at a distance of no less than 3 metres from the brow of the watercourse'. I hope the following answers your questions:

1. Does this mean that the diverted route would be from 3 metres to 5 metres from the brow of the watercourse? Or 2-4 meters? Or 1-3 metres?
 - a. The proposed diverted route will be at least 3 metres away from the brow of the watercourse, the precise route can be found on the accompanying plan within the Order.
 2. Does the term "watercourse" include both the river Pant (west from Point C) and the tributary (north from Point A).
 - a. Watercourse refers to all watercourses in the vicinity.
 3. How is "the brow of the watercourse" defined?
 - a. The upper edge or crest of the bank of the watercourse.
- 3a) In terms of the river Pant, is this the same as the bank? In the area of two of the bends on the river, there is a lower ground level near the river and a higher level about 6-9 metres further into the field. Which is the "brow"?
- a. See above
- 3b) What is the "brow" of the tributary?
- a. See above

Kind regards,

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [REDACTED]
Subject: Re: Finchingfield FP15 Public Path Diversion Order - [REDACTED]
Attachments: [2025_July Finchingfield FP15 diversion - \[REDACTED\].pdf](#)
Sent: 03/07/2025 11:06:56

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Attached is the objection on behalf of the [REDACTED]

[REDACTED] & [REDACTED]
[REDACTED]
email: [REDACTED]
tel: [REDACTED]

the proposed diversion of the section of Finchingfield public footpath 15 north of Ashwell Hall, Great Bardfield CM7 4QP and south of the river Pant is objected to. The proposed diversion is less convenient and less enjoyable. The proposed diversion is longer, it is in the flood plain of the river Pant and is less enjoyable being on lower ground with less extensive views to the north.

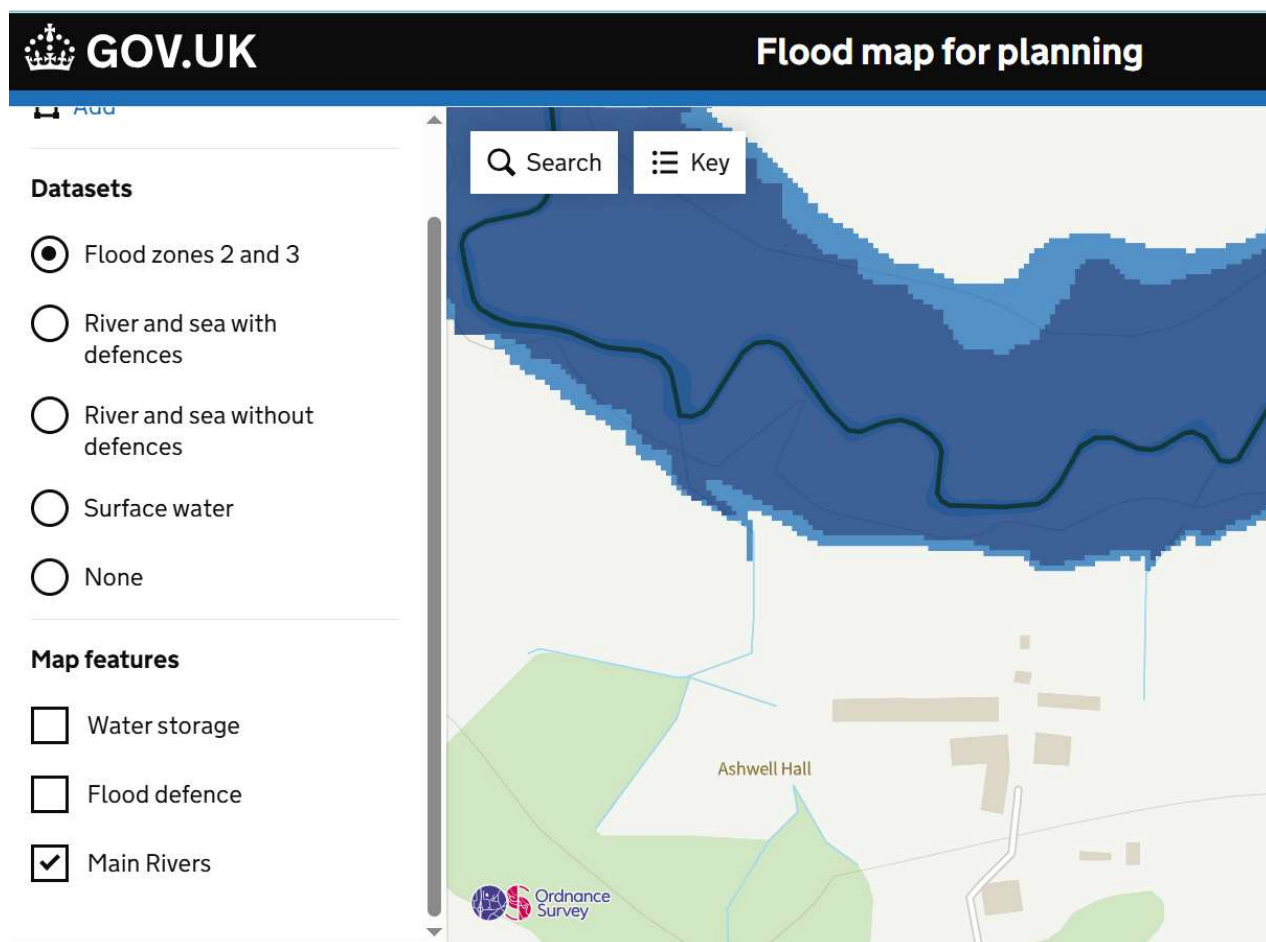
According to the Made Order, the existing route is 139 meters long whilst the diversion route is 278 meters long- so double the length. The proposed diversion is therefore less convenient.

The proposed diversion route is less enjoyable as it has less extensive views and is in the flood plain of the river Pant.

A. Risk of Flooding

As can be seen from the extract from the “gov.uk” flood map for planning below, the length of the proposed diversion by the river Pant is in Flood Zone 3 (dark blue) which has a high risk of flooding. Apart from a short section near point C, near the footbridge over the river Pant, the current legal line of footpath 15 is higher up the slope and out of any flood zone.

Ref: <https://flood-map-for-planning.service.gov.uk/map?1yr=mainr&seg=fz&cz=570818.2,230383.6,17.956816>



The Made Order states that the new path will run...". *around the edge of the field at a distance of no less than 3 metres from the brow of the watercourse...*". It is not clear whether the term "the watercourse" - singular - includes both the river Pant and the tributary or only the river Pant.

The vegetation along the river Pant and the tributary at the west, that passes point A, show that these areas are wetter. Therefore the proposed diversion will be less convenient and less enjoyable at times – the times being likely to increase with climate change. If the landowner chose to erect fencing or plant hedging along the diversion route, there would be no way to deviate around boggy or flooded areas.

The tributary in particular is almost at a level with the field edge, and hence so is the proposed diversion route, for a significant part of its length north from point A to the river Pant. The “greener” different vegetation extended for a distance of more than 3 metres into the field from the flowing water in the tributary on 1 July 2025 – after several dry days and being the hottest day in the year to date. See the photographs below.

View south along the tributary to Point A. Western end of the new dwelling in the distance.



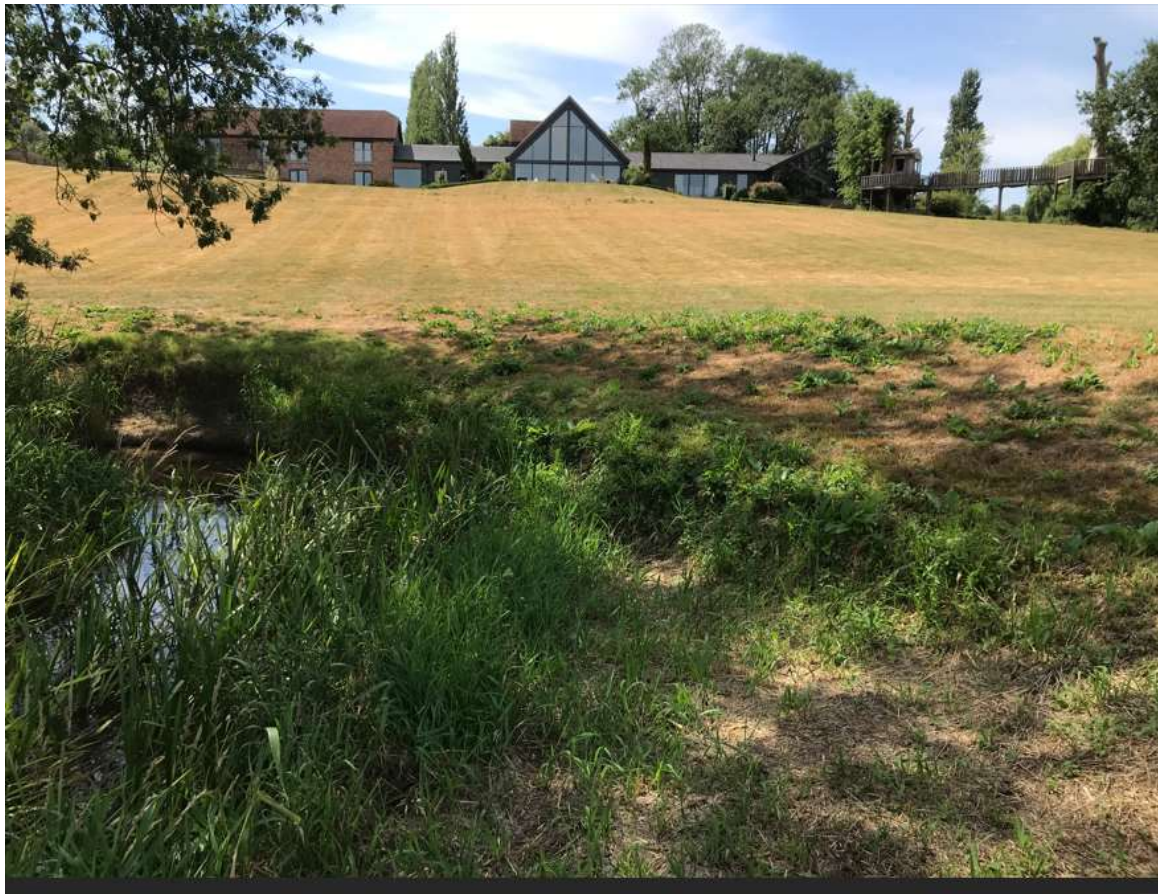
When asked to define "*the brow of the watercourse*" Essex Highways PRoW replied with... "*the upper edge or crest of the bank*". Google A1 responded with.... "*The "brow of a watercourse" refers to the top edge or rim of the channel where a stream, river, or other body of water flows. It's essentially the boundary between the water and the surrounding land, often marking a change in elevation or the start of the water's path.*"

The banks of the river Pant are generally reasonably high along the proposed diversion route –but there are sections near the bends where the banks are at a two levels – a lower and a higher level. The vegetation at the lower levels is different which indicates that these areas are wetter – see the photographs below. These lower levels extend between about 6 -9 metres into the field from the water's edge. It is not clear where the..."3 metres from the brow of the watercourse" would be measured from and so whether the new path would be on these lower areas or not. The change in levels would not be convenient.



View south to the new dwelling from a bend in the river Pant showing the change in bank levels & vegetation

July 2025



April 2025



B. Views and Loss of Enjoyment

The west – east, Point A-B, of the legal line of Finchingfield footpath 15 is on higher ground at about the 54m contour line. As such there are extensive views north across the valley of the river Pant. The land is in the Braintree District Council (BDC) designated “Pant River Valley Landscape Character Area”. The diversion route along the river is lower at around the 50.5 m contour line. As such the views are much more limited.

From Footpath 15: view north-east across the valley towards the footbridge near Point C & Wethersfield



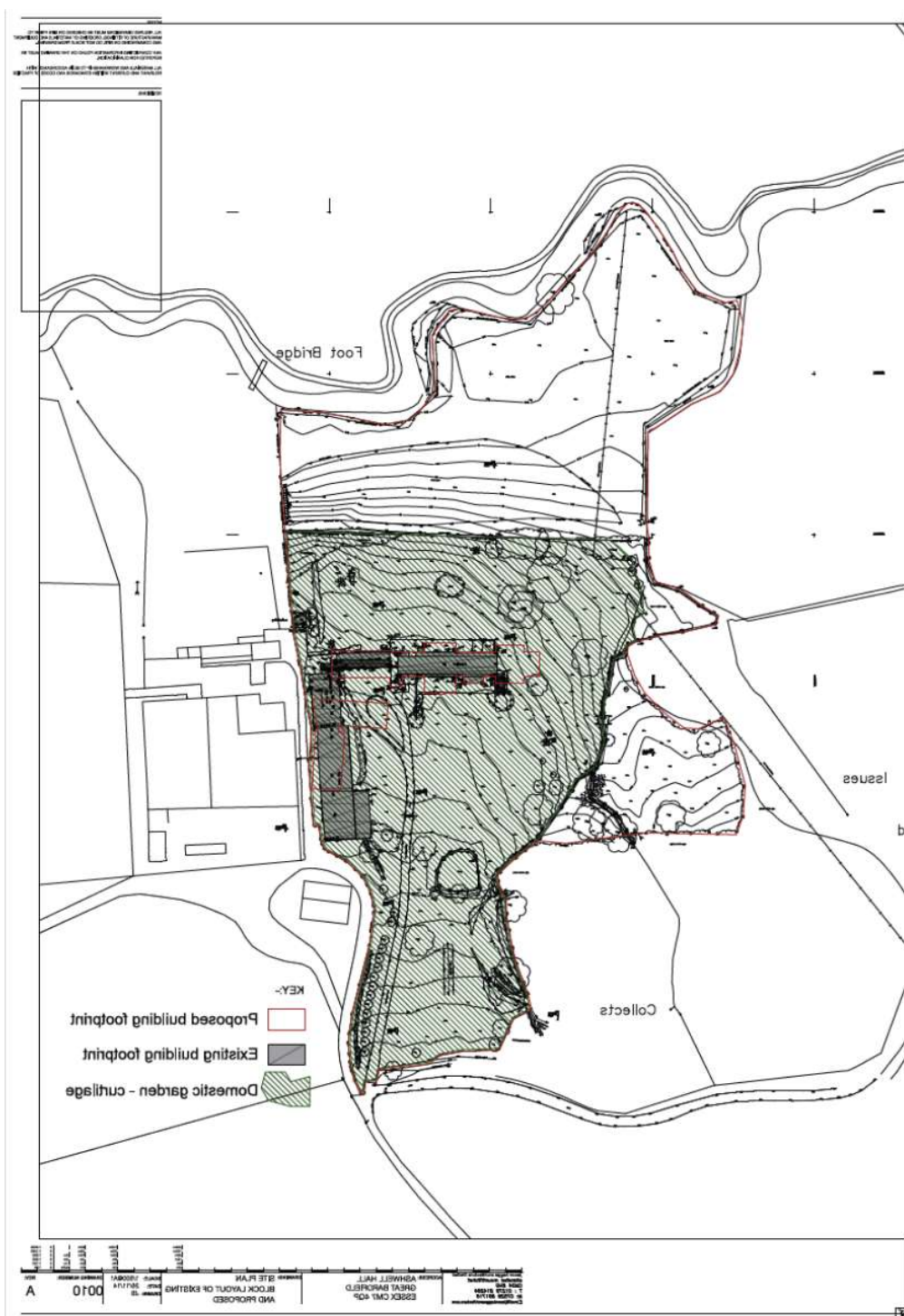
View from the diversion route to the footbridge with Wethersfield on the horizon



C. DEFRA guidance

It is considered that the DEFRA guidance does NOT apply in this case as the land over which this section of Finchingfield public footpath 15 passes is NOT any of ... *“gardens of family homes, working farmyards or commercial premises where privacy, safety or security are a problem”*. The Made Order refers to the land over which the legal line of the Finchingfield footpath 15 passes as a “field”. The diversion route is also described as “around the edge of the field”.

Site/block plans submitted with 2016 & 2014 planning applications to Braintree District Council (BDC 16/00303/FUL & 14/01603/FUL) made for the current owners of Ashwell Hall label the upper land near the house as “domestic garden – curtilage”. The land running down to the river Pant is described as “rough grass”. Finchingfield footpath 15 is not shown on these plans and has consistently not been shown on planning applications. There are no “change of use” planning applications showing on the BDC planning portal.



The aerial view included with the 2014 planning application – see adjacent – clearly shows the line between the domestic curtilage and the field.

The bushes etc. along this line no longer exist.

More recent 2023 & 2025 planning application forms state that ...

“the site can not be seen from a public road, public footpath, bridleway or other public land.”



In any case, the DEFRA advice does not replace or dilute the tests in section 119(6), which require an Inspector to have regard to the issue whether the way is substantially less convenient, which [REDACTED] contend it is. Section 119(6) also requires the Inspector to consider whether it is expedient to confirm the order having regard to public enjoyment of the path as a whole. [REDACTED] contend that the effect is too adverse and ask the Inspector not to confirm the order.

[REDACTED] & [REDACTED]

email: [REDACTED]

3 July 2025

From: [REDACTED]
To: [REDACTED]
Subject: RE: Finchingfield FP15 Public Path Diversion Order - [REDACTED]
Sent: 03/07/2025 11:11:36

Dear [REDACTED]

I acknowledge receipt of your objection and will be in touch in due course.

Kind regards,
[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [REDACTED]
Subject: RE: Finchingfield FP15 Public Path Diversion Order - [REDACTED]
Attachments: [Defra Guidance 2023.pdf](#)
Sent: 10/07/2025 15:04:50

Dear [REDACTED]

Thank you for your detailed objection to the proposed diversion of Finchingfield Footpath 15. We appreciate your commitment to protecting public access and enjoyment of the countryside and have carefully considered the points you raised.

1. Convenience and distance

- a. While the proposed route is longer, the additional 139 metres equates to 100 seconds or so of additional walking time. We do not consider this increase to be substantial under the legal test, particularly given the route's gentle gradient and scenic riverside setting. Moreover, while personal enjoyment is subjective, a riverside walk is valued by many users. The proposed route offers similar views and terrain, preserving the overall character and amenity value of the path. Unlike the current route, which includes steps requiring ongoing maintenance, the diversion follows a more gradual slope, improving accessibility and reducing infrastructure dependency.

2. Flooding risk

- a. The risk of flooding has been carefully considered. While the proposed route lies within Flood Zone 3 on the Environment Agency's Flood Map for Planning, this dataset represents a conservative, theoretical risk used for planning purposes. In contrast, the Risk of Flooding from Rivers and Sea data, which accounts for defences and real-world conditions, indicates that the likelihood of flooding to depths 0.2 to 1.2m is classified as 'Very Low - less than 0.1% chance in any given year (1 in 1,000)'. The associated map <https://check-long-term-flood-risk.service.gov.uk/map?easting=570709&northing=230312&map=RiversOrSea> indicates that there is a 'low chance' of yearly flooding across almost the entire route. While modelled data is a valuable tool, it must be interpreted alongside real-world evidence. To that end, the applicant has obtained a report from the Environment Agency confirming that the last recorded flood event in this area occurred in February 1947. This is further supported by the local Public Rights of Way Officer, who has confirmed that there have been no reported instances of flooding affecting this area, despite the fact that the existing route already crosses the river. The Environment Agency, as a statutory consultee, has not raised any objection to the proposed diversion. Furthermore, the proposed route has been deliberately aligned to run no less than three metres from the brow of the watercourse, providing a buffer to mitigate any residual flood risk. As such, we do not consider flooding to be a material concern in this instance.

3. Loss of enjoyment

- a. While the proposed route does not follow the same contour line as the existing path, it still offers elevated views across the Pant Valley. A riverside walk is valued by many users, and the proposed route maintains a strong visual connection with the wider landscape. The overall character and amenity value of the route are preserved, and we do not believe the diversion would materially reduce the quality of the walking experience.

4. Defra guidance

- a. The landowner considers the affected land to form part of the family garden, bringing it within the scope of the Defra Presumptions Guidance (attached), which supports diversions where privacy, safety, or security are a concern. While historic planning applications may have described the land differently, these are not determinative for the purposes of a public path diversion. Based on our site visit and the way the land is currently managed and presented, it gives the clear impression of being part of the garden.

I hope the above has addressed your concerns and provided reassurance regarding the suitability of the proposed diversion. I would respectfully ask you to consider withdrawing your objection and to please confirm this by return email. If the objection is maintained, the matter will need to be referred to the Planning Inspectorate for determination, which incurs significant public expense and delays.

Should you wish to discuss this further or require clarification on any point, I would be happy to assist.

Kind regards,

[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way

From: [REDACTED]
To: [REDACTED] [.PROWPlanning.](#)
Subject: Re: Finchingfield FP15 Public Path Diversion Order - [REDACTED]
Sent: 14/07/2025 10:11:38

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[REDACTED]

Can we have a site meeting with yourself and the landowner? We would find it helpful to be shown exactly where the proposed diversion route would run compared to the river Pant banks (sometimes at 2 levels) and the tributary.

We can't do Tuesday or Wednesday this week, 15 or 16th. And not Tuesday next week, 22nd July. After 10am would be best for us. Afternoons also OK.

Have there been other objections? I know of one.

[REDACTED]

[REDACTED]

email: [REDACTED]

tel: [REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: RE: Finchingfield FP15 Public Path Diversion Order - [REDACTED]
Sent: 16/07/2025 09:19:01

[REDACTED]

Yes, that is a good idea. I'll get back to you with a proposed time when I have coordinated with the landowner.

There have been two other objections and one message of support. There is also strong evidence of local support for a riverside walk.

I hope we can reach a satisfactory conclusion, and will be in touch soon.

Kind regards,
[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [REDACTED]
Subject: Re: Finchingfield FP15 Public Path Diversion Order - [REDACTED]
Sent: 17/07/2025 10:47:31

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Are you inviting the other two objectors as well?

[REDACTED]
[REDACTED]
email: [REDACTED]
tel: [REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: RE: Finchingfield FP15 Public Path Diversion Order - [REDACTED]
Sent: 17/07/2025 12:19:26

[REDACTED]

As you requested the site visit, I have just requested for yourself to attend. Does Monday at 10:30 work for you? If so I will let the applicant know,

Many thanks,

[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [REDACTED] [.PROWPlanning.](#)
Subject: Re: Finchingfield FP15 Public Path Diversion Order - [REDACTED]
Sent: 17/07/2025 14:39:57

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We can make Monday 21 July at 10:30am but I would urge that the other objectors are invited as well.

We made the request for a site visit but we have known that this is a possibility as we have had these in the past. The other objectors may not know these can be requested.

Even IF the [REDACTED] objection were withdrawn, other objections would presumably still result in the Made Order being referred to PINS.

[REDACTED]
[REDACTED]
email: [REDACTED]
tel: [REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: RE: Finchingfield FP15 Public Path Diversion Order - [REDACTED]
Sent: 18/07/2025 12:31:11

Dear [REDACTED]

Thank you for confirming availability for Mon 21 Jul at 10:30.

Due to budgetary constraints, we do not typically undertake additional site visits, which is unfortunate, as I do appreciate how productive they can be for discussing matters in context. Nonetheless, I will inform the other objectors that I would be willing to accompany them on site in this instance, although I have not yet heard back from them.

Looking forward to meeting you and your husband,

Kind regards,

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [REDACTED] [PROWPlanning](#);
Subject: Re: Finchingfield FP15 Public Path Diversion Order - Order wording
Sent: 23/07/2025 16:33:36

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[REDACTED]

We do not feel that the wording of the Made Order is sufficiently clear as regards where exactly the proposed diversion route would run in relation to the river Pant and the tributary.

I suggested adding grid references.

[REDACTED] has come up with the suggestion of designating a specific distance, say 8 meters, from the bank of the adjacent watercourses / land-water edge of the adjacent watercourses. This would seem to us to be both measurable and specific and we think should enable the path to move if there was a change in the route of the watercourses / a bank slippage (which would not be the case with grid references).

Until there is more satisfactory clarification & certainty about where the path would run in relation to the river Pant and the tributary then, [REDACTED] the objection will be maintained.

[REDACTED]

email:

tel:

From: [REDACTED]
To: [REDACTED]
Subject: RE: Finchingfield FP15 Public Path Diversion Order - Order wording
Attachments: [PROW-25-03_21.03.25_aerial.pdf](#)
Sent: 25/07/2025 12:22:25

Dear [REDACTED]

Thank you for your email, and attending site on Monday, it was a pleasure to meet you and [REDACTED]

I have now had confirmation from our legal team, and the addition of grid references will unfortunately not be possible. We cannot make amendments to Made Orders, and the addition of grid references would still be classed as a variation. Likewise, amending the wording of the Made Order will also not be possible. Remaking the order would introduce unreasonable costs to the applicant so this is not something that we can realistically pursue.

I appreciate your concerns that the current wording may not clearly define the proposed route's position in relation to the river Pant and its tributary. The proposed route is described as follows:

A footpath being 2 metres in width shown by a bold broken line on the order map commencing at the aforementioned point **A** running in a generally northerly then generally south-easterly direction around the edge of the field at a distance of no less than 3 metres from the brow of the watercourse for a total distance of approximately 278 metres to the aforementioned point **C** where it continues unaffected.

The phrase 'at a distance of no less than 3 metres from the brow of the watercourse' provides an extra level of protection and clarification about the route in relation to the watercourse. The proposed route lies more than 3 metres away for the majority of its length. It is important to note that the definitive location of the route is determined by the Order Plan in conjunction with the wording of the Made Order.

As we discussed on the site visit, I acknowledge that grid references can assist in orientating oneself on the ground. I am happy to provide these for your reference, though please be aware that handheld GPS devices typically offer accuracy only within roughly 3 metres. Therefore, the Order Plan and the wording of the Order remain the definitive sources for determining the route.

To further assist, I have attached an aerial image which I hope will help address your concerns. It illustrates more clearly that the proposed route maintains a distance of at least three metres from the watercourse, and in many areas, exceeds this.

In light of the above, I would be grateful if you would consider withdrawing your objection. Please confirm your position by 1 August.

Should you wish to discuss this further, I would be happy to do so.

Kind regards,
[REDACTED]

[REDACTED] | Public Path Order & Development Officer
Public Rights of Way



From: [REDACTED]
To: [REDACTED]
Subject: Re: Finchingfield FP15 Public Path Diversion Order - Order wording
Sent: 31/07/2025 16:48:06

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Thank you for your email. Our objection still stands.

[REDACTED] & [REDACTED]

[REDACTED]

email: [REDACTED]

tel: [REDACTED]

From: [REDACTED]
To: [Public Path Orders](#)
Subject: Finchingfield 15 2025 Braintree District
Sent: 01/07/2025 20:08:41

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I would like to email the fact that I am in support of the proposed diversion of this path.

The new proposed route down by the river is not only a more pleasant walk but it means you are not walking through someone's garden thus invading their privacy.

As a person who knows this area well, when the river floods it tends to go onto the Wethersfield side first only breaching the Ashwell Hall bank when in full flood.

If complaints are about mud water etc when trying to walk it only an idiot would do so when in full flood, even if they stood on the Ashwell side and wanted to walk over to Wethersfield side when that side flooded they would be very wet and muddy.

[REDACTED]

[REDACTED]

[REDACTED]