

From: [Sarah Potter](#)
To: [REDACTED]
Cc: [Jason Botelho](#)
Subject: RE: Sible Hedingham FP65 diversion INFORMAL CONSULTATION - Ramblers
Date: 08 April 2024 10:42:00
Attachments: [image001.png](#)

Hi [REDACTED]

Just to repeat what I had sent on a previous email to you - the informal consultation for FP65 Sible Hedingham ended 18 March and as no comments/objections were received I have asked my Essex Legal Services colleagues to make an Order.

We value comments provided by the Ramblers, especially from someone with your experience and knowledge of the Braintree area. You are an important stakeholder, and your input helps us to make informed considerations that are very welcome at the early stages of the application process. However, we have a long waiting list of pending applications, and we are expected to keep to the set consultation deadlines. If you wish to make objections/comments, then it would be most helpful to us if you did so within the informal consultation deadline so we can discuss the issues raised and make amendments to the proposal if it is considered appropriate. This is preferred if it might prevent objections raised by yourself in the Made Order stage as a considerable amount of officer time is spent writing an Order and preparing it for public consultation. I would be grateful if you could consider these points going forward.

I am satisfied the proposal meets the criteria under the Highways Act 1980. My comments are in red below.

Kind regards,

Sarah Potter | PROW & Records Analyst



T: 07720097095
E: sarah.potter@essexhighways.org
[Chat with me on Teams](#)
W: www.essex.gov.uk/highways

From: [REDACTED]
Sent: Thursday, April 4, 2024 3:05 PM
To: Sarah Potter <Sarah.Potter@essexhighways.org>; PROWPlanning <PROWPlanning@essexhighways.org>
Subject: re: Sible Hedingham FP65 diversion INFORMAL CONSULTATION - Ramblers

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re: Sible Hedingham FP65 diversion INFORMAL CONSULTATION - Ramblers

We walked both the legal line and the diversion proposal on Saturday 30 March.

There are issues with the legal line, mainly gates not on the Definitive Map, which have been reported via the Essex Highways fault reporting system.

The diversion application would resolve these issues. There are no gates/structures on the proposed route.

There was a "Bull-in-field" notice and an actual bull, behind an electric fence (not known if "live" or not), at point D. Also two field gates not on the Definitive Map. Point D is on both the current legal line and the proposed diversion so we do not consider this satisfactory in the interest of walker safety nor for peace of mind.

The gate in question is on the unaffected section of FP65 and is therefore not something considered as part of this application process. Jason may wish to discuss this further with the landowners if it is an unlawful structure.

The proposed diversion route A-C is a single carriageway tarmaced drive fenced on both sides that provides vehicular access to the building at Mount Nebo, which is in an elevated position. The building was being used as a day nursery but this use has now ceased and there is a planning application 24/00548/FUL for a change of use to a wedding venue and occasional community uses.

From point A, there are fences (with barbed wire top strands) close to and on both sides of the tarmaced drive. So pedestrians would have to walk on the drive without any points of refuge from passing vehicles. There is a grass strip on the field side of the fence between the fence and the line of trees - see photo attached.

At the top of the drive, towards point C, the fence is set back from the tarmaced drive on the east side leaving a grass verge up to the widened vehicular turn at point C - see photo attached.

As the tarmaced drive is used as the vehicular access to Mount Nebo, we would not wish to see Sible Hedingham footpath 65 diverted onto the drive. However, as there is a grass strip on the east side of the tarmaced drive, the fence could be moved to the field side of the tree line which would probably leave a 2metre wide grassy strip that would be a suitable route for a diverted footpath.

The fence should also be moved to the tree line to leave a grassy strip adjacent to the tarmaced drive for footpath 65 between point A and the junction of footpaths 65 and 62 - see attached photo.

A site inspection was undertaken with the PROW Officer to assess the permanent diversion application. The current line of the footpath continues through a woodland area that becomes very muddy and wet underfoot. The proposed route offers an all-weather surface that will remain dry and firm all year round. The section shared by vehicular use is sufficiently wide enough for a pedestrian to step out of the way of an approaching vehicle and the clear sight line will allow them to do so in good time.

Resulting from our site visit on 30 March, Essex Highways have been advised that there are issues with Sible Hedingham public footpath 64 in the area of the tennis court. This area is part of the current planning application 24/00507/FUL for a dwelling.

This will be considered separately to the application received for FP65.

As the land in question all belongs to Brickwall Farm, the suggestion is that the various issues are addressed in one diversion proposal.

As footpath 64 is affected by development it is most appropriate for the application to be processed using Town & Country Planning Act 1990, therefore it is not possible for FP64 & 65 to be processed together.

[REDACTED]
Ramblers-Braintree District Footpath Secretary
email: [REDACTED]
[REDACTED]

----- Forwarded Message -----

Subject: Fw: INFORMAL CONSULTATION - FOOTPATH 65 SIBLE HEDINGHAM,
DISTRICT OF BRAINTREE

Date: Wed, 21 Feb 2024 11:44:56 +0000

From: Pathorders <Pathorders@ramblers.org.uk>

To: [REDACTED]

Hi [REDACTED]

The attached is for you; informal consultation for Sible Hedingham.

From: [Sarah Potter](#)
To: [REDACTED]
Cc: [Jason Botelho](#)
Subject: RE: Sible Hedingham FP62 64 & 65 at Mount Nebo & Brickwall Farm CO9 3RH
Date: 04 April 2024 11:51:00
Attachments: [image001.png](#)

Hi [REDACTED]

Comments in red below. Please note the informal consultation for FP65 Sible Hedingham ended 18 March and as no comments/objections were received I have asked my Essex Legal Services colleagues to make an Order.

We value comments provided by the Ramblers, especially from someone with your experience and knowledge of the Braintree area. You are an important stakeholder, and your input helps us to make informed considerations that are very welcome at the early stages of the application process. However, we have a long waiting list of pending applications, and we are expected to keep to the set consultation deadlines. If you wish to make objections/comments, then it would be most helpful to us if you did so within the informal consultation deadline so we can discuss the issues raised and make amendments to the proposal if it is considered appropriate. This is preferred if it might prevent objections raised by yourself in the Made Order stage as a considerable amount of officer time is spent writing an Order and preparing it for public consultation. I would be grateful if you could consider these points going forward.

Kind regards,

Sarah Potter | PROW & Records Analyst



T: 07720097095
E: sarah.potter@essexhighways.org
[Chat with me on Teams](#)
W: www.essex.gov.uk/highways

From: [REDACTED]
Sent: Thursday, March 28, 2024 12:59 AM
To: Sarah Potter <Sarah.Potter@essexhighways.org>
Subject: re: Sible Hedingham FP62 64 & 65 at Mount Nebo & Brickwall Farm CO9 3RH

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re: Sible Hedingham FPs 62 64 & 65 at Mount Nebo & Brickwall Farm CO9 3RH

Having received this informal consultation, I have now checked the BDC planning web site.

1) Mount Nebo application

The Ramblers were not advised of the Mount Nebo planning applications 23/02587/FUL (withdrawn) and 24/00548/FUL re-submission of 11 March with swept paths and footpaths shown as requested by ECC Highways in December 2023.

I am not yet completely familiar with the consultation process for planning applications. If you are a consultee, I would expect you to have been informed. That is not in my control to resolve.

Access Plans have been submitted demonstrating the provision of a vehicular width of 3.7m for fire appliances and for them to manoeuvre /turn - see attached. As the sharp bend at C has been "opened out", does this mean that the proposed diversion route at point C needs to be adjusted?

It is my understanding the track will be widened at that point and it should not impact the line of the footpath proposed at that location.

2) Brickwall Farm - new dwelling application

The Ramblers HAVE been advised of BDC planning application 24/00507/FUL which is for a new dwelling at Brickwall Farm house.

The line of Sible Hedingham footpath 64 and 62 on the site block plans - attached - do not agree with the lines as shown on the Essex Highways PRoW interactive map - attached.

Our Strategic Development Colleagues have also raised the issue of the footpath not shown on the correct alignment and have recommended refusal.

As both planning applications are by members of the Fuller family of Brickwall Farm would it be useful to include all the affected sections of Sible Hedingham FPs 62, 64 & 65 in one proposed diversion?

Footpaths 64 & 62 are affected by development, so it is appropriate for them to be permanently diverted under the Town & Country Planning Act 1990 as a separate application to FP65.

We hope to get out and walk some paths this Easter weekend. There look to be issues with Sible Hedingham FP 71 at Crow Cross Livery Stables.

Ramblers-Braintree District Footpath Secretary

email: [REDACTED]

tel: [REDACTED]

----- Forwarded Message -----

Subject: Fw: INFORMAL CONSULTATION - FOOTPATH 65 SIBLE HEDINGHAM,
DISTRICT OF BRAINTREE

Date: Wed, 21 Feb 2024 11:44:56 +0000

From: Pathorders <Pathorders@ramblers.org.uk>

To: [REDACTED]

Hi [REDACTED]

The attached is for you; informal consultation for Sible Hedingham.

Kind regards,

[REDACTED]
Paths Team Support Volunteer
The Ramblers

From: Sarah Potter <Sarah.Potter@essexhighways.org>

Sent: Monday, February 19, 2024 10:16 AM

Subject: INFORMAL CONSULTATION - FOOTPATH 65 SIBLE HEDINGHAM, DISTRICT OF BRAINTREE

Dear Sir/Madam,

Essex County Council would welcome your thoughts on the above diversion proposal. This is an informal consultation only and no Order has yet been made.

Please note this informal consultation is not a statutory requirement on the Highway Authority. Its aim is to enable the principal stakeholders to comment on the proposed changes; feedback

which is then considered by the Highway Authority and provided to the applicant. It is not intended as a public consultation. The public are informed and invited to respond if they so wish at the formal, Made Order consultation stage via on-site notices and plans, and the newspaper advertisement for the order.

To enable us to continue this discretionary service we would appreciate it if informal consultations are not shared with the public beyond any council meetings as no order has yet been made and public comments on the proposals are not at this stage being sought.

Highways Act 1980 Section 119

Essex County Council intend to make the following orders:

To divert Footpath 65 Sible Hedingham in the Braintree District under section 119 of the Highways Act as shown on the attached plan.

If you have any comment to make please do so by 18 March 2024.

Please be advised that if an order is made for this proposal then any representation to that order will need to be made (in writing) at the time of that order's public consultation.

Prior responses to the informal process will not be considered as carried forward to the made order consultation process.

Kind regards,

Sarah Potter | PROW & Records Analyst



T: 07720097095

E: sarah.potter@essexhighways.org

[Chat with me on Teams](#)

W: www.essex.gov.uk/highways

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From: [REDACTED]
To: [PROWPlanning](#); [Sarah Potter](#)
Cc: [Jason Botelho](#)
Subject: re: Sible Hedingham FP64 & FP65 at Brickwall Farm buildings & Mount Nebo CO9 3RH
Date: 02 April 2024 01:40:35
Attachments: [SibleH FP64 SiteVisit_30Mar24.pdf](#)

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re: Sible Hedingham FP64 & FP65 at Brickwall Farm buildings & Mount Nebo CO9 3RH

Please find attached FYI a report on our site visit on Saturday 30 March to Brickwall Farm buildings and the issues with **Sible Hedingham 64 which is off-line**. This has also been reported on "tell-us" with a reference number 2910762.

There are also gates that are not on the hard copy Definitive Map.

A suggested diversion is proposed.

The off-line route is shown in the current BDC planning application 24/00507/FUL. The application states that no PROW diversions are required.

A "tell-us" fault reference number 2910737 for **Sible Hedingham FP65 at proposed diversion point D** has also been submitted. We turned back at point D due to the presence of both a "Bull in Field" notice and an actual bull.

We did not find the junction of FP65 and FP66 at point B.

As all these issues are on Brickwall Farm land, perhaps they could be dealt with in one diversion package.

[REDACTED]
Ramblers-Braintree District Footpath Secretary
email: [REDACTED]
tel: [REDACTED]

A. Access Drive – also the line of the east end of Sible Hedingham FP 64

The Definitive Map and Interactive Map show the line of FP64 passing up the access drive – not to one side. There are somewhat ornamental metal double field gates at the east- Queen Street/ Braintree Corner road end of the access drive. There are also double metal gates at the west-buildings end, just before the access drive splits to sweep right (north) and left (south). NO gates are shown at either location on the hard copy Definitive Map.

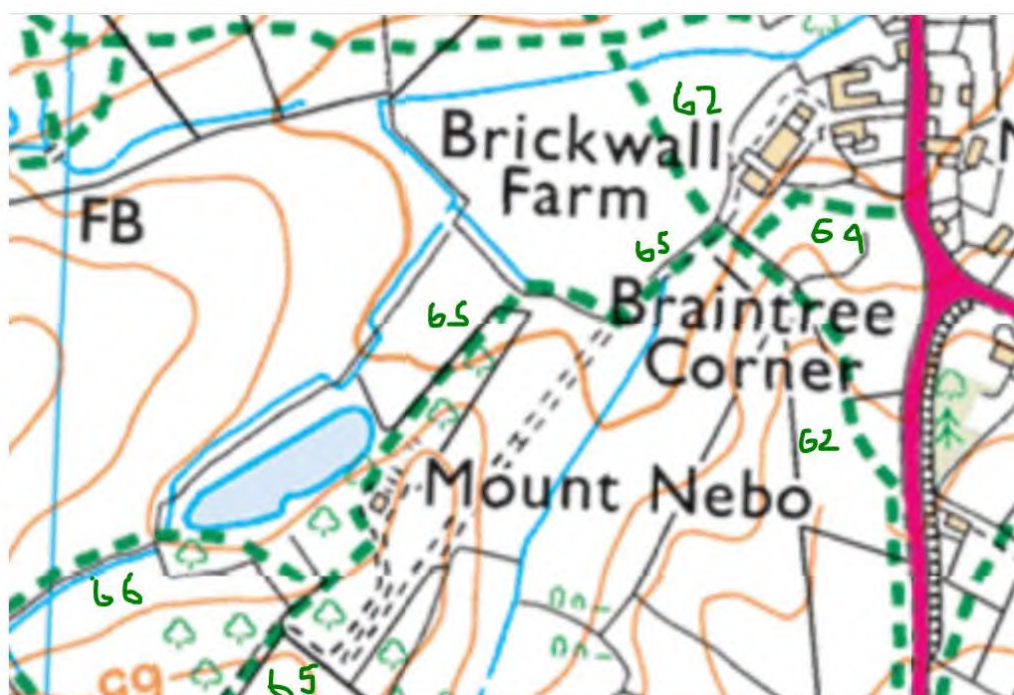
A gap has been left on the north side of the east/road end gates but the finger post points to the south side of the gates where there is no gap.

There is no gap on either side of the gates at the west/buildings end of the access drive although there is space to have a gap. It is not known whether the gates at the west/buildings end are ever locked.



B. Sible Hedingham FP 64 – south west section

The current (2002) hard copy Definitive Map sheet LT 73 SE and OS maps, show far fewer structures around FP64 than are on the ground at present. In particular, the south-west section is shown as clear of any structures.



However, there is now a tennis court on the ground. The legal line of FP64 is shown as passing along the NE and then the NW side of the tennis court exiting to join FP62 by the SW corner of the tennis court – see the snip from the EH PRoW Interactive Map aerial view below.



The legal line of FP64 around the north-west side of the tennis court exists on the ground – passing through an unlocked field gate. There is no gate present on the hard copy Definitive Map.

However, the off-line route signed with ECC waymarks, is around the south-east side of the tennis court.

ECC waymarker on tree - it is disturbing to find an ECC waymark affixed directly to a tree as this is not good for the tree.



ECC waymarker at SE corner



The off-line route is also obstructed by a mature tree. The off-line route is fenced on both sides – by the tennis court fencing on the north-west side and by a fence enclosing the orchard with free-range chickens on the south-east side.

The connection between FP64 and FP62 at the south side of the tennis court is off-line; the wooden path edging board is a trip-hazard.

There is also a considerable level change between FP64 around the (higher) tennis court and FP62 on the (lower) track. This should be dealt with by a slope.



C. Sible Hedingham FP 64 – possible diversion routes for the west & south west sections

Option 1) Provided that a clear 2- 2.5 metre path ensues, there is in principle no issue with the off-line signed route between the tennis court and the orchard, but it must be legally diverted with no pinch points and no limitations. The level difference between FP64 (higher) and its connection with FP62 (lower) should be accommodated by a slope not steps in the keeping with “accessibility for all”.

Option 2) The west end of FP64 could be diverted to use the southern sweep of the access track so connecting FP64 with FP62 further east and away from the buildings – as per the blue dashed line below. The route must be 2metres wide and have no limitations.



There is a chained gate across the track and legal line of Sible Hedingham FP62 just before (south-east) of the FP64/62 junction. This gate is not shown on the hard copy Definitive Map. As the adjacent land is fenced, there is no reason to have a gate across the track and FP62. IF a gate is required, a gap must be left alongside for FP62, which should be waymarked. The route of FP62 was not walked on this site visit.



D. Current BDC planning application 24/00507/FUL and FP64

24/00507/FUL Erection of detached 3 No. bedroom dwelling with private amenity space and parking, 16 No. Solar PV cells and air source heatpump

The Ramblers have been advised of this planning application (validated 13 March 2024). The plans show Sible Hedingham FP64 but not on the correct legal line – see the proposed site plan below. The application form, by Ms Z Fuller of Brickwall Farm, incorrectly states that the proposal requires no diversions.



From: [Cllr Peter Schwier - Member CC](#)
To: [Sarah Potter](#)
Subject: RE: INFORMAL CONSULTATION - FOOTPATH 65 SIBLE HEDINGHAM, DISTRICT OF BRAINTREE
Date: 20 February 2024 08:22:46
Attachments: [image002.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image001.png](#)

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Thank you for the informal consultation for the above footpath.

I currently have no comment to make but do see the logic of a diversion request.

Cllr Peter Schwier AEMA
Climate Czar
Cabinet Member for Environment, Waste Reduction & Recycling

Hedingham Division, Essex County Council

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IEMA

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From: Sarah Potter <Sarah.Potter@essexhighways.org>

Sent: Monday, February 19, 2024 10:16 AM

Subject: INFORMAL CONSULTATION - FOOTPATH 65 SIBLE HEDINGHAM, DISTRICT OF BRAINTREE

You don't often get email from sarah.potter@essexhighways.org. [Learn why this is important](#)

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Dear Sir/Madam,

Essex County Council would welcome your thoughts on the above diversion proposal. This is an

informal consultation only and no Order has yet been made.

Please note this informal consultation is not a statutory requirement on the Highway Authority. Its aim is to enable the principal stakeholders to comment on the proposed changes; feedback which is then considered by the Highway Authority and provided to the applicant. It is not intended as a public consultation. The public are informed and invited to respond if they so wish at the formal, Made Order consultation stage via on-site notices and plans, and the newspaper advertisement for the order.

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Essex County Council intend to make the following orders:

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Please be advised that if an order is made for this proposal then any representation to that order will need to be made (in writing) at the time of that order's public consultation.

Prior responses to the informal process will not be considered as carried forward to the made order consultation process.

Kind regards,

Sarah Potter | PROW & Records Analyst



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