

GPS Ltd.

Kingsridge House | 601 London Rd | Westcliff-on-Sea | Essex | SS0 9PE

24th October 2022

The Planning Inspectorate
Major Casework
3rd Floor, Temple Quay House
2 the Square
Temple Quay
Bristol
BS1 6PN

Re: APP/A1530/W/22/3301862 - Land at Brook Meadow

Dear Sirs,

We wish to make a statement in light of the submission of the Neighbourhood Plan for Examination on behalf of the landowner.

We, acting as agent on behalf of the wider landowner's family, are very concerned indeed that a position has been represented to suggest there is a right for the public to use the land for recreational purposes. And that this is now being used to justify a restrictive designation in the emerging NP, which is also being relied upon in the appeal.

This is a privately owned site, and there is no public right to use the land to roam, no rights of way over the site, and no member of the public using it for recreational purposes has permission to do so. Nor have they at any time in the past.

The landowner and their tenant farmer have all repeatedly tried to exclude the public from the land through various means; erecting and repairing fencing, erecting and repairing gates, parking substantial concrete blocks in accessways, signage and other means. These have always after some period of time or another, often as quickly as overnight, been torn down/ignored or broken. No permission has been given for the public to make any kind of recreational use of the land. And it has been a persistently tiresome job for the landowner and tenant farmer over many years.

It is denied in the strongest possible terms that there are any rights of way over the land that have been acquired through the operation of S31 Highways Act. The landowner is aware that an erroneous claim has been made to this effect in an attempt to scupper the Appeal and have instructed professional Rights of Way consultants to object. Any suggested evidence has not been presented to the landowner supporting any such claims, but for the avoidance of doubt, any such claims are considered to be wholly unsubstantiated and are and will be strenuously resisted and supported by the landowner's agents and historic tenant farmer.

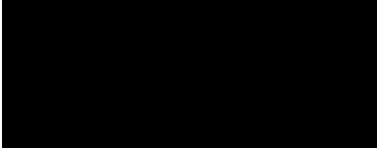
The purpose of this is to provide formal confirmation, as a matter of law, that the landowner does not admit that any right of way has been dedicated over the land, and they have no such intention to dedicate. There can therefore be no doubt to their future intentions.

It is also confirmed that there is absolutely no prospect of the owner allowing the site to be used as a country park either, now or in the future, which is said to be an aspiration of the emerging LGS designation. The land has been in the same family for generations and will remain private and protected.

In light of the erroneous and deliberately inaccurate statements that are now being made, attempting to assert that the public have a right to use the site for recreational purposes, and reliance on the same in the emerging NP and appeal, and in view of the ongoing issues in respect of trespass across the site, the landowner intends at its earliest possible convenience to securely fence the site so that public access is permanently prevented in any form.

For the avoidance of doubt, this is irrespective of the outcome of the appeal, and in order to assert and protect their longstanding private property rights over this land.

Yours Faithfully,



GPS Ltd.