From:

Subject: RE: Application for Definitive Map Modification Order - Downe

Date: 15 September 2023 at 17:12

To: Robin Carr Associates robin.carr1@btinternet.com

Cc: Mark@c-l-m.co.uk, neil@pagesurveyors.co.uk, Houghton, Chloe Chloe.Houghton@bromley.gov.uk

Robin,

Thanks for meeting us last week to walk the track, it was nice to meet you and I appreciate you making the long journey on such a hot day!

As previously mentioned, I am a Director Of Petleys Residents Limited which is a company formed by the owners of all 5 of the houses on the Petleys Farm residential development. The company was formed by the owners to purchase part of the track that you are reviewing a PROW application. I attach a copy of the land registry plan which shows the part of the track that we own, as you will see this is the top part of the track accessed via Luxted Road and leads to our homes. We moved into our homes in the summer of 2019. SD Farms told us when we purchased our properties that the part of the bottom part of the track, beyond our homes was strictly private and only for the farmers use. As you saw when we met on the track its in regular use by large tractors and farming equipment.

As you saw, the last section of the track is not passable on foot due to the long established weeds and thick growth of nettles. I believe you took a photo of the locked gate from afar when you visited but I attach a picture of the locked gate, taken this week from the other side which you can access if you leave the public footpath adjacent to West Kent Golf Course. As well as the silver galvanised gate that has been there for many years you will see the remains of its predecessor together with barb wire to stop walkers trying to jump the adjacent fencing. I understand that SD Farms are sending you sworn declarations confirming that the locked gate has been there since before they purchased the land in 2006.

I also attach a letter from the owners prior to SD Farms ownership, this also confirms that they did not allow public access and followed advice given by LBB, their ownership dates back to 1957.

Also attached is a letter from the previous occupiers of Landway House (one of the houses on the current Petleys Development) confirming that they were always advised the path was private and not a PROW.

I have reviewed the 58 evidence forms supplied by LBB and have found 27 make refence to the locked gate at the bottom.

Whilst we cannot comment on the period prior to our ownership we can confidently say that we purchased our homes in the knowledge that this was a private track, there was a signpost at the entrance from Luxted Road which we think was installed in 2018, the signpost was updated by us in 2021 (picture attached) this replaced a similar sign.

For the reasons above we trust that the council will resist establishing a PROW on what is clearly private land.

If you require any further clarification from me on any of the points above, please let me know.

Kind regards,



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02083139000

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From: Robin Carr Associates < robin.carr1@btinternet.com>

Sent: Thursday, August 24, 2023 9:53 AM

To: Philip Lapper <philip.lapper@baxterphilips.co.uk>

Cc: Mark@c-l-m.co.uk; neil@pagesurveyors.co.uk; Houghton, Chloe

<Chloe.Houghton@bromley.gov.uk>

Subject: Re: Application for Definitive Map Modification Order - Downe

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Dear Philip

Thanks for your email and call
Can we say 2pm at your house please?
I have another meeting in the morning, and will then come over to you
Will ring if it looks like I may be delayed

Kind Regards

Robin

Robin Carr FIPROW MAE Principal Consultant

Robin Carr Associates
Public Rights of Way Management & Consultancy Services

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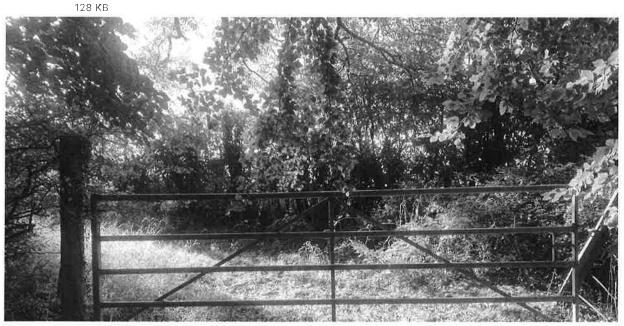
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Email: robin.carr1@btinternet.com Email: consultancy@prow.biz

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he The Landway Track Petting Farm. Downer

19. 5 2021,

My connection with the handway Track orgentes with my of alter, Alen Horse, being asked by the K. N. A. C. to farm Petleys Farm during the 2° World War. The tracking has a vital and only lark to all the fields on the 72 acre farm. For several years, the tracking was geted hear the entrance from Lux ted Road, in line with the hodge to the front of Petleys Farmhouse. This gate fell into diouse proof to my families orannership in 1957. The owners of Petleys House have always had a legal right of way was the hardway to their field to the reas of their property. An alternative gate was later exceled beyond this point.

My perents built I moved to Parkarde in 1970 and gare permusaun to a few local resident to walk the trackway with their dogs. At this time at least one person was

refused as their dog was too aggressine.

In the late To: "805 I won involved with many of the loved schools in field Study Profects and was advised by Browley Ensemble Officer, Chin Hogher, and Hatt Kelly from High Klows to exect a sign of the entrance to the Trackway stating that it was not a Public Right of way but could be used with personission from the owners. Donne School under the headship of Richard Lawhences made many visits to the farm using this permission. At this time a looked gate was installed halfway along the track with a Stile for permitted people to use. At the end of the trackway.

reaching the Coy Conne Bankin which we grayed, there was a scotch gate, not a feed gate for ease of Irrestock control and morement.

At far on I am own concerns this remained the case until and when we sold the form in 2006.





18th April 2023

Ref: Track at the side of Landway House, Petleys Farm, Luxted Road, BR6 7JS

To whom it may concern

I lived at Landway House from November 2014 to June 2018 with my partner and dogs.

During that time it was clear that the track was very much a private farm track to only be accessed by SD Farms' (our landlord) machinery for the fields behind the property.

We knew that we were not allowed to use the track as it would have been trespassing onto private property.

I do not recall seeing any walkers on the track during the time we lived there, for the same reasons.

Yours sincerely



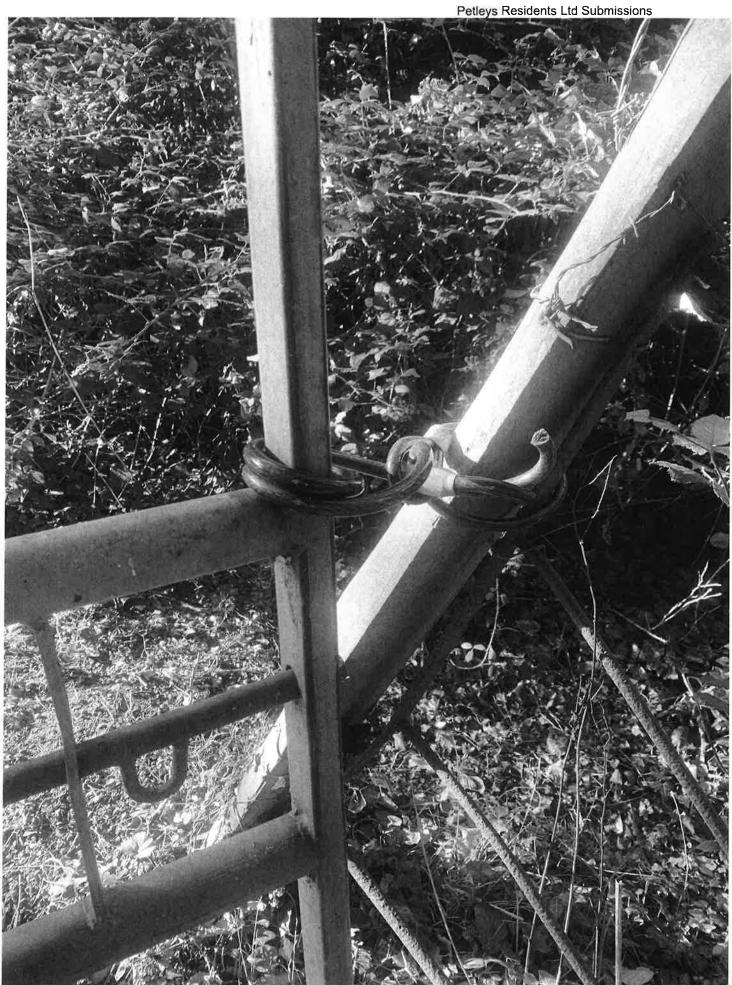


Appendix 20



Appendix 20

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Appendix 20

Page 382

From: Subject: FW: Access from Luxted Road, Downe via Landway Date: 23 October 2023 at 09:43

To: Robin Carr Associates robin.carr1@btinternet.com

Cc: Houghton, Chloe Chloe.Houghton@bromley.gov.uk,



Morning Robin,

Hope all well with you.

As you will have seen I have copied you into the email exchange with the golf club. I expect you may need to check the authenticity of the email, I don't think it will be a problem for you or LBB to contact them direct.

Kind regards,





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From: Philip Lapper

Sent: Monday, October 23, 2023 9:39 AM

To: Manager - West Kent Golf Club <manager@wkgc.co.uk>

Cc: Republication Research Robin Carr Associates <robin.carr1@btinternet.com>

Subject: RE: Access from Luxted Road, Downe via Landway

Thanks Matt, very helpful.

The latest photographs taken just a couple of weeks ago do not show the lock damaged, but no doubt SD Farms will get onto this.

Kind regards,





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From: Manager - West Kent Golf Club < manager@wkgc.co.uk >

Sent: Monday, October 23, 2023 9:25 AM

To:

Cc:

Subject: RE: Access from Luxted Road, Downe via Landway

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Philip,

This is a new one on me but I am still relatively new to the post at West Kent.

However, my head greenkeeper has advised the gate has always been locked to his memory and he has been here for 15 years.

The padlock has been damaged though for several months so it is currently not working and just poked through the fence.

Kind regards



General Manager West Kent Golf Club Milking Lane Downe Kent BR6 7LD

T: 01689 851323

E: manager@wkgc.co.uk



From:

Sent: 17 October 2023 11:20

To: Manager - West Kent Golf Club <manager@wkgc.co.uk>

Cc:

Subject: Access from Luxted Road, Downe via Landway

Importance: High

Dear Sir/Madam,

I am a director of Peteleys Residents Limited whom own part of the Landway farm track which is the entrance to our homes on the Petleys Farm Track off of Luxted Road (please see plans attached). The majority and lower end of the track is owned by SD Farms Limited and as you will probably know the Golf Club enjoys a right of way, which we all respect. However there has been a public right of way application currently being considered by the council.

The consultant considering the public right of way request is trying to find out how long a lock has been on the lower gate, we believe you have a key as you have access down the track, we believe its been locked for many years. Are you able to say how long you believe the lock has been on the gate? Maybe you have a record of how long you have held a key or padlock code? I attach photographs of the gate. SD Farm's advisors are copied into this email, they believe it's always been locked but the consultant needs to see confirmation from as many parties as possible.

I appreciate this is an unusual request but your assistance with this is very important to us and I believe of interest to the golf club and their membership.

If you need any further details or would like to meet, please let me know.

Thank you in anticipation of any information you can provide.

Kind regards,





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