

APPEAL FORM

Rights of Way Section
The Planning Inspectorate
3G Hawk Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53 AND SCHEDULE 14

Appeal to the Secretary of State Secretary of State for Environment, Food and Rural Affairs under paragraph 4 (1)

My name: Christopher Smith for and on behalf of the Open Spaces Society.

Address [REDACTED]

Email [REDACTED]

Name of surveying authority: East Sussex County Council

Title of Definitive Map: East Sussex County Council Definitive Map

DESCRIPTION OF THE WAY

a footpath from point A on footpath Little Horsted 5 at grid reference 547084 118685 to point B on the Lewes to Uckfield Road at grid reference 546545 118650

DATE AND REFERENCE OF APPLICATION TO THE SURVEYING AUTHORITY

3/5/18 Our reference Little Horsted C. Council reference RWO 220.

GROUNDINGS FOR APPEAL

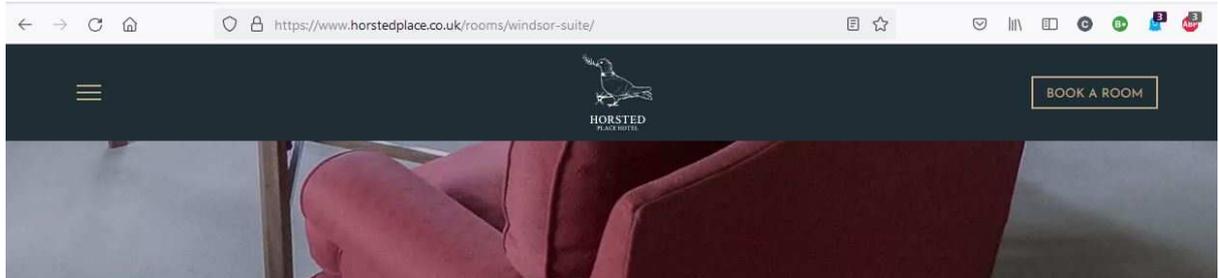
CERTIFICATION: I certify that I served notice of this appeal on the surveying authority.

The Council does not dispute that a quarter sessions order diverted a path to this route. Nor does it suggest that there has been any further legal event which might divert or stop up the route.

But it does say that there is no new evidence that leads tends to support the existence of a right of way because the quarter sessions order was considered at the time of the making of the first definitive map.

I dispute this for the following reasons:

- 1) The evidence from Mr and Mrs Berry as to the blocking of the path because of the visits from Royalty is new evidence supporting the existence of the path. I am not in touch with them, so I cannot verify this evidence myself. It is a pity that the council did not enquire further. However I note that the web site of the Horsted Place Hotel at <https://www.horstedplace.co.uk/rooms/windsor-suite/> claims that the Queen and Prince Phillip frequently stayed at Horsted Place. See below.
- 2)



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A faint, stylized illustration of a dove holding an olive branch in its beak, positioned to the right of the text.

- 3) In its comments on my presentation of the first edition of the 6 inch ordnance survey map the council agrees that the existence of the path on this map is evidence. The council says “A track is dashed out on a similar line as the claimed route but does not follow the exact line and as such is not **strong** evidence of this particular claimed route”. It is, nonetheless evidence in support of the route. The records of the deliberations of the council in making the first definitive map are extensive, and it appears clear that the council did not look at old maps at the time on a routine basis. So this is new evidence not previously considered by the council.
- 4) Old maps are also the source of the evidence of the bridge which is on the line of the application route. I dispute the council's view that this is not evidence of a footpath. Bridges cost money to build and maintain and so are not erected for no reason. I point out that it would have been easy to divert any informal path around the edge of the lake, which is quite close. Sometimes owners of grand houses build fake or ornamental bridges for show, but the various maps in the application statement show that this was a small bridge, some distance from the big house and partially hidden from it by trees. It would probably only have been visible from the nearby farm. In my view, in the absence of another explanation the existence of the bridge on the right of way is evidence that the creator of the lake knew that there was a right of way that they had to preserve.

I therefore believe that there is evidence that has not been before the council in the past which supports the existence of the application route as a right of way. I ask that the appeal be upheld.

I understand that a copy of this appeal and supporting papers may be made available for public inspection.



Signed

DATE 8/10/21