

**IN THE MATTER OF:**

**AN APPLICATION TO REGISTER LAND KNOWN AS WESTBROOK  
WOODLAND, BATH (THE "SITE"), AS A NEW TOWN OR VILLAGE GREEN  
PURSUANT TO SECTION 15 OF THE COMMONS ACT 2006 (THE  
"APPLICATION")**

**FRIENDS OF THE ORCHARD**

**The Applicant**

**AND**

**MR. PAUL EALEY**

**The Objector**

---

**WITNESS STATEMENT OF MATTHEW DAVIES**

I, Matthew Davies, of Richmond House, Weston Park, Bath BA1 4AL, say as follows:

**1. INTRODUCTION**

**1.1** My full name is Matthew Davies and my date of birth is 27 May 1968.

**1.2** I am a hairdresser. From 2015 until 2019, I was a councillor for the Weston electoral ward in Bath and North East Somerset.

- 1.3 I make this witness statement in response to the application issued by the Applicant on 4 March 2019 with application number TVG 19/1 (the "Application").
- 1.4 Unless stated otherwise, the facts and matters set out in this witness statement are within my knowledge and are true. Where any facts or matters are not within my own knowledge, the source of the information is identified and those facts and matters are true to the best of my knowledge and belief.
- 1.5 I refer to various documents in this witness statement and which have been produced alongside this witness statement. The references in square brackets to "Exhibit [No.] / [Page Reference]" indicate the location of each document within the Exhibits Schedule of the Bundle, with:
- 1.5.1 "[No.]" indicating the Exhibit number; and
- 1.5.2 "[Page Reference]" indicating the page number in the paginated bundle.
- 1.6 I will address the following matters in this witness statement:
- 1.6.1 my relationship with the Site; and
- 1.6.2 access to the Site and usage of the Site in the time that I have known it.
- 2. RELATIONSHIP WITH THE SITE**
- 2.1 I have been very familiar with the Site for most of my life. I live at Richmond House, Weston Park, Bath BA1 4AL, which is located approximately a ten minute walk from the Site.
- 2.2 I walk past the Site most weeks, in order to walk the footpath which leads around the Bath "skyline". I have always walked the public footpath route, which has changed over the years. The route of the public footpath in red (prior to 2003) and yellow (after 2003) is shown on the plan attached at Exhibit 1 / 153.
- 3. ACCESS TO AND USE OF THE SITE**
- 3.1 I have always considered the Site as private and not accessible to members of the public in the time I have known it.

- 3.2 Prior to 2003, the only point of access to the Site was a five-bar gate located on the southern boundary of the Site, off Osbornes Lane. The location of this gate is shown on the plan attached at Exhibit 2 / 155. I did not see people on the Site at this time. I also recall a sign on the gate noting that the Site was private.
- 3.3 After 2003, when the footpath was diverted, people began to trample down the wire fences and hedges closed to the footbridge. The location of this footbridge is shown on the plan attached at Exhibit 2 / 155. This access point to the Site was not possible prior to 2003, as there was a combination of vegetation, fencing and the West Brook which prevented any access to the Site.
- 3.4 I first saw people on the Site around 10 years ago, and I have seen people using the Site for dog walking.
- 3.5 In the time that I have know the Site, it was been used as a horse paddock. The Site had stables on it until around the early 1990s, when they removed. However, I can recall horses being kept on the Site until the early 2000s.
- 3.6 I cannot recall the Site being used for any other purpose than as a horse paddock.
- 3.7 During my time as a councillor, people also reported people using the Site for unauthorised access to Weston All Saints Primary School, which borders the Site.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

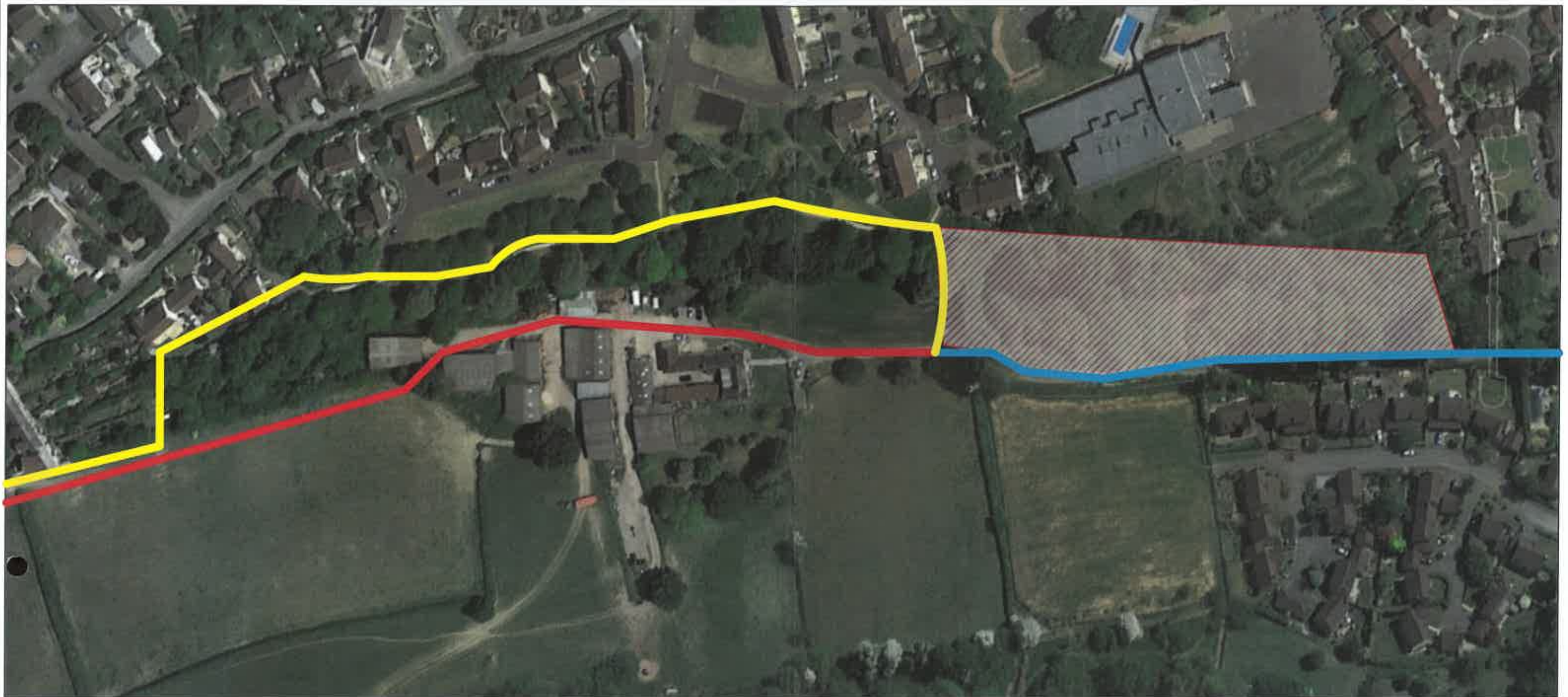
A handwritten signature in black ink, appearing to read 'Matthew Davies', written over a dotted line.

Matthew Davies

A handwritten date '23rd March 2020' in black ink, written over a dotted line.

Dated

## EXHIBIT 1



The Site



New footpath created in 2003



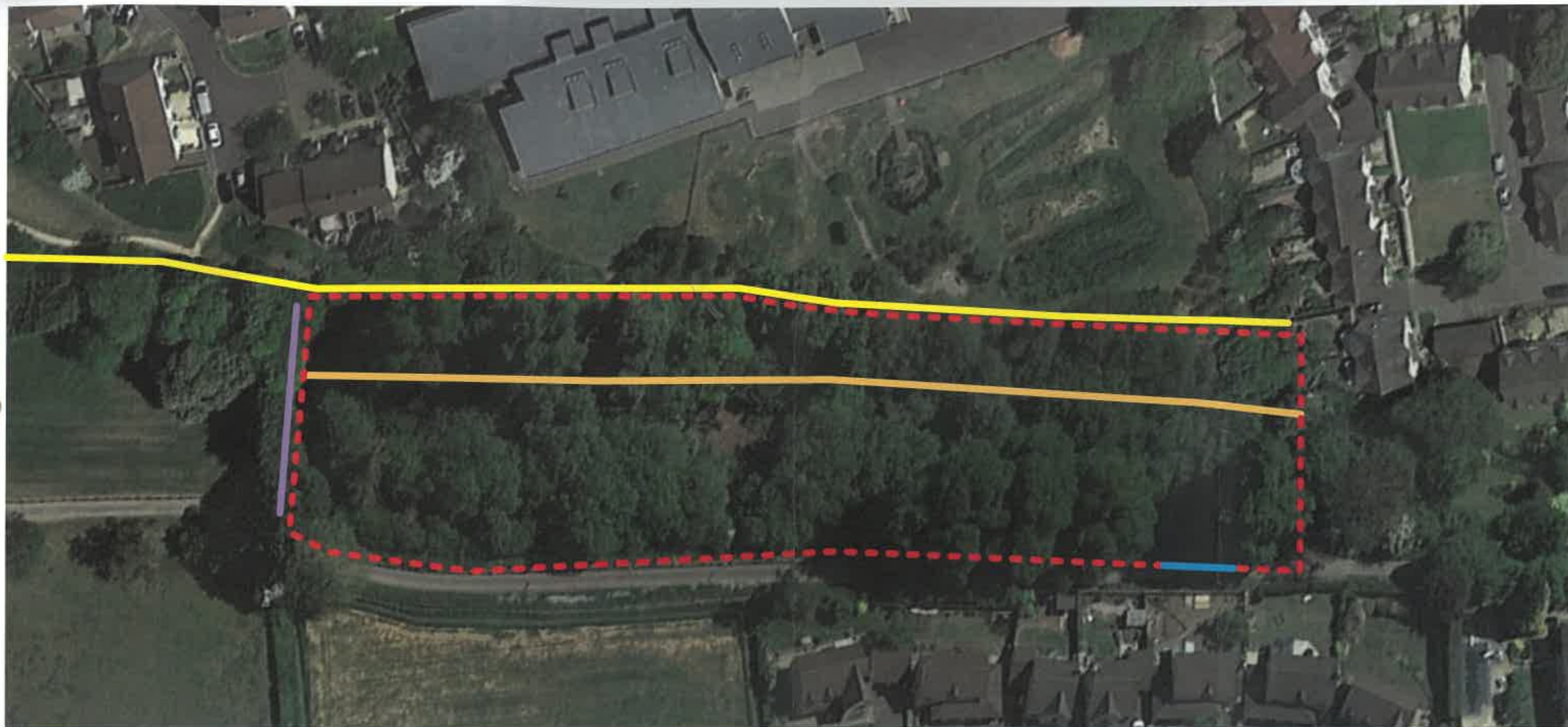
Previous footpath



Osborne's Lane (adopted road)

## EXHIBIT 2







**IN THE MATTER OF:**

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---

**WITNESS STATEMENT OF PAUL EALEY**

I, Paul Ealey, of 6A Kelston Road, Bath BA1 3QN, say as follows:

**1. INTRODUCTION**

- 1.1 My full name is Paul John Ealey and my date of birth is 6 August 1965.
- 1.2 I am the co-owner of the Site, and have lived within a mile of the Site for the majority of my life.
- 1.3 I make this witness statement in response to the application issued by the Applicant on 4 March 2019 with application number TVG 19/1 (the "Application").

- 1.4 Unless stated otherwise, the facts and matters set out in this witness statement are within my knowledge and are true. Where any facts or matters are not within my own knowledge, the source of the information is identified and those facts and matters are true to the best of my knowledge and belief.
- 1.5 I refer to various documents in this witness statement and which have been produced alongside this witness statement. The references in square brackets to "Exhibit [No.] / [Page Reference]" indicate the location of each document within the paginated bundle, with:
- 1.5.1 "[No.]" indicating the Exhibit number; and
- 1.5.2 "[Page Reference]" indicating the page number in the paginated bundle.
- 1.6 I will address the following matters in this witness statement:
- 1.6.1 my relationship with the Site;
- 1.6.2 how people have accessed the Site over the last 20 years; and
- 1.6.3 use of the Site in the time that I have known it.
2. **RELATIONSHIP WITH THE SITE**
- 2.1 I have lived in Weston village for most of my life. I purchased the Site along with my wife as a development opportunity for our two sons, as it is not easy to get onto the property ladder as young people. We hope that they could build some houses for them to start their family life.
- 2.2 Since we have purchased the Site, we have been subjected to a campaign by the Applicant to prevent any positive outcome for the Site, other than the prevention of any development. We have been subjected to abuse via social media and our business has been linked by the Applicant as the owner and developer, when in fact it has no involvement with the Site. I have attached some of the excerpts taken from social media at Exhibit 1 / 162, which clearly show the Application is part of a broader attempt to stifle any development on

the Site, rather than laying any legitimate claim to the Site as a town and village green.

2.3 Complaints by the Applicant to Bath and North East Somerset Council have resulted in a tree preservation order being registered on the Site, when there was already a tree preservation order on the established trees. We are now responsible for thousands of pounds worth of tree surgery, as there are dangerous trees leaning over Weston All Saints Primary School, the location of which is shown on the plan attached at Exhibit 2 / 206. I believe that this is another example of the Applicant using any means to thwart development on the Site.

2.4 I was asked by Paul Jones, the caretaker of Weston All Saints Primary School, to erect fencing on the Site in order to prevent access to the school from the Site. Vandals were accessing the school from the Site and causing a lot of damage. My son and I erected some secure fencing as requested, and from that point we have been subjected to a lot of abuse on social media.

### 3. ACCESS TO THE SITE

3.1 For the majority of time I have known the Site, it was not possible to use it as it has been described in the Application. It is only in recent years that people have accessed the Site more regularly.

3.2 By way of example, Osbornes Lane, the road which runs parallel to the Site on the southern boundary, and is shown on the plan attached at Exhibit 2 / 206, was not a road which was regularly used when I grew up. This is because it only serviced Lansdown Grange Farm. The footpath which ran through Lansdown Grange Farm prior to 2003 was very rarely used by locals as it was easier, safer and cleaner to use Broadmoor Lane, which is located a few hundred metres to the north of the Site. Broadmoor Lane is also shown on the plan attached at Exhibit 2 / 206 for reference.

3.3 The sole access point to the Site prior to 2003 was an access gate located on Osbornes Lane. There was a sign stating "PRIVATE KEEP OUT TRESPASSERS WILL BE PROSECUTED". Additionally, I also recall a sign

at a higher level on a tree located on the boundary of the Site and Osbornes Lane, stating the land was private. I have attached a photo at Exhibit 3 / 208 of a sign which clearly indicates the land was private. I found this on the floor of the Site shortly after we purchased the Site.

3.4 The Site was not accessible from Broadmoor Lane, as the public footpath ran through Lansdown Grange Farm. Any access from Broadmoor Lane was not possible due to a combination of existing vegetation and fencing prior to 2003.

3.5 The hedge along Osbornes Lane has been damaged recently and was always a natural boundary to the Site until around 2010.

3.6 Redcliffe Home Limited gained planning permission for a housing estate on Broadmoor Lane in 1998. The boundaries of this development, shown on the plan attached at Exhibit 2 / 206 (the "Orchard Development"), ran from Weston All Saints Primary School to Westbrook Cottages, including four parcels of land which blocked off any access from Broadmoor Lane to the West Brook for at least two years from 2002 to 2004. During this time, the Orchard Development was a construction site, and Redcliffe Homes Limited erected fencing to prevent any access to this area, which adjoined the Site.

#### 4. USE OF THE SITE

4.1 During the time I have known the Site, it has always appeared to be privately owned, and not accessible by members of the public. In particular, there was signage on the access gate on Osbornes Lane, which advised trespassers to keep out. I can also remember a sign at high level on one of the lime trees on Osbornes Lane.

4.2 The principal use of the Site in the time I have known it has been as a horse paddock. There used to be horse stables on the Site, along with a tack room. This usage occurred throughout the 1970s until the early 2000s. When the previous owners moved house, they removed the stables, which I believe was in the late 1990s. Horses were left on the Site until early 2002, with Joanne Grimes and Linda Cole being two of the most recent occupants of the Site.

4.3 In more recent years, the Site has been left unattended as the previous owners are now quite old and kept repairing fences only for them to be broken. As a result brambles and saplings have started to establish themselves in the horse paddock.

4.4 As the Site has been left unattended in more recent years, there have been problems with children trying to burn the base of the horse chestnut trees, drug taking, fly tipping and other anti-social behaviour on the Site. Shortly after we purchased the Site, I had an incident with some children, who were attempting to take down the newly installed fencing on the north-eastern boundary of the Site. Heras fencing which was installed on the boundary of the Site adjoining Osbornes Lane was also damaged, photographic evidence of which I have attached at Exhibit 4 / [•].210.

#### STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.



Paul Ealey



Dated



## EXHIBIT 1



**Julia Waterhouse Pain**

Yesterday at 11:58



Osborne lane development (by the orchard) This is the man who has bought the land and plans to build on it. He is there at the minute putting a fence around the whole site. Humph had a chat with him and let him know that lots of people from the local community will object to building. He wasn't very jolly!!



28 Comments





28 Comments



**Emma Mox** Is he the owner or the person doing the work?

Like · Reply · 1d



**Julia Waterhouse Pain** He's the owner Emma. Didn't say what his plans were

Like · Reply · 1d



Write a reply...



**Aily Messer** Sad day!!!!

Like · Reply · 1d



**Sue Skinner** I think there may be some mileage in investigating the possibility of a Village Green application but may be better to concentrate on Tree Preservation Orders. I think someone has said some of the trees have preservation orders on already but the danger... See more

Like · Reply · 1d



**Emma Mox** Sue Skinner hasn't the horse already bolted so to speak?

Like · Reply · 1d



**Emma Mox** Sue Skinner hasn't the horse already bolted so to speak?

Like · Reply · 1d



**Dave Vernells** Town/village green would be challenging. The law changed just after we did the purlewent field so that if building is already proposed by the time you submit the town green application it is automatically rejected. You'd need to complete the process be... [See more](#)

Like · Reply · 1d



Write a reply...



**Sam Gbel** Looks like they are the company to demolish it not the buyers

Like · Reply · 1d



**Sue Skinner** Sorry should have said The Weal not Macies.

Like · Reply · 1d



**Emma Veasey** The word demolition fills me with dread and thinking of all the wildlife that will have no homes 😞

Like · Reply · 1d



**Bradley Wynn** You can have a go at him all you like he's a demolition man be surprised if he's doing the development and if he is let him more housing in this city cannot be a bad thing

Like · Reply · 1d



**Emma Veasey** What housing that no one can afford 😞 you can imagine the price of a location like this!

Like · Reply · 1d





**Emma Veasey** What housing that no one can afford 😞 you can imagine the price of a location like this!

Like · Reply · 1d



**Bradley Wynn** Emma Veasey nobody knows till plans are released I live very close to it and the houses round the park would be around the same price range

Like · Reply · 1d



**Emma Veasey** Unaffordable unfortunately if you are not already on the property ladder. 😞 be interesting to find out if it will be a group of houses or just one.

Like · Reply · 1d

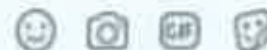


**Bradley Wynn** Emma Veasey be very surprised if it's one and to live anywhere in bath is unaffordable

Like · Reply · 1d



Write a reply...



**Michael Jones** 🤔 It's all about somebody making money, they don't care about anything else, if it goes ahead the lane will certainly be Dug up for all the services to go in, and we will be left with whatever is left, mess, noise and an unnecessary destruction of a natural habitat and all just about Money!!

Like · Reply · 1d



**Leanna Biggs** It's devastating that somebody wants to destroy that area, just for money. Is Weston/Bath really lacking in housing? I don't think so somehow...

Like · Reply · 1d



Like · Reply · 1d



**Leanna Biggs** It's devastating that somebody wants to destroy that area, just for money. Is Weston/Bath really lacking in housing? I don't think so somehow...

Like · Reply · 1d



**Sam Gbel** Not the best with words ... Any help with this would be appreciated please x

Like · Reply · 1d



**Julia Brigden** This is making me really sad. I've got a horrible feeling that all those beautiful trees are going to be chainsawed down before we have a chance to do anything.

Like · Reply · 1d



**Sharon Gray** It's such a shame the kids love walking into the woods with the dog but I suppose we've really all been trespassing as it's always been private land.

Like · Reply · 1d



**Sam Gbel** Anna Hawker - can your dad help at all? Maybe know who to contact? And how to approach Colin Berat?

Like · Reply · 1d



**Anna Hawker**



Like · Reply · 1d



**Anna Hawker**



Like · Reply · 1d



**Anna Hawker Sam Gbel**

Like · Reply · 1d



Write a reply...



**Sam Gbel** So email these guys?

Like · Reply · 1d



**Anna Hawker Sam Gbel** they are our local councillors so a good start

Like · Reply · 1d




Write a reply...



**Richard Bradbury** Winter Colin Barrett holds a monthly surgery in Weston Village but told me he will not be standing for re-election next year, he's been a councillor for over 40 years after all. There is another local councillor but when we tried to get him to help with the M... [See more](#)


1 like · Reply · 1d



 **Richard Bradbury Winter** Colin Barrett holds a monthly surgery in Weston Village but told me he will not be standing for re-election next year, he's been a councillor for over 40 years after all. There is another local councillor but when we tried to get him to help with the Manor Road planning application he was actually worse than useless as he didn't even acknowledge any communications. Apparently he sits on the Planning Committee so cannot get involved. It seems that planning in Bath is handled by officials from the Planning Department and rarely goes before the Planning Committee. As soon as an application is made you need to get councillors to refer it to the committee which has to be in writing within a set period; if it goes before the committee you can then apply to speak at the hearing. Keep a close eye on the applications pages of the BANES website so that you are aware the instant any planning application is made. It may also be worth speaking with the BANES Tree Officer who will be able to advise you of any protected trees and may be able to make sure that no action is taken by the developer before any application is approved. I seem to remember from a few years ago that there is some regulation that requires that ANY tree with a trunk greater than a certain diameter must have permission before it can be taken down. Learn as much as you can, knowledge is power and will prevent a developer bullsh\*tting you. Good Luck.

Like · Reply · 1d




 **Elaine Robinson** you can register for planning alerts here <https://www.planningfinder.co.uk/> you will get a weekly email showing new planning applications near the post code you have selected.

PLANNINGFINDER.CO.UK

**Planning Finder**

Save

Like · Reply · 1d

 **Marilynn Osment** Personally I would not bother with trying to contact Cllr Matthew Davies.....I've yet to receive a response to an e-mail sent to him a few weeks ago...not even an acknowledgement....I think that we are stuck until we have some new names representing Weston next year.....hopefully..😞....





**Friends of the Orchard at Broadmoor Lane**

10.3.19

Yesterday at 08:04 · 🌐

We all know Bath is in many ways a small town (and who doesn't love a game of rugby?!) but our democracy depends on transparency in government and on limits in gift-giving to those in positions of authority. We are concerned to hear that Bath Demolition (whose signs were up at the fence on the Westbrook Woodland) is in the news in relation to questionable gift-giving involving the leader of the Council. As a community, we trust that decisions on planning matters will be made fairly and we welcome new guidance on gift-giving which advises that "[the reputation of the] council can be seriously jeopardised by the in appropriate acceptance by you of a gift or hospitality." Feel free to share this post to raise awareness.

<https://www.somersetlive.co.uk/.../council-leader-accepted-23...>



👍👍 Sara Santos and 2 others · 1 Comment · 10 shares

👍 Like · 💬 Comment · ➦ Share · 🗑️

Most relevant ·



Write a comment...



**Michael Jones** A bit of palm greasing going on maybe?

Like · Reply · 18h



**Marilynn Osment** Personally I would not bother with trying to contact Cllr Matthew Davies.....I've yet to receive a response to an e-mail sent to him a few weeks ago...not even an acknowledgement....I think that we are stuck until we have some new names representing Weston next year.....hopefully..🙄...

Like · Reply · 1d



**Karen Wilcox** Richard Bradbury Winter You're right it's any tree which is More than 7cm in diameter

Like · Reply · 1d



**Anna Hawker** Marilyn Osment I too didn't get a response from an email I sent him too!

Like · Reply · 1d



**Richard Bradbury Winter** Apparently he doesn't do Saturday Surgeries either. Local elections next year, you know what to do.

Like · Reply · 1d



**Anna Hawker** Richard Bradbury Winter he could of helped, it doesn't make a difference that's he's on the planning committee, just an excuse!!

Like · Reply · 1d



**Anna Hawker** Yes get them both out!!

Like · Reply · 1d



**Richard Bradbury Winter** Anna Hawker Colin is stepping down after over forty years. At least he has done good work for the community over the years.

Like · Reply · 1d



**Anna Hawker** From a recent suggestion of his, he didn't go down well on r street so he's not my favourite person!



Like · Reply · 1d



**Anna Hawker** From a recent suggestion of his, he didn't go down well on r street so he's not my favourite person!

Like · Reply · 1d



**Marilynn Osment** Anna Hawker Matthew Davies could have at least acknowledged the e-mails.....it does not give a good impression quite apart from it being rather rude..

Like · Reply · 1d



1



**Anna Hawker** Marilyn Osment indeed! So much for going to your local councillor to help!

Like · Reply · 1d



1



**Sam Gbel** The local councils won't help the Southlands parking either Anna Hawker x

Like · Reply · 23h



1



**Sam Gbel** Awesome just read about BANES tree officers and protecting trees - this was great



Like · Reply · 23h

Like · Reply · 23h



**Sam Gbel** There are trees on there map



Like · Reply · 23h



**Sam Gbel** And will help if visible to the public...



Like · Reply · 23h



**Sam Gbel** I will definitely be emailing these guys. Again found nothing about any trees other then the one that fell down..

Like · Reply · 23h



**Sam Gbel** Looks like the green dots on the map maybe the protected trees (although need to check on desktop not mobile to make sure)  
I found nothing on the planning register for anything new



Like · Reply · 23h



**Richard Bradbury Winter** Remember, any professional developer will be aware of any restrictions and will have a strategy to deal with this. Good Luck.

Like · Reply · 22h



Write a reply...



**Emma Mox** Surely Osborne Farm owners no the plans and what's intended as they would have had to grant access via the lane?

Like · Reply · 1d



**Emma Mox** Surely Osborne Farm owners no the plans and what's intended as they would have had to grant access via the lane?

Like · Reply · 1d



**Sam Gbel** Emma Mox I may go up and speak to them on monday

Like · Reply · 1d



Write a reply...



**Sam Gbel** Julia Waterhouse Pain - what did the demolition Man say? Did his company buy the land or was it himself, as i dont want to email him if he is just a demolition company

Like · Reply · 1d



**Lauren Wood** Ann Wood x

Like · Reply · 1d



**Michael Jones** 🤔 Doesn't live here.. Doesn't Want to.. Just wants to make some money and clear off having wrecked a nice well loved spot!

Like · Reply · 1d



**Julie Linda Cook** The whole of Bath is becoming a builders dream at the moment. Things popping up all over the place. I expect when they built the "new" houses in Broadmoor Lane the landscape changed dramatically and people may have been against that then. It Still went ahead though. Money talks and money = power in all things unfortunately. What a shame for that lovely little area.

Like · Reply · 1d



**Laura Fearn Baker** Funny isn't it because we can't for the life of us get permission to build a dormer on the back of our 1960's bungalow that won't be seen from anywhere...because Bath is a world heritage site. It's not as if it's a beautiful Georgian town house or a Roman Villa!

Like · Reply · 1d · Edited





**Laura Fearn Baker** Funny isn't it because we can't for the life of us get permission to build a dormer on the back of our 1960's bungalow that won't be seen from anywhere...because Bath is a world heritage site. It's not as if it's a beautiful Georgian town house or a Roman Villa!

Like · Reply · 1d · Edited



**Marie John Sammie**

Like · Reply · 1d



**Sam Gbel** Marie John haha how have you managed to tag me as Sammie haha, that's great x

Like · Reply · 23h



**Marie John** Sam Gbel I don't know haha x

Like · Reply · 13h



Write a reply...



**Ann Wood** Just discovered this lovely, magical little place last time I was down. What a shame if it was to go! What about a petition to start things off until someone can figure out the next move?

Like · Reply · 22h



**Kelly Couzens** Can I ask was this private property before? And for use of general public or a public footpath before it was sold??

Like · Reply · 10h · Edited



**Rachel Jaral** It's private land, though gauging from the comments here, any planning application would attract considerable public interest. If you value the land, I'd encourage folks to get organised as we need someone locally to lead on this.

From the planning a... See more

Like · Reply · 15h



**Emma Mox** replied · 13 Replies · 7 hrs



sold??

Like · Reply · 10h · Edited



**Rachel Jarai** It's private land, though gauging from the comments here, any planning application would attract considerable public interest. If you value the land, I'd encourage folks to get organised as we need someone locally to lead on this.

From the planning angle, we do know already that the land is outside of Green Belt and within the development boundary of Bath. There are some individual Tree Protection Orders on the site, and a tree officer has already come by to look at the site some months ago, but the primary protective planning policy that will come into play will be impact on Ecological Networks (with perhaps some consideration to the Landscape Setting of Bath).

From a planning point of view, I've checked with experts who feel that the land would carry a very high risk, due to the ecological sensitivities of the site (stream, woodland and wildlife value). Significantly, our community group (Friends of the Orchard at Broadmoor Lane) has documented evidence of the use of the space as a key commuting and foraging corridor for bats, which are a protected species.

This could well be a show-stopper in terms of development, but if it goes to application, community response will have a big political sway. So I'd encourage folks to get involved, get organising, and get noisy. Would anyone like to lead on this?

Like · Reply · 15h



5

^ Hide 13 Replies



**Sam Gbel** **Rachel Jarai** I want to help - not sure if I'm leader material but can do my best with the community behind me. You sound like you know your stuff. That's where I'm not so good at. I'm determined and won't say no? But don't know if that's good enough?

Like · Reply · 12h



1



**Rachel Jarai** I think that's fantastic Sam Gbel ! Determination goes a long way 😊 I don't think we have anything to protest at the moment, but how about a community display of how much our 'Wild Westbrook' means to all of us? If we could gather 100+ people (that's



**Sam Gbel Rachel Jarai** I want to help - not sure if I'm leader material but can do my best with the community behind me. You sound like you know your stuff. That's where I'm not so good at. I'm determined and won't say no? But don't know if that's good enough?

Like · Reply · 12h



1



**Rachel Jarai** I think that's fantastic **Sam Gbel** ! Determination goes a long way 😊 I don't think we have anything to protest at the moment, but how about a community display of how much our 'Wild Westbrook' means to all of us? If we could gather 100+ people (that's t... See more

Like · Reply · 12h



2



**Rachel Jarai** Btw it's not Weston Ward - the Westbrook is the ward boundary, so the land is actually in Bathavon North. So it'd be really good if we could have some Bathavon North ward residents who'd be happy to get involved in communicating with their ward councillors.

Like · Reply · 11h



2



**Sam Gbel Rachel Jarai** ... If we need a bat person who studies bats to officially say there are bats my husband has just said he knows someone - very random but could be handy

Like · Reply · 8h



1



**Sam Gbel Rachel Jarai** are you about on Friday - as I'm going to meet someone else who's happy to help . We are meeting at the love cafe after drop off to meet and have a chat

Like · Reply · 8h



**Sam Gbel Rachel Jarai** so is the bathavon the other side of the river? Westbrook ward this side (the side we play) and bathavon the other side?

Like · Reply · 8h





**Sam Gbel Rachel Jarai** so is the bathavon the other side of the river? Westbrook ward this side (the side we play) and bathavon the other side?

Like · Reply · 8h



**Rachel Jarai Hi Sam Gbel** I have a pretty good guess which 'bat guy' your husband knows - yes, we've got him on board already, as he's a huge community asset.

Most of us on this site live in Weston ward, but the Bathavon North ward includes the small housing estates on the other side of Osborne's Lane, like Westbrook Park. Ward boundaries matter, in terms of decisions made by the Council Planning committee, if it comes to that.

Like · Reply · 8h



**Marilynn Osment** Well, there was a big community response to the Dean Hill Lane developments back in the 1980's and 1990's....and also to the Symes Park development.....these developments were not wanted as they did not include 'affordable' housing and encroached upon ... See more

Like · Reply · 8h



**Rachel Jarai** That's great you're meeting up on Friday - perhaps others would be free to join you? I'll be at work, but am happy to keep in touch by email at [broadmoorlaneresidents@gmail.com](mailto:broadmoorlaneresidents@gmail.com)  
It would be great if you could build up community awareness at this stage.

Like · Reply · 8h



**Rachel Jarai Marilyn** This is a very small piece of land, with very high ecological value. It's worth a fight!

Like · Reply · 8h



**Sam Gbel Rachel Jarai** I think it's a bat girl 😊

Like · Reply · 8h



1

Like · Reply · 1h



**Sam Gbel** Rachel Jarai I think it's a bat girl 😊



Like · Reply · 8h



**Rachel Jarai** what a neighbourhood!

Like · Reply · 7h



**Emma Mox** Sam Gbel There is a man in Brookfield park who is a Bat ecologist



Like · Reply · 7h



Write a reply...



**Sam Gbel** Cool, that's a shame you won't be able to make it Friday. I'll put up an event and see who can make it x

Like · Reply · 7h



**Lewis Wood** Don't see what he's actually doing wrong? He's bought the land, so if he wants too build on it, then why not let him be?

Most of the bigger trees will be protected.

He's just doing what we all do, by trying too make a living.

Like · Reply · 1m



Write a comment...



Press Enter to post.





Lisa Loveridge

1 November at 19:07

...

A friend has just emailed Friends of The Orchard to say that the strip of land between Osborne Lane and the West Brook has been fenced off and a Keep Out sign erected.

👍👍👍 12

43 Comments



Like



Comment

View 41 more comments



**Rachel Jarai** From the comments here, it's clear how much the local community values this green space, and any planning application would attract considerable public interest. If you value the land, I'd encourage folks to get organised as we need someone locally to lead on this.

From the planning angle, we do know already that the land is outside of Green Belt and within the development boundary of Bath. There are some individual Tree Protection Orders on the site, and a tree officer has already come by to look at the site some months ago, but the primary protective planning policy that will come into play will be Impact on Ecological Networks (with perhaps some consideration to the Landscape Setting of Bath).

From a planning point of view, I've checked with experts who feel that the land would carry a very high risk, due to the ecological sensitivities of the site (stream, woodland and wildlife value). Significantly, our community group (Friends of the Orchard at Broadmoor Lane) has documented evidence of the use of the space as a key commuting and foraging corridor for bats, which are a protected species.

This could well be a show-stopper in terms of development, but if it goes to application, community response will have a big political sway. So I'd encourage folks to get involved, get organising, and get noisy. Would anyone like to lead on this?

Like · Reply · 15h



3





**Suzanne Donaghy** I remember supporting the fight against the planning proposals against the building on what was the orchard and happy to try to help. I wouldn't like to lose any more memories of what Broadmoor Lane is like - this was our view 😊



Like · Reply · 3h · Edited

^ Hide 18 Replies



**Suzanne Donaghy** Memories x



Like · Reply · 3h



## Suzanne Donaghy Memories x



1

Like · Reply · 3h



**Rachel Jarai** Thanks, Suzanne Donaghy . It would be really valuable if you could share with us what the use of the Westbrook Woodland was like 20 years ago.

Like · Reply · 2h



**Rachel Jarai** Do you remember what access was like 20 years ago?

Like · Reply · 2h



**Suzanne Donaghy** As far as I can remember it was exactly the same as it is now and I remember going in at the bottom of the orchard except the footbridge wasn't there, nothing to say there was no access and I think the owner just let people use it

Like · Reply · 2h · Edited



2



**Suzanne Donaghy** I was about 10 when I used to go there (a few years ago now lol)

Like · Reply · 2h



2



**Rachel Jarai** That's really helpful, Suzanne. Could you help us find a dozen or more local people who could attest to the same?

Like · Reply · 2h



**Rachel Jarai** That's really helpful, Suzanne. Could you help us find a dozen or more local people who could attest to the same?

Like · Reply · 2h



**Rachel Jarai** **Suzanne Donaghy** can you please tell us more what activities took place on the land 15-25 years ago? I imagine dog-walking and playing in the stream, but what else? (These days we get den-building, dam-building, climbing trees, picnicking etc)

Like · Reply · 2h



**Julia Brigden** Dog walking.  
Communing with nature  
Relaxing by listening to the sounds of the water flowing and babbling across the stones. ... See more

Like · Reply · 2h



**Suzanne Donaghy** Plus tree climbing to get the apples - watching the barn lit up from our house by Christmas was amazing as it was like an activity scene. The stream has an amazing feature which would be sad if we lost it the pictures I have taken in there are amazing and it is home to alot of animals would be a shame to lost it

Like · Reply · 2h



**Suzanne Donaghy** The original Broadmoor vale group people may also be able to add more than I can ?

Like · Reply · 2h



**Julia Brigden** Oh. And play pooh sticks.  
I was looking forward to my baby grand daughter being able to go there when she's older and stamp around with her wellies on. Lots of kids play there and actually get some outdoor fun and fresh air. A real childhood. The gove... See more

Like · Reply · 2h





**Rachel Jarai** That's great Suzanne Donaghy and Julie Brigden. We need to make **sure the activities** are specific to the Woodland adjacent to WASPS, so I **assume** there were no **Apple** trees there? If you have **any** photos of that lower part of the stream (between the lower bridge and the Symes Park estate) that would be hugely important. Everyone, please upload any photos you have - greatly appreciated:)

Like · Reply · 2h



**Julia Brigden** **Rachel Jarai** • Elaine Gilbert. You have quite a few don't you ?

Like · Reply · 2h



**Rachel Jarai** I understand the land was sold for £200,000+, so there's no way we could have crowdfunded it. Raising £2000 for the play area was hard enough, believe me...

Like · Reply · 1h



**Julia Brigden** **Rachel Jarai** oh. That's a shame. I see what you are saying.

Like · Reply · 1h · Edited



**Marie John** Lynda Cole lee pitman are you on this group. ?

Like · Reply · 1h



**Marie John** **Julia** yes private and give the chap chance to state clearly what he plans to do without speculation

Like · Reply · 1h



**Marie John** **Rachel** well that was the market value of it

Like · Reply · 1h



**Sam Gbel**

Yesterday at 14:17

...

So, we have been over to the woodland area. Yes there are metal fences up all round which is very concerning. We have looked into who owns the land, it maybe the farm at the top - but they have not put in any plans for anything. We have also searched to find any evidence of any plans for demolishing or planning for anything and found nothing.

(although we dont have a postcode which could have made it easier.

The fencing is up but no notices or anything on it. So no demolition or planning?. Could it just be that they are up for safety while they sort out some trees or do something with the brook? we dont know.

Some thing we can do though is make some banners to put up on the gates saying that residents are concerned about this woodland area being taken away from the community, take photos and send in to the chronical. Something as a community we can do.

In the meantime, if anyone sees and notices go up or find any evidence of anything then to just keep us informed, we can then do things like petitions.

Hope this helps our frustrations for the time being.

If anyone fancys helping me make some banners please message below and we can start some up.

Fingers crossed the rummers of building houses are just rummers

Cheers Guys

Sam Gbel







**Karen Acton** Has anyone done an index map search at they Land Registry? This would establish whether the land is registered and, if so, provide a title number from which you could obtain office copy entries of the Land Register. This would give information of the registered owner of the Land.

Like · Reply · 19h



**Sam Gbel** Karen Acton oh I'm not sure, can we do this on line?

Like · Reply · 12h



**Karen Acton** I could do it at work if you can't, ad a member of the public, apply online. An index map search requires the applicant to download a plan of plan of the Land edged in red. This can be taken from an ordnance survey map. I don't believe there is a ch... [See more](#)

Like · Reply · 9h



**Karen Acton** Sorry, just realised typos! Trying to multi task!

Like · Reply · 9h



**Karen Acton**

<https://www.googleadservices.com/pagead/acik?sa=L...>



**LANDSEARCHES.CO.UK**

**Land Searches & Documents**

Like · Reply · 9h



**Karen Acton** Whcoops sorry, wrong site,

Like · Reply · 9h



**Karen Acton** Whoops sorry, wrong site,

Like · Reply · 9h



**Karen Acton** <https://www.gov.uk/get-information.../search-the-index-map>



GOV.UK

**Get information about property and land**

Save

Like · Reply · 9h



Write a reply...



**Laura Fearn Baker** Try getting in touch with Sam Petherick at Bath Live and Somerset live. He's a reporter. I think he may even live in Weston. Sorry, I would do it but I'm in hospital.

Like · Reply · 12h



**Kelly Couzens** It's not being taken away from the community though?? I don't understand why everyone thinks it's their right, when it was private property before and everyone has been trespassing!! Just stating a fact!!

Like · Reply · 10h



**Suzanne Donaghy** replied · 3 Replies · 4 hrs

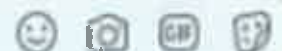


**Sam Gbel** Oh great! Cheers for the tip. Will will definitely keep him in mind - hope you ok x

Like · Reply · 7h



Write a comment...



Press Enter to post.



**Lisa Loveridge**

1 November at 19:07

...

A friend has just emailed Friends of The Orchard to say that the strip of land between Osborne Lane and the West Brook has been fenced off and a Keep Out sign erected.

👍👎👤 12

43 Comments



Like



Comment



**Suzanne Donaghy** End of an era so gutting 😞

Like · Reply · 3d



**Sam Gbel** Wheres that? Not the stream area?

Like · Reply · 3d



**Lisa Loveridge** Yes

Like · Reply · 3d



**Sam Gbel** No way?? I heard something - but really?? They can't take it it was beautiful?

Like · Reply · 3d



**Sam Gbel** Heart broken! It was one of Weston's best features (for kids and dogs) a real sense of escape. Aaaaahhhhhh gutted

😞😞😞😞😞😞😞😞

Like · Reply · 3d



**Siân Perry** Joanne Bezie...

Like · Reply · 3d

Like · Reply · 3d



**Siân Perry** Joanne Beale...

Like · Reply · 3d



**Lisa Loveridge** Two things that could be done (not by me as I'm hobbling around on crutches awaiting surgery)

Like · Reply · 3d



**Sam Gbel** Tell me tell me????

Like · Reply · 3d



**Lisa Loveridge** 1) Check old maps at Trimbridge House in town to see if there is a historical right of way

Like · Reply · 3d



**Suzanne Donaghy** Trimbridge House is no longer there you will need to contact Council Connect to speak to planning as I think they are now at Lewis House

Like · Reply · 3d



**Lisa Loveridge** Thank you! 1

Like · Reply · 3d

↗ View more replies



Write a reply...



**Sam Gbel** Sorry to hear your on crutches, hope your ok x

Like · Reply · 3d







**Sam Gbei** Sorry to hear your on crutches, hope your ok x

Like · Reply · 3d



**Lisa Loveridge** 2) Find 20 people who've walked there for 20 years and get their names and addresses to work towards proving a right of way.

Like · Reply · 3d



**Suzanne Donaghy** Pretty sure that would be easy to do ???

Like · Reply · 3d



**Lisa Loveridge** Some of the older people on Kimber Close and Broadmoor Lane might be up for giving their details

Like · Reply · 3d



**Suzanne Donaghy** We have 3 in ours already 😊

Like · Reply · 3d



**Sam Gbei** So basically people that have lived here for 20 years plus? How will this help though?

Like · Reply · 3d



**Di Marsh** Lisa - I'm there 17 years if that helps!

Like · Reply · 3d



Write a reply...



**Lisa Loveridge** thanks Sam!

Like · Reply · 3d





**Lisa Loveridge** thanks Sam!

Like · Reply · 3d



**Emma Mox** We can add our names to 20 years Karen Acton

Like · Reply · 3d



**Emma Veasey** Does this mean we can't walk over the bridge anymore going over the stream? Me and my son always walk down that lane and then across the bridge and over to the orchard. I remember seeing a sign on/by the bridge saying public footpath?

Like · Reply · 3d



**Suzanne Donaghy** The bridge will still be there 😊

Like · Reply · 3d



**Emma Veasey** Oh that's good at least, pooh sticks are always a winner!  
So sad though when a beautiful, peaceful place gets replaced with housing. We love that a short walk and you feel like you are in the countryside.

Like · Reply · 3d



Write a reply...



**Leanna Biggs** Michael Jones @ Jacci Jones - didn't you say you knew some people who've lived here for that long?

Like · Reply · 2d



**Leanna Biggs** Marilyn Osment can you help?

Like · Reply · 2d

Like · Reply · 2d



**Leanna Biggs** Marilyn Osment can you help?

Like · Reply · 2d



**Marilynn Osment** We would certainly sign a petition, but, as **Michael Jones** has said, let's see the detail of any plans available....then make our move....however, going on past experience in Weston, a lot of these things are 'cut and dried' before word gets out 😊....then it becomes more difficult to stop. Such a pity that folk cannot leave this area alone for the enjoyment of us all 😊..

Like · Reply · 2d



Write a reply...



**Ally Messer** That is so so sad all the kids play there!

Like · Reply · 2d



**Lauren Wood** What??? So which bit will No longer be accesible?  
x

Like · Reply · 2d



**Lauren Wood** could you please make your post so I am able to share? I really hope this is not going to mean we can't walk by the stream my children absolutely adore being down there (actually asked if we could go today!) I hope there's a possibility of stopping this if so and would like as many residents to know about this as possible..It's such a beautiful part of our village 😊  
x

Like · Reply · 2d



**Sam Gbel** Lauren Wood shell I screen shot you a copy  
xx

Like · Reply · 2d



Like · Reply · 2d



**Sam Gbel** Lauren Wood shell I screen shot you a copy xx

Like · Reply · 2d



Write a reply...



**Leanna Biggs** I know something's been going on for ages and that the land had been bought/sold so I'm not sure if it's too far down the line to stop it now? My parents walk the dog through there most days and the kids love it too. It's criminal that somebody wants to build on it 😞

Like · Reply · 2d



**Chris Nicholson**



Like · Reply · 2d



**Emma Veasey** Oh nooo! That's so gutting. We loved walking through there! Sons favourite place to go! 😞

Like · Reply · 2d



**Lisa Pritchard** Well that looks bloody awful!

Like · Reply · 2d



Write a reply...





Long reply...



**Lisa Pritchard** Well that looks bloody awful!

Like · Reply · 2d



Write a reply...



**Michael Jones** 🙄 The Battle Starts now to retain an Area of Natural Beauty which will be lost for ever by a needless possible development which will totally ruin a lovely piece of Weston. 😞



Like · Reply · 2d



1



**Leanna Biggs** Start a petition, dad, you've got more time than most!

Like · Reply · 2d



**Sam Gbel** Michael Jones please help - Leanna Biggs do you reckon it will help?

Like · Reply · 2d

👉 View more replies



Write a reply...



**Lisa Pritchard** Phil Browne Lee Browne

Like · Reply · 2d



**Sam Gbel** If we can do a petition we could then add "how long have you been using the area for walking/playing?" So then we could get our 20 people that have used it for 20 years?? Anyone know if you need an official petition or can we do one ourselves?

Like · Reply · 2d



Like · Reply · 2d



**Sam Gbel Leanna Biggs** -- we could start with one of these maybe??

[https://www.change.org/start-a-petition?utm\\_source=sam...jb&utm\\_content=2018\\_11\\_02&gclid=CjwKCAjw6-\\_eBRBXEiWA-5zHaT2SNpPvuf5alqXyPrcWg9MDIJkz1N-8nOnRa\\_ruzgITL5BIYzHDphoCBIDQAVD\\_BwE](https://www.change.org/start-a-petition?utm_source=sam...jb&utm_content=2018_11_02&gclid=CjwKCAjw6-_eBRBXEiWA-5zHaT2SNpPvuf5alqXyPrcWg9MDIJkz1N-8nOnRa_ruzgITL5BIYzHDphoCBIDQAVD_BwE)



Like · Reply · 2d



**Leanna Biggs** **Sam Gbel** it's worth a go. Then if we all tag friends who live in the village who might not see this group we can spread the reach

Like · Reply · 2d



**Sam Gbel** **Leanna Biggs** cool I'll look into setting it up then x

Like · Reply · 2d



Write a reply...





**Sam Gbel Leanna Biggs** cool I'll look into setting it up then x

Like · Reply · 2d



1



Write a reply...



**Sam Gbel** And so a written on to go round the village?

Like · Reply · 2d



2



**Rosina Partridge** Put my name on the petition, my late husband and I have lived and walked this route since we brought our house in 1967 with our dogs or just going to the village. This way cuts off a lot of the hill !!

Like · Reply · 2d



2



**Anna Hawker** So you can't do a circular walk round now then?!

Like · Reply · 2d



**Sam Gbel** Any idea who this would be?

Leanne Leanna Biggs

Michael Jones ?... See more



Like · Reply · 2d



Like · Reply · 2d



**Leanna Biggs** Ooh I don't know, but would assume it would be the council?

Like · Reply · 2d



**Suzanne Donaghy** I would have thought it would be B&NES as they would be the ones that we should petition this to ?

Like · Reply · 2d



**Marie John** My understanding is that someone has bought this land and he has place fence around his boundary . Also I have heard there is planning going in for one house to be built

Like · Reply · 2d



**Michael Jones** Marie John where did you find that out?

Like · Reply · 1d



**Suzanne Donaghy** I would have thought it would be B&NES as they would be the ones that we should petition this to ?

Like · Reply · 2d



**Marie John** My understanding is that someone has bought this land and he has place fence around his boundary . Also I have heard there is planning going in for one house to be built

Like · Reply · 2d



**Michael Jones** @ Marie John where did you find that out?

Like · Reply · 1d



**Sam Gbel** Yeah I cant find any information on planning anywhere

Like · Reply · 1d



**Marie John** You won't it's been on and off for years I know who sold it and I know who owns it. But I'm very interested as why everyone has guessed what the plan is and didn't wait to see what was going on before doing a petition The last works done there was a chestnut tree that was dangerous and needed sorting.

Like · Reply · 1d



Write a reply...



**Lisa Loveridge** Thanks Marie! I'm guessing that we best focus on proving the right of way for now and that we do the petition when planning has been applied for?

Like · Reply · 1d



**Julia Brigden** Unfortunately I don't think it's a public right of way. When I first starting walking my dog through the little wooded area about 12 years ago , the only way through was to jump over the stream using the big stones. You couldn't get through the fir trees near the bridge by the farm. As the years went by and more people used it a path started to form there. There was also a fence there at one time with barbed wire on it.





**Lisa Loveridge** Thanks Marie! I'm guessing that we best focus on proving the right of way for now and that we do the petition when planning has been applied for?

Like · Reply · 1d



**Julia Brigden** Unfortunately I don't think it's a public right of way. When I first started walking my dog through the little wooded area about 12 years ago, the only way through was to jump over the stream using the big stones. You couldn't get through the fir trees near the bridge by the farm. As the years went by and more people used it a path started to form there. There was also a fence there at one time with barbed wire on it. I never used to go that way. I used to jump over the stream and come out behind the houses near the culvert. I always used to wonder who owned the land but I was never questioned. As the years have gone by it's become a popular route. I think the road along Osbournes Lane is the footpath. We will be able to continue to walk along there hopefully. It's such a pretty little wood which is habitat for wildlife and the stream is so relaxing to walk past. Yet another place is being destroyed and I'm sad about it. A few years back we challenged the building of the houses in the orchard and in the end, fewer houses were built than originally planned. The area was sympathetically developed and actually it is now an asset to our community. Such a lovely place to walk. This new proposal may be able to be stopped although I guess if it's private land then the person can do whatever they like.

Like · Reply · 1d



**Julia Brigden** I just looked at my ordnance survey map and you can see the green dots along Osbournes Lane which is the footpath. You can just about see black dots through the wooded area as well. According to the key on the map this looks like a "parish boundary". I'm not sure what the rules are, about buying land from someone and deciding to build a house there. Have they applied for planning permission as I haven't seen any signs. The community needs to oppose the plans if the house/ houses are to be stopped.

Like · Reply · 1d



**Dave Vernalis** There's no planning application in at present - you can do a map search on the B&NES website and the only even recent application was to



**Julia Brigden** I just looked at my ordnance survey map and you can see the green dots along Osbournes Lane which is the footpath. You can just about see black dots through the wooded area as well. According to the key on the map this looks like a "parish boundary". I'm not sure what the rules are, about buying land from someone and deciding to build a house there. Have they applied for planning permission as I haven't seen any signs. The community needs to oppose the plans if the house/ houses are to be stopped.

Like · Reply · 1d



**Dave Vernalls** There's no planning application in at present - you can do a map search on the B&NES website and the only even recent application was to trim a horse chestnut tree that was in danger of splitting.

Like · Reply · 1d



Write a reply...



**Julia Brigden**



Like · Reply · 1d



**Julia Brigden** Zoom in.

Like · Reply · 1d



**Julia Brigden**



Like · Reply · 1d



**Julia Brigden** Zoom in.

Like · Reply · 1d



Write a reply...



**Sam Gbel** Looking into a petition off the council website x hopefully have it up and going in a bit x

Like · Reply · 1d



**Sam Gbel** Is it actually called Osborne Lane or road?? As it doesn't say on Google?

Like · Reply · 1d



**Heather Lowe** I think Friends of the Orchard have recently done a tree survey of the area. Not sure if it takes in this area but it may have flagged up trees that need to be protected?

Like · Reply · 1d



**Julia Brigden** Lane.

Like · Reply · 1d



**Marie John Sammie**

Like · Reply · 1d



 **Bradley Wynn**  
You enjoyed the private land you weren't meant to be on so a totally irrelevant answer and I haven't made a threat and I said your fully of crap more of an observation

Like · Reply · 1 y

1

 **Andy Stewart**  
**Bradley Wynn** Remind me again? You said your interest in this is what?

And remind us too - You claim you don't know Paul Ealey? (the new owner). You've never worked for him? You don't have a friend or relative that knows him or works for him then?


Like · Reply · 1 y

 **Bradley Wynn**  
Because your unfairly targeting a man for protecting his property do I know him as said before no work for him no and know his staff no

Like · Reply · 1 y

 **Andy Stewart**  
**Bradley Wynn** You do know him? That explains a lot. You're really not doing his case any favours then!

Like · Reply · 1 y

 **Andy Stewart**  
**Bradley Wynn** And to be clear - no one is targeting him - please explain how fencing the land and erecting barbed wire is "protecting" the woods?

---

 **Bradley Wynn**  
**Andy Stewart** are you stupid I put no

Like · Reply · 1 y

1

 **Andy Stewart**  
**Bradley Wynn** ?

Like · Reply · 1 y

 **Bradley Wynn**  
I said I didn't know him

Like · Reply · 1 y

 **Andy Stewart**  
**Bradley Wynn** That's strange?  
You've got no connection to him whatsoever then?

Like · Reply · 1 y

 **Bradley Wynn**  
Finally you seem to realise

Like · Reply · 1 y

1

 **Andy Stewart**  
**Bradley Wynn** Just so we're clear - his company is Bath Demolition - you've got no connection to it?

Like · Reply · 1 y · Edited

 **Bradley Wynn**  
**Andy Stewart** are you  stupid





**Andy Stewart**

**Bradley Wynn will be back I'm sure 🤔**

**I'm not prepared to converse with anyone who resorts to threats and insults. If he thinks he's helping Paul (the owner) he must be deluded.**

**Like · Reply · 1 y**



**Bradley Wynn**

**Andy Stewart you have asked me the same question repeatedly**

**Like · Reply · 1 y**



**Write a reply...**



**Marie John**

**he's off again 🤔🤔 he forgot the mention 3wks ago he was posting comments on the same issue but felt the need to try and find out what really is going on but his intentions are to cause trouble but failing all ways**



**Like · Reply · 1 y**



Friends of the Orchard at Broadmoor Lane

Yesterday at 08:04 · 🌐

We all know Bath is in many ways a small town (and who doesn't love a game of rugby?) but our democracy depends on transparency in government and on limits in gift-giving to those in positions of authority. We are concerned to hear that Bath Demolition (whose signs were up at the fence on the Westbrook Woodland) is in the news in relation to questionable gift-giving involving the leader of the Council. As a community, we trust that decisions on planning matters will be made fairly and we welcome new guidance on gift-giving which advises that "[the reputation of the] council can be seriously jeopardised by the in appropriate acceptance by you of a gift or hospitality." Feel free to share this post to raise awareness.

<https://www.somersetlive.co.uk/.../council-leader-accepted-23...>



👤 Sara Santos and 2 others · 1 Comment 10 shares

👍 Like    💬 Comment    ➦ Share    🌐

Most relevant -



Write a comment...



Michael Jones: A bit of palm greasing going on maybe?

Like · Reply · 18h



Friends of the Orchard at Broadmoor Lane

## EXHIBIT 2





The Site

Osborne's Lane

Footbridge

Location of trees  
overhanging school  
boundary

School Fence at  
boundary with The  
Site



16 Broadmoor Lane

Broadmoor Lane

Five Bar Gate



### EXHIBIT 3



PRIVATE  
NO. DOGS

## EXHIBIT 4





**IN THE MATTER OF:**

**AN APPLICATION TO REGISTER LAND KNOWN AS WESTBROOK  
WOODLAND, BATH (THE "SITE"), AS A NEW TOWN OR VILLAGE GREEN  
PURSUANT TO SECTION 15 OF THE COMMONS ACT 2006 (THE  
"APPLICATION")**

**FRIENDS OF THE ORCHARD**

**The Applicant**

**AND**

**MR. PAUL EALEY**

**The Objector**

---

**WITNESS STATEMENT OF DARREN HOOK**

I, Darren Hook, of 11 Avon Park, Weston, Bath BA1 3JP, say as follows:

**1. INTRODUCTION**

- 1.1 My full name is Darren Tyrone Hook and my date of birth is 10 October 1964.
- 1.2 My parents are the previous owners of the land subject to the Application (as defined below) (the "Site") and I was very familiar with the Site during the time which my parents were the owners.
- 1.3 I make this witness statement in response to the application issued by the Applicant on 4 March 2019 with application number TVG 19/1 (the "Application").

1.4 Unless stated otherwise, the facts and matters set out in this witness statement are within my knowledge and are true. Where any facts or matters are not within my own knowledge, the source of the information is identified and those facts and matters are true to the best of my knowledge and belief.

1.5 I will address the following matters in this witness statement:

1.5.1 the background to my relationship with the Site;

1.5.2 how the Site was used in the time during which my parents, Gerald Hook and Susan Hook, owned the Site; and

1.5.3 what we did to ensure the Site was not accessible to the public.

## **2. RELATIONSHIP WITH THE SITE**

2.1 My grandmother, Bett Quintin, purchased the Site in 1988.

2.2 On 24 August 1994, the Site was transferred to Susan Hook, Tyron Quintin, Morley Quintin and Nick Quintin, by their mother, Bett Quintin.

2.3 My parents, Susan Hook and Gerald Hook, have owned and looked after the Site from 24 August 1994 until 13 July 2018, when it was purchased by Paul Ealey and Donna Ealey, the current owners of the Site.

## **3. USAGE OF THE SITE**

3.1 During my parents' time as owners of the Site, the Site was principally used as an area for horses to be stabled. Horses were stabled on the Site, and there was a stable room with 2 stables, and a "tack room", which is a room where horse equipment is kept, including saddles, stirrups and harnesses. During the time my parents owned the Site, they rented the horse stables to Cecile Pitman, Linda Coles and Jo Grimes.

3.2 The horse stables were removed in the early 1990s when my parents moved to Aldermead, Broadmoor Lane, Weston, Bath BA1 4LL, where the horse stables were relocated.

3.3 Horses were kept on the Site after the horse stables were removed until 2003.

- 3.4 The concrete pad on which the horse stables were located is still visible today close to the southern entrance to the Site, which was the only point of access to the Site.

4. **ACCESSIBILITY OF THE SITE**

- 4.1 Accessibility to the Site has changed over the last 20 years.

- 4.2 From prior to 24 August 1994 until the diversion of the footpath in November 2003, the only access point to the Site was the five-bar iron gate located towards the south of the Site.

- 4.3 After the footpath was diverted in November 2003, people began to access the Site from the north, by the West Brook stream. It was not possible to access the Site from this location prior to this time, as:

- 4.3.1 there was a line of bramble bushes and a fence which prevented access from the land located to the northeast of the Site known as the Orchard; and

- 4.3.2 from 2001 to 2004 (approximately), a housing estate was built on The Orchard. During this time, The Orchard was fenced off and not accessible to the public.

- 4.4 Throughout the time my parents owned the Site, there were a number of activities which were carried on which showed the Site was private and not generally accessible to the public, including:

- 4.4.1 the Site's use as a horse paddock;

- 4.4.2 the Site was periodically cleared by people, myself included, for it to be used as a horse paddock;

- 4.4.3 along with my father, I regularly maintained and repaired the fences that surrounded the Site in order to prevent trespassers from accessing the Site;

4.4.4 the Site only became easier to access after 2010, when I stopped helping my parents to repair and maintain the perimeter of the Site. Since then, the fences have been consistently vandalised, which has allowed people to access the Site. It is important to point out however that neither my parents or I were happy with people doing this.

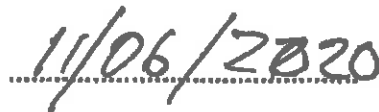
I am not sure what more we could have done to illustrate that the Site was private, and to show that trespassers were not welcome on the Site.

#### STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.



Darren Hook



Dated



**IN THE MATTER OF:**

**AN APPLICATION TO REGISTER LAND KNOWN AS WESTBROOK  
WOODLAND, BATH (THE "SITE"), AS A NEW TOWN OR VILLAGE GREEN  
PURSUANT TO SECTION 15 OF THE COMMONS ACT 2006 (THE  
"APPLICATION")**

**FRIENDS OF THE ORCHARD**

**The Applicant**

**AND**

**MR. PAUL EALEY**

**The Objector**

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**WITNESS STATEMENT OF MICHAEL OSBORNE**

I, Michael James Osborne, of Lansdown Grange Farm, Bath BA1 4DS ("Lansdown Grange Farm"), say as follows:

**1. INTRODUCTION**

**1.1** My full name is Michael James Osborne and my date of birth is 2 May 1964.

**1.2** I am the owner of Lansdown Grange Farm, and have lived there my entire life.

- 1.3 I make this witness statement in response to the application issued by the Applicant on 4 March 2019 with application number TVG 19/1 (the "Application").
- 1.4 Unless stated otherwise, the facts and matters set out in this witness statement are within my knowledge and are true. Where any facts or matters are not within my own knowledge, the source of the information is identified and those facts and matters are true to the best of my knowledge and belief.
- 1.5 I refer to various documents in this witness statement and which have been produced alongside this witness statement. The references in square brackets to "Exhibit [No.] / [Page Reference]" indicate the location of each document within the paginated bundle, with:
- 1.5.1 "[No.]" indicating the Exhibit number; and
- 1.5.2 "[Page Reference]" indicating the page number in the paginated bundle.
- 1.6 I will address the following matters in this witness statement:
- 1.6.1 my relationship with the Site and how people have accessed the Site over the last 20 years; and
- 1.6.2 use of the Site in the time that I have known it.

## 2. RELATIONSHIP WITH THE SITE

- 2.1 I have lived at Lansdown Grange Farm for my entire life, the location of which is noted on the plan attached at Exhibit 1 / 220. Lansdown Grange Farm is very close to the Site, and generally I pass the Site every day, as it is the sole access route to Lansdown Grange Farm. I therefore feel that I am more qualified than anybody to submit evidence in connection with the Application.
- 2.2 For the majority of time I have known the Site, it has not been widely accessible or used, and it is only in recent years that people have accessed the Site more regularly.

2.3 The sole access point to the Site prior to 2003 was the access gate located on Osbornes Lane. The Site was not accessible from Broadmoor Lane, as the public footpath, which now runs between Lansdown Grange Farm and the Site, ran through Lansdown Grange Farm. Any access from Broadmoor Lane was not possible due to a combination of existing vegetation and fencing prior to 2003.

2.4 It was only after the public footpath was diverted in 2003 to its present route, that some people broke down the fences separating the Site from the footpath and began accessing the Site.

2.5 I use the lane between 10 and 20 times a day, as it is the sole access point to Lansdown Grange Farm. Prior to the Site being securely fenced in November 2018, I saw very few people on the Site, and of those it was usually dog walkers, who seem to be just walking through the Site. I do not recall people on the Site other than in more recent years, which I believe is due to the lack of access from Broadmoor Lane, and the housing estate which now resides on the land known as The Orchard.

### 3. USE OF THE SITE

3.1 During the time I have known the Site, it has always appeared to be privately owned, and not accessible by members of the public. In particular, there was signage on the access gate on Osbornes Lane until about 10 years ago, which advised trespassers to keep out.

3.2 The principal use of the Site in the time I have known it is a pony paddock. There used to be two horses on the Site, along with a tack room. This usage occurred throughout the 1990s and early 2000s. When the previous owners moved house, they removed the stables, which I believe was in the late 1990s. Horses were left on the Site until the early 2000s.

3.3 In more recent years, the Site has been left unattended, and as a result brambles and saplings have started to establish themselves in the horse paddock.

3.4 As the Site has been left unattended in more recent years, there have been problems with children trying to burn the base of the horse chestnut trees on

the Site. This has resulted in the fire brigade being called out to the Site on at least two occasions.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

A handwritten signature in black ink, appearing to read 'M. Osborne', written over a dotted line.

Michael Osborne

A handwritten date '06/03/2020' in black ink, written over a dotted line.

Dated



## EXHIBIT 1



The Site



Lansdown Grange Farm