

## Hamish Evans

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**From:** [REDACTED]  
**Sent:** 01 November 2025 13:12  
**To:** Hamish Evans  
**Subject:** DM/25/0708  
**Attachments:** Firs Farm - Right of Way Photo.png; Firs Farm - Title Plan.png; Firs Farm - Right of Way Devtec Plan.png; Firs Farm - Historic Plan with fences drawn.png; Firs Farm - Title Extract.png

Dear Hamish,

Whilst we support our neighbour's aspirations to convert Firs Farm from commercial use to residential use (DM/25/0708), I am writing to formally request amendments to the planning application.

I am writing on behalf of Turvey Friday Farm Limited and The Turvey Corporation PLC owners of Dukes Business Park and Barns Court respectively, which sit to the south of the proposed development site.

Together these properties are the dominant owner of a registered right of way over part of the applicant's proposed development.

As you can see from the attached title plans of the site and accompanying illustrations, the right of way (highlighted in light blue shading) extends not just over the tarmacked roadway, but encompasses c. 0.8-1.0m of grass walkway either side.

While it is noted that the existing occupier of Firs Farm is currently interfering with this right of way, having recently moved these fences tight up to the roadway to block the pedestrian footpaths, this action is currently subject to a court claim to rectify.

Presumably because the applicant is unaware, they have also sought in their plans to develop over part of our right of way with new residential garden space tight to the road itself. However, despite the current occupier's actions, the applicant does not have legal control of this strip of their site.

We would request that the council asks the applicant to redraw their proposal entirely only on land they have clear legal control of, and not part over our right of way.

We would ask the Council if this application is invalid, as the applicant does not have the unburdened ownership of this land to carry out development over the entirety of their application.

I have attached supporting evidence, including:

- Land Registry title plan identifying extent of the right of way, and extract from Transfer Document granting right of way
- Photograph of the site showing the current encroachment with right of way.
- A marked-up copy of the application's site plan highlighting the encroachment of the gardens over the right of way.

We would ask the applicant seek to revise the proposals (by redrawing the boundary line of these gardens to exclude the right of way area).



I am available to discuss this matter or provide additional information if required.

Yours sincerely,

A solid black rectangular box used to redact a signature.

The Turvey Corporation PLC