

HAREWOOD PARISH COUNCIL

Representing
Harewood, Wike, Weardley and Wigton Moor



17 February 2022

PUBLIC CONSULTATION

Application to make a Diversion Order for part of Harewood Public Bridleway Number 15 at Farfield Farm, Harewood Road, East Keswick.

Harewood Parish Council would like to invite local residents to comment on the proposed diversion.

LEGISLATION AND BACKGROUND

Under Section 119 of the Highways Act 1980 the Council may make an order to divert a public footpath or bridleway if it appears to the Council that it is in the interests of the owner, lessee or occupier of land crossed by the path, or of the public. The order may be confirmed if the Council, or the Secretary of State, is satisfied that certain legal tests have been met, including that the diversion is not substantially less convenient for the public. While this route is recorded as a public bridleway, it is effectively a cul de sac for horse riders and cyclists as the original continuation of the bridleway across the River Wharfe was over a ford. The ford was lost many years ago due to degradation of the riverbed. The Environment Agency have said that it is unlikely to be possible to re-instate it. The existing route is therefore apparently very rarely used by horse riders and cyclists but is used by walkers to connect to other footpaths in the local network.

THE APPLICATION

The current route of the bridleway to be diverted runs in a north south direction between the buildings at Farfield Farm, crossing an area in which vehicles associated with the house turn. The application has been made by the owners of Farfield Farm for reasons of security, privacy, safety and residential amenity. The applicant's comments regarding the proposed diversion are copied below:

Security

The current path runs between residential buildings and allows ROW users intimate contact with the buildings. One couple were recorded on the house CCTV taking their picnic on the patio to the west of the house, utilising the garden furniture.

Privacy

As noted above the path provides access to the buildings. Despite lawned areas separating the bridlepath from the side of the buildings people regularly approach the buildings in order to look through the windows. The owners have observed photographs being taken, of the interior of the building.

Safety

The current bridle path runs between the buildings into an area of constriction. If the area was used by horses there are now numerous items that could trigger a flight reaction. Horses can suddenly take exception to an item that is ordinarily familiar. The bridle path runs through the area of the property that is used for access, turning and parking of all vehicles visiting Farfield Farm. The avenue area is safe, vehicles are travelling in a single direction, usually forward and therefore have full visibility; to the east and between the buildings vehicles may be negotiating obstructions and

reversing with consequent reduction in safety. The traditional farm buildings include two sets of granary steps, which are not used by the owners, but are retained for historical and aesthetic purposes. Children have been observed climbing the steps, which now form a part of the dwelling, there is therefore a danger of falling. The steps have also been used for picnic purposes. Despite recommendations to the contrary people do regularly let dogs off their leads with potential danger to residential occupiers as a result, not all dogs are friendly.

Residential Amenity

During summer months the rights of way network is used late into the evening due to light conditions. The result is use of the path between the buildings and noise which disturbs the residential amenity of the buildings.

DESCRIPTION OF PROPOSED CHANGE

Please see the plan of the proposed diversion (on page 3) and a smaller version of the plan (on page 4) with a description provided by the applicant's agent.

On both plans the original line of the footpath is shown by a green line and the proposed new route by a red line. The section of bridleway to be closed, between the two ends of the diversion route, is 96 metres long. The remainder of the existing route to north and south of the diversion would not be affected. The new route to be provided on the diversion route would be 3 metres wide and 200 metres long. On the first section of the diversion, A-B, the existing stone wall is not the applicant's ownership boundary. The wall is actually within their property and the boundary is a fence line to the right of it as viewed from the existing path. The wall is to be removed and 3 metres provided for the new path within the applicant's land, between the tree and the fence. This section will be excavated to provide a suitable line between A and B as it is currently generally level but uneven. Their proposed surface for this section is compacted hardcore with a surface of 20mm pea gravel. This would be consistent with the surface currently on about half of the length of the bridleway to be closed and also of the continuation towards Harewood Road. However, this differs from Leeds City Council Public Rights of Way standard surface for bridleways which is a compacted crushed stone surface. Comments on the proposed surface of this section are welcome as well as overall comments about the diversion.

The remainder of the proposed diversion would have a grass surface. The section of bridleway to be closed does not have any gates or stiles. At Point C on the smaller plan there is currently a post and rail fence. A section of fence will be removed to leave a clear gap for the full width of the bridleway with no gate. At Point D, the applicant will also leave a clear gap in the fence line to accommodate the bridleway without a gate. The existing gate on the continuation of the path to the north of Point E will remain. The applicants state that the proposed diversion would provide rights of way users with a safe path free of obstructions. Safety issues in and around the residential curtilage would be separated from the right of way and improved as a result. They also state that the view from Points C to D allows an unobstructed panorama to the north and improved amenity for users.

Your feedback is important to ensure the Parish Council reflects the views of residents when responding to this consultation. Please send your comments (including no objections) by email to: chair@harewoodparishcouncil.gov.uk by **17:00hrs on Thursday 10 March 2022**.

Thank you.

Dr Kate Hill, Councillor for Harewood and Wike and Chair, Harewood Parish Council.