

Delegated Decision

4 November 2024



**Public Bridleways Nos. 134 and 137,
and Public Footpaths No. 136
Wolsingham, Proposed Diversion,
Creation and Definitive Map and
Statement Modification Orders**

Ordinary Decision No.

**Report of Neighbourhoods and Climate Change
Paul Anderson – Strategic Highways Manager**

Electoral division affected:

Weardale

Purpose of the Report

- 1 To consider changes to the Public Rights of Way network.
- 2 Public Bridleways Nos. 134 and 137, and Public Footpaths No. 136 Wolsingham, proposed Diversion, Creation and Definitive Map and Statement Modification Orders.

Executive summary

- 3 In the interests of the landowner it is proposed to divert parts of Public Bridleways Nos. 134 and 137, and create an additional section of Public Footpath No. 136 Wolsingham Parish.
- 4 Consultations on the proposed diversion and creation have been carried out and no objections have been received.

Recommendation

- 5 The proposal is in accordance with the Council's policy and the statutory framework on the diversion of public rights of way.
- 6 It is RECOMMENDED that a Diversion and Definitive Map and Statement Modification Order and a Creation and Definitive Map and Statement Modification Order be made under the provisions of the Highways Act 1980 and the Wildlife and Countryside Act 1981 to divert Public Bridleways No. 134 and 137 Wolsingham Parish in the interests of the landowner, and to create an additional section of Public Footpath

No. 136 as it is needed for public use, and the Orders shall subsequently be either confirmed or referred to the Secretary of State for determination, and that the Corporate Director of Resources be informed accordingly.

Background

- 7 An application has been received from the landowner, Allison Devereux Farms, to divert parts of Public Bridleways Nos. 134 and 137 Wolsingham to improve agricultural efficiency and move the bridleways away from the farmyard and from livestock areas, as shown on the attached plan. A previous planning permission which created new public rights of way on the landholding included a Section 106 agreement which commits the County Council to supporting an application to divert the bridleways away from the farmyard.
- 8 Bridleway No. 134 runs in a generally south-westerly then north-westerly direction through the farmyard area at Low Harperley, while Bridleway No. 137 runs in a generally south-easterly then north-easterly direction from Bridleway No. 134 at Low Harperley.
- 9 The proposal is to divert a section of Bridleway No. 134 onto a more northerly and westerly alignment, using part of Footpath No. 134a, to avoid the farmyard, and to divert a section of Bridleway No. 137 onto a more northerly alignment, following a field edge and retaining the connection to Bridleway No. 134.
- 10 As a consequence of the diversion of Bridleway No. 137, it is proposed to create an additional length of Footpath No. 136 in a north-easterly direction to maintain the integrity of the public rights of way network.
- 11 Consultations have been carried out with the Local Members, including the Cabinet Portfolio Holder, Wolsingham Parish Council, the Ramblers' Association, the British Horse Society and other user groups. No objections have been received.

Options

- 12 The proposal retains and protects public access at this location.

Conclusion

- 13 Agreed to the Diversion and Creation Orders in accordance with the Recommendation.

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Appendix 1: Implications

Legal Implications

N/A

Finance

The applicant will cover the administrative and advertising costs for making the Orders, and any necessary works to provide the new path.

Consultation

Consultations have been carried out with the Local Members, including the Cabinet Portfolio Holder, the Parish Council, the Ramblers' Association, the British Horse Society and other user groups. No objections have been received. If the Orders are made the initial consultations are followed up by a Statutory consultation period.

Equality and Diversity / Public Sector Equality Duty

The new Public Bridleways and Footpath will be as accessible as possible for the location.

Climate Change

Maintains the integrity of the public rights of way network.

Human Rights

All those affected by this proposal will have the opportunity to submit objections and to present their case at a Public Inquiry.

Crime and Disorder

The proposed route minimises any risk of crime or disorder.

Staffing

N/A

Accommodation

N/A

Risk

N/A

Procurement

N/A



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Draft Order Plan Low Harperley

- Bridleway to be created
- Upgrade Footpath to
Bridleway
- Bridleway to become
Footpath
- Bridleway to be extinguished

Scale: 1:2,500

Public Rights of Way /
 Highways not affected by
 the proposal

- - - - Footpath
- | -| -| Bridleway

Drawn: 10 May 2022

Postcodes: DL15 8DY

