

Dear Mr Telford,

I write in response to your e-mail correspondence of the 10<sup>th</sup> December 2012 regarding the proposed diversion of Footpath 20 at Lodge Farm, Bearpark. The Council notes your response to its initial concerns raised at its October meeting and appreciates your comprehensive response.

No Parish Council meeting was held in December 2012, however, I have spoke to the Chair and Vice Chair of the Parish Council and they have both agreed that it is in the best interests of the residents of Bearpark, and of the wider general public, that an objection is raised to the diversion of Public Footpath No.20. The council accepts that a number of its initial concerns regarding the proposal have been dealt with by your response but still has a number of principle objections which do not appear to have been dealt with adequately.

Firstly, the Parish Council have expressed a desire that the Footpath remain in its existing location or as close as practicable to it. As you will no doubt be aware, the public footpath has followed this route for an undefined, but almost certainly a period that extends for hundreds of years. Generations of the walking public have enjoyed this route during this period and have found it a convenient means of access to the closely linked villages of Langley Park and also Witton Gilbert. Indeed, many of the residents of these villages also use this Public Footpath and would no doubt be concerned at its diversion. It may also be useful to consult with the Parish Council's of Witton Gilbert and Esh to establish if they have any concerns regarding this footpath diversion. This public footpath also allows access to the nearby Lanchester-Bishop Auckland disused railway line that is of a great recreational asset to local people.

Secondly, the Parish Council believe that it is naive to state that the diversion is not being sought to enable a development to proceed. Clearly, the request for a public footpath diversion and the planning application to develop Lodge Farm are inherently linked together. After reviewing the initial plans for the proposed development of Lodge Farm it is absolutely clear that plans as proposed require diversion of footpath 20. Without diversion of the footpath then the land allocation of the housing plots would change requiring the plans to be substantially altered. It is the Parish Council's request that the proposal to divert footpath 20 be considered in light of the planning application for Lodge Farm.

Thirdly, the proposed new route would remove the path from a significant feature of local historical and architectural interest. That being the 16<sup>th</sup> century Bull Hole Byre that is located adjacent to the present route of footpath 20. Alteration of this route would prevent close observation of this structure and effectively remove an important feature of local history from public view. The Bull Hole Byre has recently been opened as part of the national 'Heritage Open Days', which enables members of the public to access this feature. The parish council is concerned that once the footpath is diverted, access to observe this feature will be lost and a significant local historical feature will be lost to the public.

DOCUMENT E (LETTER OF RESPONSE TO PARISH)

The Parish Council therefore wish to object to the proposed footpath diversion on the grounds that this would have a negative effect on the 'public enjoyment of the path or way as a whole' as detailed in Section 119 of the Highways Act 1980.

The Parish Council is also concerned that its objection may be dealt with by the County Council's Highways Committee for determination prior to publication of the draft order. Objections to this Order are most likely to result in the matter needing to be dealt with by the Secretary of State.

I look forward to hearing from you in due course regarding this matter.

Regards,

A handwritten signature in black ink, appearing to read 'Michael O'Hare', with a horizontal line extending to the right.

Michael O'Hare  
Clerk to Bearpark Parish Council