

## PRE-APPLICATION CONSULTATION FOR PUBLIC PATH DIVERSION

### Rectory Farm, Dry Drayton

#### 1. INTRODUCTION

PX Farms Ltd intend to make an application to divert/extinguish a public footpath/bridleway under Section 119 Diversion and Section 118 Extinguishment of the Highways Act 1980. Before formally applying for these changes to be effected by a legal order PX Farms Ltd are offering the proposal for public consultation.

PX Farms Ltd understands that the grounds for making an order and the tests to be satisfied by the authority are, in summary, as follows:

- The path or way will not be substantially less convenient to the public as a consequence of the diversion;
- The diversion takes regard for the effect it will have on public enjoyment of the path or way as a whole, and on other land served by the existing path or way;
- The diversion is expedient in the interests of the person(s) stated in the order.

PX Farms Ltd have drawn up this consultation document to explain their intentions and address each of the three tests.

#### 2. BACKGROUND

PX Farms Ltd took on the ownership of Rectory Farm, Dry Drayton in 2017. The land is gently undulating and is of a medium clay loam type, well-suited to its use for growing primarily combinable crops. The arable land totals 302 acres across three separate fields with additional areas taken up by spinneys and ponds. The farm is bordered by tall, mature hedges composed of native species. RSPB data shows that important farmland bird species including grey partridge, lapwing and turtle dove reside in the immediate area.

Rectory Farm is crossed by three separate public rights of way. Of the total 2505 metres of paths only 485 metres fall upon tracks or field edges. The remaining 2020 metres are cross-field paths. Cross-field paths in an arable scenario such as this are arguably less enjoyable as a public resource, crossing rough, muddy terrain in an environment where farm machinery may be operating and in close proximity to herbicides, pesticides and fertilisers being applied to crops.

The overall vision of this proposal seeks to rationalise the provision of public rights of way at Rectory Farm, taking away cross-field paths and replacing them with field edge paths which we think will offer a more enjoyable experience to their users.

#### 3. PROPOSAL

The proposal takes regard of the tests outlined at Section 1 as follows:

##### 3.1. **The path or way will not be substantially less convenient to the public as a consequence of the diversion**

- 3.1.1. Of the total 2,281 metres of PRoW proposed for removal only 485 metres runs along tracks or field edges. The remaining 1,793 metres comprises cross-field paths which are on bare, uneven terrain due to the nature of the arable land they cross. The proposal involves shifting the emphasis from arguably desolate and often muddy cross-field paths to a field-edge route.
- 3.1.2. The proposal addresses the fragmented nature of bridleway number 66/18 which runs west to east from Childerley to Scotland Road by eliminating the need for the user to travel along the road itself, a relatively busy and fast route for local traffic located between the A428 and A14.
- 3.1.3. We acknowledge that the alternative routes being offered as part of this proposal are lengthier than the cross-field routes currently in place. However, we seek to counter this by a) placing new field-edge paths along wide, grassy tracks and b) by installing benches for public use, situated to make the best of the views across Rectory Farm.

3.1.4. This is further countered by the proposed new path to the western edge of Scotland Road which offers a link between path number 66/19 (Callow Brook – Scotland Road) and Dry Drayton, offering villagers a circular route to the south of the village.

**3.2. The diversion takes regard for the effect it will have on public enjoyment of the path or way as a whole, and on other land served by the existing path or way**

3.2.1. The proposal includes creating a very short circular route from Dry Drayton, 566 metres long, potentially suitable for footpath users of limited mobility. A bench would be installed part-way along this route for public use.

3.2.2. The proposal offers horse riders a 2,560 metre length of off-road bridleway which can be joined from Dry Drayton itself (rather than 640 metres south of the village, on Scotland Road) and has the option for riders to continue towards Childerley.

3.2.3. The only circular route currently available on foot at Rectory Farm is 3,100 metres long and much of this is on cross-field terrain, making it unfeasibly long for use by most daily walkers, e.g. dog walkers.

3.2.4. The field edge route around Rectory Farm's perimeter would be situated alongside scenic hedged and wooded boundaries on a minimum width of four metre (bridleway) or two metre (footpath) grass margins, taking in far-reaching views of the undulating countryside and enabling better opportunities for wildlife watching.

3.2.5. The proposal takes footpath users away from cross-field paths and the main farmstead where farm machinery may be operating, thus improving public safety.

3.2.6. The proposal takes footpath users away from cross-field paths where, depending on the time of year, they may be in close proximity to recently applied herbicides, pesticides and fertilisers.

**3.3. The diversion is expedient in the interests of the person(s) stated in the order**

3.3.1. Under current legislation landowners have a duty to ensure that the line of the public rights of way are indicated on the ground to no less than a minimum prescribed width, and to prevent the crop from encroaching on the path.

3.3.2. It is an impossibility, in instances of large-scale arable farming such as this, to avoid ploughing the cross-field public rights of way at times when the land needs cultivating. This inevitably leads to periods when the cross-field terrain is rough and uneven until such a time as the paths have been made safe for use (within 14 days). The task of levelling the pathways and making them safe for use is time-consuming from the farm workers perspective.

3.3.3. The proposal takes the route away from the buildings, dwellings and gardens at Rectory Farm, whose location is secluded. The farmstead sits in an isolated position away from the main road and is nestled in a dip in the landscape which potentially makes it vulnerable to crime. The proposal removes the ability for potential intruders to walk close to the farmstead along a public right of way.

#### **4. SUMMARY**

We believe the public path diversion proposed here offers an outcome that is beneficial both to the public and to the owner/occupier of the land. We are of the belief that the proposal will increase the enjoyment of the farmed landscape to the south and west of Dry Drayton and fits well with the overall provision of public rights of way in and around the village, and those radiating outwards towards Lolworth and Childerley.

## 5. PICTORIAL SUMMARY



**Photograph 1:** The panoramic north-westerly view across Rectory Farm from the eastern farm boundary alongside Sheepclose Spinney. A bench for public use would be installed at this location to take advantage of the views. The proposed new route would follow the prominent hedge line shown in the view.



**Photograph 2:** Left-hand view shows proposed route of new path through Newroad Plantation. Right-hand view shows indentation on the ground of current cross-field path travelling in a westerly direction towards Rectory Farm buildings.



**Photograph 3:** View north from the juncture between footpaths 66/3 and 150/4 showing the route the new path would take along one of the wide grassy strips on Rectory Farm. A bench for public use would be installed at this location to take advantage of the views and the sheltered, south-easterly aspect.



**Photograph 4:** View north from the juncture between footpaths 66/18 and 48/4, again showing the route the new path would take along an established, wide grassy strip and mature hedgerow boundary.



**Photograph 5:** South-easterly view from the juncture between paths 66/4 and 66/18 showing the current cross-field bridleway route that exits the farm onto Scotland Road at approximately the point where the lorry can be seen.



**Photograph 6:** North-easterly view of the existing cross-field route from the juncture between paths 66/4 and 66/18, looking towards Rectory Farm buildings with Sheepclose Spinney visible in the far distance.



**Photograph 7:** Existing path number 66/3 passes close to the dwellings and outbuildings at Rectory Farm.



**Photograph 8:** Path number 66/3 leaves the hardcore track beyond the farm buildings becoming a cross-field path, seen here within a crop of sugar beet.