

23rd February 2010

Town and Country Planning Act 1990 Section 257

**Itchingfield: Horsham District Council proposal to divert part of
Bridleway 1604 and Upgrade of part of Footpath 1598 to Bridleway**

**Report by Director Operations Infrastructure and Divisional Manager
Transport**

Executive Summary

Horsham District Council intends to make an Order to divert part of Bridleway 1604 and to upgrade part of Footpath 1598 at Slaughterford Farm, Barns Green. The definitive line of bridleway 1604 has been partly obstructed by a pond for a number of years and a well established alternative route runs through a camping field slightly to the west. Planning permission has been granted to allow the change of use of the land from camping field to touring site for 25 pitches with warden accommodation and holiday cabins and the definitive line is affected by this development. It is intended to divert the bridleway onto a more westerly line to enable the development to take place. A short length of footpath 1598 is to be upgraded to bridleway in order to provide a connection back to the eastward continuation of the route

The Diversion Order is to be made by the District Council under the provisions of Section 257 of the Town and Country Planning Act 1990 and the County Council is a statutory consultee. Members are requested to refer to paragraphs 4.8.1 to 4.8.10 in Legal Services' "Guide to the Law for the Rights of Way Committee".

Conclusion

The diversion of part of bridleway 1604 is necessary to enable the planning permission to be implemented. The upgrade of a length of footpath 1598 will provide the necessary continuity for the route. Once the surface works have been completed, the new path will provide a convenient alternative route for riders and a long standing problem affecting the definitive line will be resolved.

Recommendation

That Horsham District Council be advised that there is no objection to the proposed diversion of part of bridleway 1604 and concurrent upgrade of part of footpath 1598.

1. Background

Bridleway 1604 runs northwards from Valewood Lane, south of Barns Green village in the parish of Itchingfield. It emerges from woodland to enter a field at Slaughterford Farm and curves slightly north eastwards through an area used for camping. As the bridleway proceeds north eastwards the definitive line is obstructed by a fishing pond known as Sumners Pond. For a number of years an alternative route through the camping field just to the west has been used by walkers and riders. To the north of the pond the bridleway passes through a gateway and meets the eastern end of footpath 1598 before turning east through the farmyard to join Chapel Road.

Horsham District Council has recently granted planning consent for change of use for the camping field to all year round touring site for 25 pitches and warden accommodation and log cabins for holiday use. As part of the proposal it is intended that the bridleway be diverted onto a slightly more westerly position to avoid the proposed development of the camping area.

2. Proposal

It is proposed that a length of approximately 125 metres of bridleway 1604 be diverted westwards onto the eastern headland of the grassland area adjoining the field to be developed for camping. At the northern boundary of the field the proposed bridleway will meet footpath 1598 which runs east – west through Slaughterford Farm on a hard surfaced access track. It is proposed that the eastern most end of the footpath be upgraded to bridleway to provide a connection to the easterly continuation of the bridleway through the Farm.

The headland route of the proposed bridleway will have a width of 3 metres and will be provided with a hardened surface to a specification to be agreed with the Rights of Way Officer. There will be fencing and tree planting along part of its length and it is anticipated that the existing gate at the southern end of the route will be removed. For the purpose of stock control it will be necessary for 2 gates to remain on the proposed route, but these will be kept in the open position except when livestock are being moved around the farm. The 112 metre length of footpath 1598 to be upgraded runs on a wide hardened access track and it is not anticipated that shared use with horse riders will cause any difficulty for walkers.

Once the new path has been installed to an approved standard it will provide a reasonable alternative route for walkers and riders to use before rejoining the definitive line just to the north east of the camping field.

3. Rights of Way Improvement Plan Considerations

The proposal has been examined in the context of the Rights of Way Improvement Plan and is considered to be in accordance with all relevant provisions of the Plan.

4. The Disability Discrimination Act 1995 and 2005

In considering this application the County Council's responsibilities under the provisions of the Disability Discrimination Act 1995 and 2005 have been taken into account. The proposed route will be 3 metres wide with a good all weather surface that may make it easier to access by a wider range of users than the present path.

5. Consultations

Horsham District Council, as the Order making authority, is required to carry out its own consultations in respect of the proposed diversion and upgrade.

6. Crime and Disorder Act 1998 Implications and The Human Rights Act 1998 Implications

Horsham District Council, as Order making authority, is required to consider the implications of this legislation in respect of the proposed diversion.

Julian Harris
Director Operations Infrastructure

Andy Ekinsmyth
Divisional Manager
Transport

Background Papers

- a) Horsham District Council planning application number DC/09/0579.
- b) Letter dated 18th December 2009 from Horsham District Council to the Rights of Way Section.

Contact: Judith Grimwood, ext. 77619

[Itchingfield: Bridleway 1604 and Footpath 1598 - Location Plan](#)

[Itchingfield: Bridleway 1604 and Footpath 1598 - Horsham District Council Site Plan](#)