

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

**REPORT TO:** Development and Conservation  
Control Committee

3rd November 2004

**AUTHOR/S:** Finance and Resources Director

### **Public Footpaths in Guilden Morden Proposed diversion of no. 48 (part) and creation of new footpath**

#### **Recommendation: to respond to consultation**

#### **Purpose**

1. To consider a proposal by Cambridgeshire County Council to divert and create a footpath in Guilden Morden.

#### **Effect on Corporate Objectives**

2.	Quality, Accessible Services	n/a
	Village Life	Public footpaths contribute to the quality of village life
	Sustainability	Public footpaths provide a facility for pedestrians.
	Partnership	n/a

#### **Background**

3. The current line of Footpath No.48 runs in a south-easterly direction from point A on the Ashwell Road north-west of Cold Harbour Farm along a grass track between two arable fields, through a horse paddock, utilising two stiles, across a private access track and thence along a grass track between arable fields to point B, the Parish boundary with Ashwell. This boundary is also that of the County's with neighbouring Hertfordshire.
4. The path currently passes very close to the owner's house and outbuildings containing farm and equestrian equipment, which creates a constant concern for security. The owner is also troubled by walkers' dogs running loose in the paddock, with the potential for injury to both animals and humans.
5. The owner has clearly way-marked the route, but walkers persistently wander down the private access track to the farm, through her stables and beyond. It is a working farm and therefore a potentially dangerous area for the public to be in. This position has not been helped by the inaccurate publication of the Footpath in a local guide showing it running down the private track from the main road to the farm instead of along the definitive line.
6. The owner has therefore applied to divert the Footpath to a line that allows her to make better use of her land and provides both her and the public with greater security (points A-C-D-B on the enclosed map). This route would commence at the same point A and run largely parallel with the existing route but at a safer distance from the farm. It would run just outside the paddock, as shown on the map, and an identical firm grass surface to that which exists for the current line would be provided. It would have a minimum unobstructed width of two metres, and there would be no stiles.

7. If this diversion is achieved, the owner has undertaken to enter a creation agreement for a new public footpath (C-E) linking the diverted path with Public Byway No.49 (the Ashwell Street). This would run along part of the private access track and would serve to both regularise an unsatisfactory situation for the landowner whilst providing considerable permanent public benefit with the addition of a useful new link in the rights of way network.
8. Relevant **Cambridgeshire and Peterborough Structure Plan 2003** policies are:
  - **Policy P4/2** – Informal recreation in the countryside
  - **Policy P8/8** – Encouraging walking and cycling
  - **Policy P8/9** – Provision of Public Rights of Way

### **Financial Implications**

9. South Cambridgeshire District Council is a statutory consultee, so there are no direct financial implications.

### **Legal Implications**

10. There are no legal implications.

### **Staffing Implications**

11. There are no staffing implications.

### **Risk Management Implications**

12. There are no risk management implications.

### **Consultations**

13. The local Members (Councillor Mrs CAED Murfitt) has been consulted, as have the Area Planning Officer, Senior Planning Policy Officer (Transport) and Conservation Manager. On behalf of the Conservation Section and Area Planning Team, the **Conservation Area and Design Officer** comments thus:

“Looking at the map of the proposed diversion, my initial reaction is that it might be better for the re-routed footpath to run from point C direct to point B (thereby missing out the dogleg via point D). However, having studied the aerial photos (both the 1998 and 2003 series), I now see that running the footpath from C to D will enable it to run parallel with the crop planting pattern in the field, making it easier to leave an un ploughed strip of land and thus ensuring the footpath is clear at all times of the year. Finally, the footpath does not affect the setting of any Conservation Area nor any Listed Buildings. I therefore have no objections to the proposed re-routing.”

**Councillor Mrs CAED Murfitt** has responded directly to Cambridgeshire County Council as follows:

- “1. Security of equipment : The applicant chose to build stables and hay barn in full view of anyone passing on Ashwell Road. The parish objected to the

development. Moving the footpath is not going to make much difference to security. Further, I don't recall any burglaries at Spring House or Coldharbour Farm.

2. Safety of walkers : The farm used to be much busier than it is now with large agricultural equipment going up and down the private road daily. I do not recall any accidents there or harm coming to walkers. The applicant's main concern must be keeping dogs away from her horses in the newly created paddock. Again, moving the path a few metres to "just outside the paddock" is not going to make significant difference to the security/safety of the horses.
3. Please check the route of the existing footpath : the definitive map and the Ordnance Survey map appear to be different. Please do not rely on the applicant's view of where the existing path goes.
4. Please also be careful at points D and B, as the line DB may travel along a pathway/"nature reserve" owned by the Parish. The applicant has disputed the boundary line here and the posts marking the boundary are frequently interfered with/vandalised by person or persons unidentified. It's difficult to see on this small map whether the line DB is on the field or on the parish owned track.
5. Creating a new path on the line EC is going to invite people down the private road and would be likely to add to any security problems

So, on the whole, the logic for changing this footpath is not clear to me but, provided there is no discernable ulterior motive for so doing and provided all fees are paid and any imposed conditions are followed, I have no objections. There is a planning application in for an extension at Spring House. As yet, I do not know what this is or whether the footpath as existing would be involved."

14. Comments received after dispatch of the agenda will be reported verbally at the meeting.

### **Recommendations**

15. It is **recommended** that Members endorse the comments of the Conservation Area and Design Officer and of the local Member, and assist officers further in responding to Cambridgeshire County Council on the proposal to divert part of footpath no. 48 and create a new footpath in Guilden Morden,

**Background Papers:** the following background papers were used in the preparation of this report: Letter Ref. CLFH/108/48 from Cambridgeshire County Council, dated 12 October 2004

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