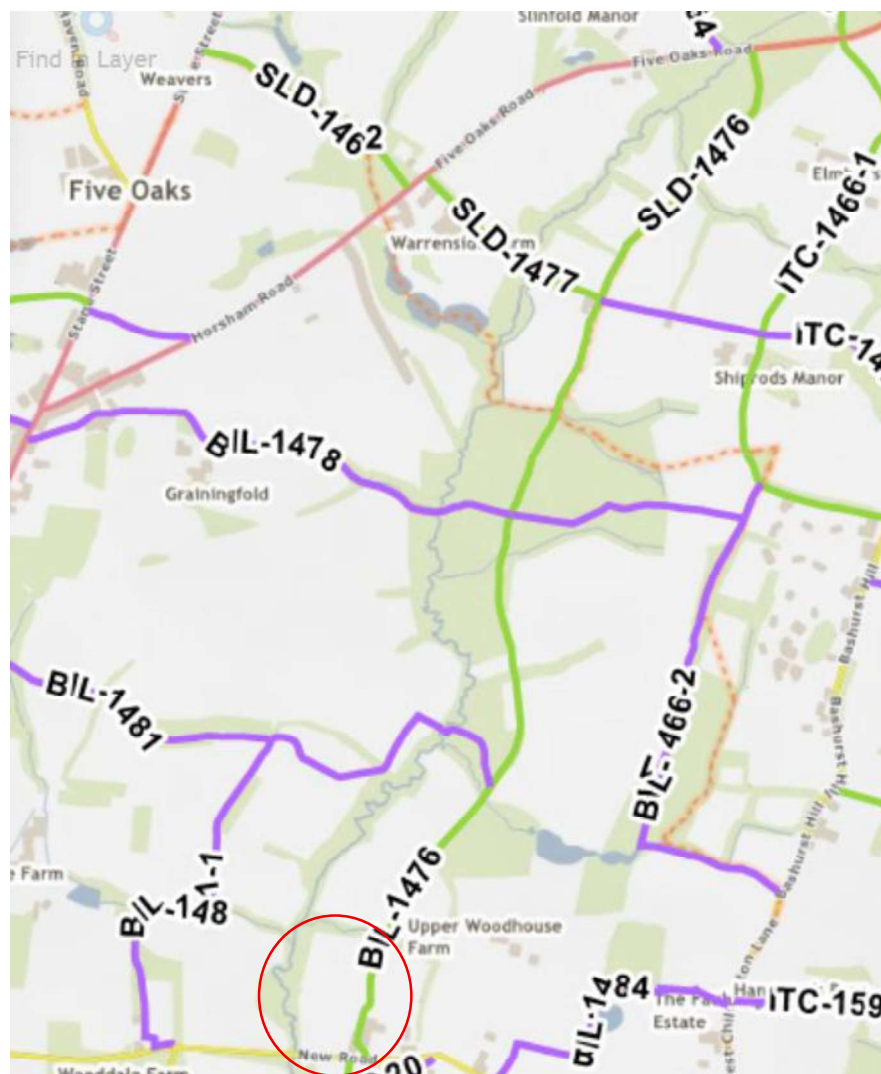


CONSULTATION REPORT

Path Number	<u>1476</u>
Parish	<u>Billingshurst</u>

The existing path and background to the proposal

PROW 1476 starts on New Road, at the entrance to our farm, New Hill Farm (circled in red below). It enters the farm on our driveway and runs through our private dwelling curtilage, farm buildings, working farmyard and commercial premises (tenanted & holiday cottages). It heads north for around 3km across fields and woodland before terminating at a main road (A29 Five Oaks Road).



It is a PROW used for leisure/recreational purpose as does not lead to populations or commuting hubs. It is a very lightly used PROW averaging 3 users per week. On average this is one walker, one cyclist and one horse rider. All horse riders are local, known to us and have been consulted. All are happy with our proposal as long as it is the statutory width and well maintained.

The proposal is to divert the start of the PROW from the **red route** to the **blue route** to avoid New Hill Farm buildings and facilities. Instead of entering our drive, we propose that users enter into our fields through our current field entrance and then go along the edge of our fields (blue route) before rejoining the PROW 1476 at the northern end of our land. The diversion will all be on our land.



The proposal

Instead of entering our drive, we propose that users enter into our fields through our current field entrance and then go along the edge of our fields before rejoining the PROW 1476 at the northern end of our land.

Though this increases the length of this section of the PROW from 337m to 490m we propose to make the PROW 5m wide throughout our land. This will increase the ease of use and enjoyment of users with the 5m width allowing side by side riding/cycling. The proposed PROW will also offer a more pleasant outlook, travelling along the edge of woodland and river and away from the dwellings, farm buildings, machinery and farmyard.

The boundary of our land is currently fenced and the PROW will sit inside that with further fencing from our fields for the safety of users and our animals.

The proposed diversion will run on land which is level, does not flood and is not boggy (even in the wettest of conditions). The proposed route will run near to the river (but not on flood plain) and next to woodland. There is a small culvert to the river which runs across the proposed route. We will have this professionally covered with a drain and local Fittleworth stone (the contractor we will use does other work for WSCC to maintain PROWs).

The current PROW has 3 gates through our farm. The proposed diversion will have a gate at the entrance and exit of our farm. Both gates will be self closing bridleway gates. Therefore there will be less gates and self closing gates making it easier to use for horse riders, cyclists and pedestrians. In addition the gate at New Road will be set back 12 metres into the field so that users are clear from the road when using the gate.

The current PROW through our farm has surfaces including shingle, concrete, road planing and grassland. On exiting our farm the remainder 2.5km of the PROW is grassland and compacted earth through woodland. The proposed diversion will match the remainder of the PROW by being grassland.

The proposed route will have an outlook over fields, run parallel with a stream, through the edge of woodland and then run parallel with our fields - a far more pleasing aesthetic route giving the opportunity to see deer, foxes, birds of prey and travel through wild garlic and other flora and fauna.



The exit onto New Road is on a straighter section of road with better visibility in both directions to the current exit and hence safer for users.

The WSCC PROW team have told us that we have an excellent record for maintaining our part of the PROW - in terms of cutting the ground level vegetation, flailing back the bushes/brambles etc from the side and immediately removing any branches which block the path. Our gates are also always in good order. This will continue to be the case for the proposed diversion with regular tree and groundcover maintenance to ensure it remains useable at all times. We will use it regularly ourselves for riding our horses and walking our dogs.

The reasons (grounds) for the diversion

1. Clarity of Use for PROW users

- a. Current PROW does not have a clearly defined route through our farm resulting in users regularly becoming lost and having to ask for directions. This has resulted in users going into our front garden, fields with stallions, stables and holiday cottage gardens. Whilst additional signage was put in place 6 years ago we are still asked frequently for directions through our drive and past our stables/sand school. Users often comment that they feel that they are trespassing as they are in a driveway surrounded by dwellings.
- b. We have had to ask users to come out of our front garden, to not pet the ponies in the stables (these are at least 10m from the PROW), and recover users when they go into our fields and then can't get out at the far end. We have also had one occasion where someone decided to ride through our indoor stables thinking that was the route. On another occasion 2 ladies walked their dogs through the wet concrete footings to our holiday cottages. We also had a family go into the field with one of our stallions (who I wouldn't lead without a hard hat on).

2. Safety of PROW users

- a. Whilst we maintain our part of the PROW at all times our muck heap is adjacent to it. The muck heap has to be emptied. We also have hay delivered to the yard regularly. These require tractors and trailers to regularly use the track which the PROW runs on. This can create a risk to users of the PROW if for example a tractor is turning as they are trying to walk or ride past.
- b. We cross the PROWs multiple times per day as we lead horses to and from the fields from their stables. On many occasions we have to stop and ask users to keep their distance, not make sudden movements and stay quiet for their, our and horses' safety.
- c. In addition, some of our horses are stallions and we use mains electric fencing to ensure they stay in the fields when they are turned out. None of this electric fencing is adjacent to the edge of the PROW. However, we have had a number of occasions where users decide to leave the designated route of the PROW and walk over to the fields to pet the ponies. To do this they have to walk 3 to 5 metres off the PROW. Although we have signs to say we use mains electric fencing (as well as signs to ask them not to feed the ponies), we have had occasions where users and dogs have touched the electric fencing.
- d. We regularly have farm vehicles using the PROW to gain access to our fields for harrowing, flaying, spraying, maintaining fencing, hedge and tree trimming and moving animals.

3. Security & Safety of Residents and animals

- a. The proximity of the PROW to our house, garden, stable yard, farm buildings and holiday cottages requires us to have constant vigilance. Even though our garden is fully fenced we cannot leave our four dogs in the garden unattended as the PROW is right next to our garden and there are several gates into our garden next to the PROW. Dog theft has increased in the past few years hence we are in fear of someone using the PROW to get close to and steal our dogs.
- b. We cannot leave the farm buildings open in case someone sees the machinery we store inside (Ranger, harrow, farm machinery, power tools). There have been a significant number of farm machinery and horse box thefts in the local area in the last 2-3 years and the fact that the PROW runs directly passed these buildings means that there is an opportunity to identify items and access for theft. We have had a number of users come through, spending quite some time studying the buildings and even taking photos. When approached by ourselves they just say they are walking through.

- c. We regularly use the sand school to ride and train our horses with users of the PROW within 3-4 metres. We have had occasions where users' loose dogs have chased our horses in the sand school and attacked our chickens in the stable yard.
- d. The PROW runs adjacent to our sand school, back garden, stable yard, laundry / playroom and holiday cottage gardens. We frequently have children staying in the holiday cottages who may be unsupervised in these areas. Users of the PROW will be in the same physical space as the children. This is a potential safety risk for children either from being approached by strangers or danger from users on horses or bicycles colliding with the children. On a few occasions children staying in the cottages have been chased by users' loose dogs. Just this summer we had a case where a horse rider was riding past the holiday cottages and the children staying on holiday started running towards the horse – they were from the Netherlands and the children didn't speak English. The horse spooked since the children were running on shingle. The horse was about 10m from the road at this point and it could have caused a nasty accident.

4. Our Privacy

The PROW runs within our residential curtilage on our driveway and directly in front of our house (the Farmhouse). It runs next to both our front and back garden. This has a massive impact on our privacy which impacts not just us, but also the comfort of users who feel they are trespassing or encroaching on our privacy. We always smile and reassure them. But it does impact our privacy.

5. Aesthetics

The current route goes through our drive, past our holiday cottages, house, stables, sand school, barn and muck heap before running parallel with a field which is interesting if you like to look into people's houses and gardens. However, aesthetically it is not particularly attractive. The proposed route will run parallel with a stream, by the edge of woodland and then run parallel with our fields - a far more pleasing aesthetic route given the opportunity to see deer, foxes, birds of prey and travel through wild garlic and other flora and fauna.

We are proposing to divert the PROW to run along the edge of our land. The diversion will be wholly on our land.

In doing so we would address security, privacy and safety concerns of ourselves, our assets, our animals, tenants and holiday guests.

We would also address concerns of users of the PROW on infringing on the privacy of our family, tenants and holiday guests as well as potentially disrupting or being endangered by activities within the farmyard. We would also address current issues of users becoming confused on using the PROW resulting in them wandering into the farmyard, fields, farm buildings and garden.

We have reviewed DEFRA guidance published in August 2023 Defra aimed at making it easier to divert a PROW where there are concerns over privacy, security, and safety and feel this guidance applies very directly to our situation and justification for the diversion.

We have approached current users of the PROW for their view and all to date are supportive of the diversion with many stating it will be a relief as it removes their concern on infringing privacy and dangers of the farm yard. In some cases users have stated it will reduce their stress in thinking they are trespassing and having to double check their maps.

We have contacted local people that have private yards as well as a number of livery yards to understand their thoughts on the diversion.

Below is a summary:

User/Local Resident	Feedback
Woodhouse Farm (stables), New Road	Fairly recently moved to stable yard. Haven't used bridlepath through New Hill Farm since it looks confusing. Moving it west away from farmyard would be good with entrance at the bottom of the hill.
Palmer's Cottage & North End Barn, West Chiltington Lane (same family)	Never ridden the bridlepath. Have walked it with dog. It is unclear where the bridlepath goes from the road since it is close to the houses. No problem moving it further downhill near the bridge.
Cranleigh Stud (owner and livery)	Regular users who agreed that it is very close to our house and who don't like it when ponies are turned out in fields next to bridlepath especially when the ponies get excited. Happy in principle with bridlepath being diverted as long as it's at statutory width and maintained.
Lower Eastlands Farm, New Road (livery yard)	Use current bridlepath 6 times a year. "I think it would be easier and safer to go through the new entrance being proposed on New Road than the current one through your farm. It's important that it is maintained and any obstructions removed promptly."

Our most regular horse riders who use the PROW (approx 2 riders per month often riding together) come from Cranleigh Stud which is a livery yard due north of us. They tend to ride the full length of the bridlepath and then return by road. We have spoken with [REDACTED] who owns Cranleigh Stud about the diversion twice since we started to consider it. Once at the beginning to get her input and more recently to show her this pre-application consultation. [REDACTED] is friends with [REDACTED] in the BHS and said she would be happy to discuss our plans with the BHS if asked. [REDACTED] is keen that the diversion is well maintained and has good visibility with plenty of space beyond any gate to stand back and wait for the road to be clear. With this in mind we have set the gate 12 metres from the road and we have a very positive and responsive track record for maintenance of the PROW on our land. With these points in mind, [REDACTED] is happy to support our application.

In addition the head of Sussex Ramblers visited on 6th Sept. In his additional capacity as WSCC Footpath Inspector he has inspected the current PROW several times over the past 5 years and finds the current route through our farm very confusing and uncomfortable with closeness to the windows of the house. He feels it is very intrusive. He was appreciative of the proposed 5m wide PROW as even if an area is slightly muddy the 5m width allows users to go around. He felt visibility at the exit for the proposed PROW was better than the current PROW exit out of New Road. Though the proposed route was longer he felt that the outlook offered to walkers from the proposed PROW was much improved on current PROW. He was very supportive of the diversion.

Please don't hesitate to contact me on [REDACTED] if you have any questions or require any clarifications.

Many thanks

[REDACTED]