

6th September 2020

Dear Secretary of State,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Proposal to authorise the stopping up and diversion of a length of footpath, at Wolfstones Heights Farm Holmfirth in Kirklees (NATTRAN/Y&H/S247/4337)**

We wish to register our strong objections to the proposed stopping of a public right of way and a public footpath diversion, at Wolfstones Heights Farm, on the following grounds:

1. The proposed diversion ruins the continuity of the beautiful , ancient ridge walk from Wolfstones Heights to Netherthong, which is loved and well used by both local walkers and visitors to the Holme Valley
2. The diversion would force walkers to walk on a public road, with no footpath and a dangerous bend, rather than follow the existing, off-road, public footpath, when walking to and from Wolfstones Heights from Netherthong
3. The many "green lanes" (all public rights of way) within the Holme Valley are a unique feature of the landscape, characterised by dry stone walls and grass verges on either side of the lane, often with grass in the centre, providing an invaluable habitat for wild life and a much used facility for walkers between villages or on longer or circular walks within the Holme Valley. The proposed replacement for the public footpath at Wolfstones Heights Farm (which has already been built!) is not a 'green lane' and spoils the walk to and from Wolfstones Heights
4. Green lanes have been a unique feature of the landscape within the Holme Valley for centuries. The solid oak gate that has already been installed at the entrance to the public footpath, ruins the character of the lane.
5. Green lanes in the Holme Valley are highly valued, much used, public right of ways and should remain unspoilt and be protected.
6. Approval of this diversion will set a dangerous precedent for other residents throughout the valley who feel that they can change established footpaths simply for their own personal benefits. In this case the owner will have realised the situation when they purchased the property and consequently should accept it and consider the views and rights of others.

**This proposed stopping up and diversion of a public right of way are at variance with the Kirklees Local Plan and the draft Holme Valley Neighbourhood Plan. Both plans seek to encourage and promote safer walking and the creation of a pleasant, unspoilt, landscape and environment for walking – this proposal does not support these aims.**

**The existing public footpath runs between two properties and the only benefit of the proposed diversion appears to be increased privacy for the owner. This is not sufficient justification for the increased safety risk to the many walkers, including children, who use this footpath and who will be forced to walk on the road, on a bend, with no off-road footpath.**

We trust that the Government will **reject the proposed stopping up and diversion of a public right of way at Woldstones Heights Farm** and uphold the decision already made by Kirklees Council.

Yours sincerely,

Barbara and John Lawson

Upon Tyne NE4 7AR

Please contact us by email where possible:  
[nationalcasework@dft.gov.uk](mailto:nationalcasework@dft.gov.uk)

**PLEASE NOTE:** My working pattern is Wednesday – Friday.

**From:** Barbara Lawson

**Sent:** 06 September 2020 15:52

**To:** NATIONALCASEWORK <[NATIONALCASEWORK@dft.gov.uk](mailto:NATIONALCASEWORK@dft.gov.uk)>

**Subject:** stopping up and diverting a public footpath in Kirklees NATTRAN/Y&H/S247/4337

Dear Mr Candlish,

NATTRAN/Y&H/S247/4337

Please find attached our letter of objection to the proposal to authorise the stopping up and diversion of a public right of way at Wolfstones Heights Farm, Holmfirth.

We would be grateful if you could ensure that this is brought to the attention of the Secretary of State.

Yours sincerely,

Barbara and John Lawson

Holme Valley residents

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**Subject:** Mr and Mrs Lawson

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**From:** NATIONALCASEWORK

**S** : 09 September 2020 13:21

**To:**

**Subject:** Objection to proposed stopping up and diversion of Holmfirth Footpath 60 (NATTRAN/Y&H/S247/4337)

Dear Mr and Mrs Lawson

Thank you for your email, submitting your objection to these diversion proposals.

Firstly, it may be helpful if I explain that the Secretary of State's considerations here relate only to the consequences of diverting the public highway rights, weighed against the advantages of the development taking place. Some of the issues you have raised are not for consideration here. However, the issues raised in points 1 and 2 of your correspondence are considered valid. Therefore your objection has been accepted on this basis only.

As your objection has been accepted, your email has now been passed to the applicant's agent, Noel Scanlon Consultancy Ltd, and they or the applicant will no doubt be in touch with you directly to discuss. I would be grateful if you could keep us informed of all correspondence, and if matters are resolved to your satisfaction, please could you confirm to us that you no longer object.

*Please also be aware that if a diversion Order becomes the subject of a Public Inquiry (PI), all correspondence is copied to the PI Inspector and kept in the PI Library, where it is publicly available.*

Kind regards,

Claire



Mrs Claire Moody  
Casework Manager, National Transport  
Casework Team

Tyneside House, Skinnerburn Road, Newcastle

**From:** [Barbara Lawson](#)  
**To:**  
**Cc:** [NATIONALCASEWORK](#)  
**Subject:** Re: Fw: Mr and Mrs Lawson - Holmfirth Footpath 60  
**Date:** 23 September 2020 10:36:09  
**Attachments:**

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Dear Mr Scanlon,

When writing to Kirklees Council we thought very carefully about our letter of objection to the proposal to authorise the stopping up and diversion of a public right of way at Wolfstones Heights Farm, Holmfirth.

We submitted our letter of objection to the Department for Transport after revisiting Wolfstone Heights, which only confirmed our concern about the possible dangers to walkers of the proposed diversion when it reaches the road.

Our objection has been accepted by the Department for Transport and we certainly do not want anyone to try to persuade us to withdraw it.

Yours sincerely,

Barbara and John Lawson  
Residents in the Holme Valley

On Sun, Sep 20, 2020 at 5:43 PM Noel Scanlon

> wrote:

Dear Mr. & Mrs Lawson

Hello, I am Noel of NSCL, the agent for Mr. Butterfield on this application for a diversion of part of Footpath 60 at Wolfstones. Mrs. Moody of the DfT has rightly pointed out to you that your objection is restricted to points 1 and 2 of your attached letter.

I have been asked to reach out to you by the DfT following these valid parts of your objection.

My goal is obviously to try and assuage any concerns and ultimately try and persuade you to withdraw your objection to the DfT. I do believe that this is achievable if you would allow me such an opportunity, but it is of course entirely up to you if you would wish to engage with me.

A number of assessments and pieces of updated information are submitted as part of this application to the Secretary of State. These will answer your objections. However, so that we are not talking at crossed purposes, I would be grateful if you could please elaborate on what you mean by your reference to an "*ancient ridge walk*".

I would be grateful if you would please contact me by phone on the number below, or if it is more convenient please provide a contact telephone number in order that we might speak at a time convenient to you. I am also happy to meet and 'walk and talk' through the diversion route if you feel that this would assist.

I shall leave this with you. Should I not hear from you either way by this **Friday 25th September**, I shall presume that you do not wish to take me up on my offer and will be maintaining your objection and not withdrawing it. In that eventuality, for logistical purposes for the DfT, would you mind indicating please whether you would be willing to put yourself up for examination at any formal Public Inquiry that may be convened by the Secretary of State in front of a duly appointed Inspector in due course?

In the interests of full transparency, you would in that respect be putting yourself up for formal cross-examination on your maintained objection.

I hope that you are minded to get in touch and allow an opportunity to hopefully provide you with the comfort that you require. Should you not, that is of course your right and I thank you in any event for taking the time to read this.

Yours sincerely

**Noel Scanlon** *Solicitor, BA(Hons), MSc, MCIWM*  
**Director & Consultant**  
**NSCL**