

Subject: NATTRAN / Y&H / s247 / 4337 - Wolfstone Heights Farm - Footpath diversion OBJECTION

NATTRAN / Y&H / s247 / 4337

DIVERSION OF FOOTPATH 60 AT WOLFSTONE HEIGHTS FARM,
HOLMFIRTH

Dear Secretary of State,

I wish to strongly object to the proposed diversion of the above path.

In January 2020, when I first became aware of the landowner's request to divert the path I objected straight away to Kirklees Council.

I was informed that the Councillors considered the request (made under, I am told, s257) and voted 11 to 1 to refuse to grant the diversion. I was naturally delighted that common sense had prevailed.

Recently I was told that despite this decision, the landowner now seeks to take a new approach by requesting a stopping up of the path under s247. Naturally I again contacted the council and my local Councillors to object. I wrote to my local Councillors urging them not to support the request and at the Strategic Planning Committee on 16/09/20 they thankfully voted to accept the recommendation of Highway officers and to refuse to support the landowner's request.

I am now told that I must also contact you direct to make my personal objection. I must confess that I have tried to read and understand the legal and technical arguments put forward by the landowner but that aside I would ask you not to just take into account the wording of the law, but also the 'spirit of the law' which surely must require you to take into account the view of hundreds of local people who walk (and run) the path in its "straight up and back down" current form. The proposed diversion will add in road-walking (and road-running) which is an unacceptable compromise.

In 2017 I started going out walking with the Countryside Volunteers who run free guided walks all year for Kirklees residents. One of the regular shorter walks is this very soul lifting, glorious joy, of up to Wolfstones Heights and back. The last part is the direct 'straight up the hill' route crossing Wolfstone Road and continuing straight on up to one of the best viewpoints in Kirklees.

I work for Kirklees and I have welcomed a decision at chief executive level to push for Kirklees to be an area that promotes walking for health and well-being. In order to do this we have to champion existing paths that have been walked for years !

A diversion will ruin the whole experience and possibly be the thin end of the wedge for the eventual removal of all known paths, as private landowners seek to take them over.

Don't just take my word for it. The following is taken from an independent route description that I found on-line:

A walk from the centre of Holmfirth to the twin villages of Netherthong and Upperthong taking in Wolfstone Heights which is one of the valleys finest view points. . .

This is a lovely bit of footpath. Just keep straight on until you come out on Wolfstones Road.

Cross Wolfstones Road and head along a short stretch of moorland track until you reach the obvious white trig point marking the top of Wolfstone Heights. The top of the hill as its name suggests is said to be where the very last wolf in the valley was dispatched. There's no record of when this was or who did the deed. A stone seat with compass points has been added to the trig point and makes a glorious place to sit down.

So please, please do what you can to keep the footpath just as it is for the residents of Kirklees to safely enjoy now and for future generations.

Many thanks

Kate Rowland

I hope I have sent this email to the correct department - please forward it as necessary if not.

From: [kate rowland](#)
To: NATIONALCASEWORK
Subject: Fw: Mrs Rowland - Holmfirth Footpath 60
Date: 30 September 2020 20:11:27
Attachments: [f](#)

----- Forwarded message -----

From: kate rowland <>
To: kate rowland <>
Sent: Wednesday, 30 September 2020, 20:04:46 BST
Subject: Fw: Mrs Rowland - Holmfirth Footpath 60

----- Forwarded message -----

From: Noel Scanlon <noel.scanlon@nsconsult.co.uk>
To: kate rowland
Sent: Thursday, 24 September 2020, 20:35:11 BST
Subject: Re: Mrs Rowland - Holmfirth Footpath 60

Hello Ms. Rowland

Thank you for your very prompt response. Your position is understood and my own (unofficial) walking group is also on hold at present, so I appreciate the frustration. Nevertheless, to continue your Monty Python theme - we must always look on the bright side of life!

Please do feel free to contact me on Monday if you would still wish to speak.

Should you not, I thank you all the same for taking the time to respond and enjoy your walk this weekend (...on the proposed diversion!)

Kind regards

Noel

Sent from my iPhone

From: kate rowland <>
Sent: 24 September 2020 20:13
To: Noel Scanlon
Subject: Re: Mrs Rowland - Holmfirth Footpath 60

Hi Noel,

Thank you for your email. Due to Covid I have not walked the Netherthong to Wolfstone Heights route this year as I do not like walking alone and my walking group is currently suspended. I objected in January 2020 following a walk with the group at that time. My bubble partner (who is not really a walker) has agreed to accompany me to walk it this weekend and I can then have a think about it afresh.

This means that I will unfortunately not really be able to chat with you by your 25/09 deadline.

I have been told by a friend from the Ramblers Group that they are also making an objection and I would assume that they may be better placed than me to attend a public inquiry and answer any questions that are 'relevant' to the decision. However if all are welcome to attend the inquiry, then despite you making it sound a little like the Spanish Inquisition (which nobody expects . . .), I would be interested and happy to attend.

Kate

On Wednesday, 23 September 2020, 22:55:27 BST, Noel Scanlon <noel.scanlon@nsconsult.co.uk> wrote:

Dear Ms Rowland

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 your comment that: *"The proposed diversion will add in road-walking (and road-running) which is an unacceptable compromise"*.

I have been asked to reach out to you by the DfT following 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.

I accept that to a large extent your objection is a matter of opinion, but I would be grateful to understand why walking on the road is an unacceptable compromise, given that walking on the road in the area and beyond, north and south, is virtually a daily occurrence. I wondered if you could possibly be more specific please.

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 to formal cross-examination on your maintained objection.

I hope that you are minded to get in touch and allow me 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

Subject: Mrs Rowland

From: NATIONALCASEWORK

Sent: 23 September 2020 12:47

To:

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

Dear Mrs Rowland

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

I can confirm that the Secretary of State is consulting on these proposals in order to take into account the views of those appearing to be affected by the proposed stopping up and diversion of the footpath. However, 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, your comment that "The proposed diversion will add in road-walking (and road-running) which is an unacceptable compromise", is 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

From: kate rowland [mailto:kate.rowland@df.gov.uk]]
Sent: 22 September 2020 17:16
To: NATIONALCASEWORK <NATIONALCASEWORK@df.gov.uk>